



Pan European Structure
Attn: Ronnie Smith, President
Boulevard du Roi Albert II 5
B-1210 Bruxelles

Copenhagen, 23 April 2010

Dear Ronnie,

Comments to the Bureau's proposed By-Laws forwarded on 17 March 2010 from the Danish teacher trade unions BUPL, DLF, GL and UED

The Danish teacher trade unions, BUPL, DLF, GL and UED, support better coherence in the work at European level regarding the tasks that are currently being managed by EI and ETUCE, respectively. We acknowledge that this has to be done within the framework of EI. However, a crucial precondition is that the new ETUCE is an autonomous organisation in relation to European matters, because the ETUCE and the ETUCE representatives have to appear unambiguously as representatives of the European teacher organisations with regard to e.g. the EU and the ETUC.

We consider that the revised proposal for new By-Laws includes a number of improvements compared to the proposal that was submitted to the General Assembly in Warsaw. For example, we find it positive that the autonomy of the ETUCE has been clarified (By-Law 4), that a proper ETUCE Office will be established with its own staff (By-Law 6.3) and that the responsibilities and duties of this staff are specified (By-Law 13).

We believe that this proposal is a good basis for further work with the By-Laws. In this work it is vital that the Bureau and the Committee take a position on the following, before a possible General Assembly:

ETUCE's autonomy in relation to the appointment of a Regional Director

The person responsible for daily management of the ETUCE Secretariat manages a series of contacts and representations in relation to European cooperation parties such as EU institutions. Therefore, it is vital that there can be no doubt at all that this person has to be selected for appointment by – and is accountable towards – the European teacher organisations.

The head of the ETUCE office will also be responsible for EIE matters. For this reason we accept that the EI General Secretary formally has to approve the appointment. However, it is necessary to change the wording of By-Law 13.2(c). The wording implies that ultimately the EI Executive Board may decide who will hold this, for Europe, very important function. This wording is in distinct contradiction to the wording about the ETUCE's autonomy.

We believe that By-Law 13.1 has to specify the authority of the head in relation to the staff at the ETUCE Office, e.g. in connection with employment issues.

We find the title "Regional Director" inappropriate. It indicates an internal function in the EI system. The title "General Secretary" should be maintained. It is a well-known fact that already today the title is accepted by EI in relation to Europe (ETUCE) as well as in the Caribbean, where the Caribbean Union of Teachers (CUT) is an autonomous body within the EI structure, and where CUT also has a General Secretary. We see no need for a new title.

Apart from the above very important questions in relation to the European structure, we suggest that the following matters should also be addressed:

Provisions regarding amendments to By-Laws

It is proposed in By-Law 7.7 that the ETUCE Conference (the General Assembly) can take decisions on amendments to By-Laws by a two-thirds majority vote, understood as two-thirds of the votes both for and against the proposal. We propose that this By-Law is formulated in accordance with the principles of the EI Constitution and what has been put into practice in the EI since 1993:

"A proposed amendment to the By Laws shall be declared adopted if supported by no less than two-thirds of the total (yes, no and abstentions) votes cast".

This wording respects the decision taken on the same matter at the Pan European Congress in Warsaw.

Meeting procedures

Regarding the proposed meeting procedures, it should be taken into consideration that meeting cultures are varying in the European countries. In particular, we want to point out the following proposals that we recommend be changed:

In By-Law 8.5(c) it is suggested that ten members of the Committee may request a recorded vote. We do not understand why this proposal has been included, as this item has not been part of the debate up to now. Such a provision would certainly be contrary to the Danish concept of democracy.

The proposal for written standing orders is appropriate. We have needed these on previous occasions. However the proposed standing orders are unnecessarily comprehensive, not least regarding Committee meetings.

In particular, there are two elements that we would like to see changed:

Firstly, it is not appropriate to lay down standing orders that allow a participant at a meeting to speak only once in a debate. This may of course be necessary at a specific meeting out of consideration of the limited time for getting through the agenda. But it should never be a general rule.

Likewise, it is inappropriate that the President is responsible for balancing the opinions in the debate. This is a simplistic way of seeing things, as not all the speakers during a debate are clearly

“for” or “against” a proposal. The speakers should be given the floor by turn, in the same way as described in the standing orders currently used by the EIE/ETUCE.

Election procedures

The new proposal for new By-Laws contains unchanged election procedures in relation to the present By-Laws.

However, there may be basis for considering the following:

The present state of affairs is that a minority of organisations with a majority of votes can – if they agree - decide the composition of the entire Bureau by themselves. We need to consider if the By-Laws can ensure that the Bureau is sufficiently representative, geographically as well as politically.

Moreover, it is not appropriate that the entire General Assembly elects an individual country's representative. This should be done by the organisations of the country in question.

The entry into force and interim provisions

The By-Laws should state when they come into force. They should also state that the members of the Bureau and Committee, who were elected in Warsaw, and the appointed Treasurer and General Secretary, will continue in their functions throughout the election period.

Moreover, there are a number of small inexactitudes that should be corrected in fine adjustment of the overall proposal.

Conclusion

Finally, we would like to state that we look forward to a constructive process in connection with the preparation of the final proposal for new By-Laws. We hope that all parties will contribute to ensuring the consensus that is necessary to get the required support for the proposal and to re-establish a good cooperation climate among the European teacher organisations.

Best regards,
on behalf of BUPL, DLF, GL and UED



Anders Bondo Christensen
DLF President

cc Charlie Lennon, Chief Regional Coordinator
Martin Rømer, General Secretary