



Education International
6th World Congress



Constitution

Congress Book 4

Constitution and By-Laws



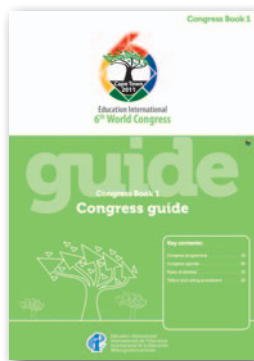
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Congress Book 1 Congress Guide

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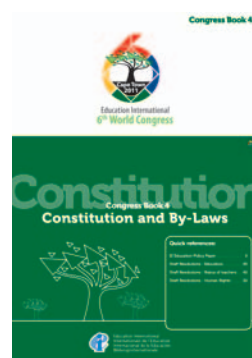
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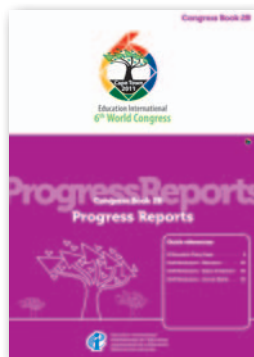
Congress Book 2A Progress Reports

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Congress Book 2B Progress Reports

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1. Amendments to EI Constitution and By-Laws

SECTION A: PROPOSALS FROM THE EXECUTIVE BOARD

1. CONGRESS RULES OF DEBATE

Explanatory note from the Executive Board:

Arising from the review of the 2007 World Congress, the Executive Board decided that it would facilitate a greater number of speakers contributing to debates if the time limit for individual speeches was shortened. This was an issue which was raised in a number of the comments on the proceedings of Congress. The Board decided to propose the following amendments to the Rules of Debate and to the By-Law which governs the length of time allocated to speakers.

1.1. Amendments to Congress Rules of Debates (in bold-italic):

1. A delegate or member of the Executive Board shall speak only once in a debate, unless otherwise agreed by the Congress. The representative of a Congress Committee presenting a report or a mover of a resolution (not concerning a motion of procedure) shall have the right of reply at the close of debate on an item.
2. A request to speak shall be made in writing to the Chair (at the Greffier's desk), except when related to a point of order or procedure. A delegate who is invited by the Chair to speak may yield the right to speak to another member of the delegate's own union. The Chair shall call upon speakers in the order in which they signify their desire to speak.
3. At any time during the course of a debate the Chair may call a speaker to order if the remarks of the speaker are not relevant to the subject under discussion or if the speaker exceeds the allotted time.
4. The General Secretary shall have the right to speak on any subject.
5. Resolutions (motions), which have been submitted to the Congress by member organizations or by the Executive Board in accordance with the prescribed procedures, must be proposed and seconded by accredited delegates or by members of the Executive Board to the Congress in order to place them for debate before the Congress.
6. ***In presenting the resolution for debate the proposer must indicate which accredited delegate is seconding the resolution. It is not necessary for the seconding delegate to approach the rostrum or to speak.***
7. The proposer must speak to the resolution when it has been placed before the Congress.



8. ***If the seconding delegate wishes to speak the delegate may defer speaking until later in the debate but must submit a 'request to speak' form.***
9. Amendments to the resolution, which have been submitted to the Congress by member organizations or by the Executive Board in accordance with the prescribed procedures, must also be proposed and seconded by accredited delegates or by members of the Executive Board to place them before the Congress.
10. ***In presenting the amendment for debate the proposer must indicate which accredited delegate is seconding the amendment. It is not necessary for the seconding delegate to approach the rostrum or to speak.***
11. The proposer must speak to the amendment when it has been placed before the Congress.
12. ***If the seconding delegate wishes to speak the delegate may defer speaking until later in the debate but must submit a 'request to speak' form.***
13. Amendments to a resolution must be taken immediately after the proposer and seconder (if the seconder chooses to speak at the beginning of the debate) of the resolution have spoken. If the seconder decides to speak later in the debate, amendments must be taken when the proposer has finished speaking.
14. Each amendment must be disposed of before the next one is taken.
15. Each delegate may speak only once on any resolution or amendment to it which is placed before the meeting except the proposer of the resolution who may speak once on the resolution and once on any amendment to it. The proposer may also reply to the debate on the resolution (or substantive resolution) before it is voted upon.
16. The proposer of a resolution may speak for a maximum of five minutes in proposing the resolution.
17. ***All other speakers in the debate on a resolution or amendments to it are allowed to speak for a maximum of three minutes.***
18. ***In the interests of completing particular items of business, the Chair, with the permission of the Congress, may reduce the length of time for which speakers are permitted to speak to two minutes or less.***
19. After the proposer of the resolution or amendment and the seconder, if the seconder chooses to speak immediately after the proposer, have spoken, the chair will select speakers for and against the resolution or amendment, in turn. If during the course of the debate there are no further requests to speak against the resolution or amendment, the Chair may put immediately the resolution or amendment to a vote.
20. The debate on a question before the Congress may be interrupted at any time by a point of order or by a motion of procedure. The Chair shall give an immediate ruling in response to a point of order.

A motion challenging the ruling of the Chair shall be put immediately to a vote.

A motion of procedure shall be required in order:

- (i) to adjourn the sitting;
- (ii) to adjourn the debate;
- (iii) to close the debate and/or vote on the item under discussion;
- (iv) to proceed with the next item on the agenda.

The above or any other motion of procedure shall be put immediately to a vote, except that the delegation submitting the resolution under discussion, may exercise its right of reply.

1.2. Amendments to By-Law 8 (Rules of Debate):

In order to implement the changes proposed at points 17 and 18 above the following amendments must be made to EI By-Law 8 (c).

- (i) Insert the words '***proposers of resolutions and contributors to debates or discussions other than on resolutions***' after the words 'applicable to all' in the first sentence. Delete the words 'speakers in debate.'
- (ii) Insert a new second sentence as follows: - '***All speakers in a debate on a resolution or an amendment to it, other than the proposer of the resolution, shall be allowed to speak for no more than three minutes.***'

- (iii) Delete the word 'three' in the final sentence and replace it with '**two**'.

2. SUSPENSION, EXCLUSION AND WITHDRAWAL FROM MEMBERSHIP

Explanatory note from the Executive Board:

The object of the changes is to clarify the implications of the suspension of an organisation from membership. The existing Article provides for suspension from membership but it neither indicates clearly what the impact of that suspension should be nor the procedures to be followed in imposing or lifting a suspension.

2.1. Amendment to Article 7 of the Constitution (Suspension or termination of membership):

Delete Article 7 and substitute the following text:

"Article 7: Suspension, Exclusion And Withdrawal From Membership

Suspension of membership and investigation of charges

- a) In the event that it is charged that a member organisation violates or ceases to fulfil the requirements of the Constitution, on the basis of a complaint lodged by the governing body of another member organisation, or on the initiative of the Executive Board itself, the Executive Board shall refer the matter for investigation to the Committee of Experts established under the provisions of Article 5.*
- b) Pending the outcome of such an investigation by the Committee of Experts the Executive Board may decide, by a two thirds majority of those who are present and voting at a quorate session, to suspend the organisation under investigation from membership.*
- c) An organisation which is suspended from membership shall not be eligible to be represented at activities of the organisation, shall not receive grants from the organisation under any scheme and its representatives will also be suspended from participating in the governing structures of the organisation at any level.*
- d) An organisation which is suspended from membership must continue to fulfil its obligations to pay membership fees in accordance with the provisions of Article 19.*
- e) An investigation initiated under (a) or (f) must be completed within twelve months of the decision of the Executive Board to initiate the investigation. If the investigation has not been completed within twelve months the suspension must be lifted automatically.*
- f) The Executive Board may also decide to suspend an organisation from membership by a two thirds majority of those who are present and voting at a quorate session on the basis of complaints from within the organisation that it has not adhered to the terms of its own constitution and by-laws. Such complaints may be investigated initially by the secretariat and, if the outcome of such investigation is not satisfactory, may be referred to the Committee of Experts for investigation.*

Procedures for investigation by the Committee of Experts

- g) In the event that the Executive Board initiates a referral of an organisation to the Committee of Experts, the following requirements shall be met:*
 - (i) The Committee of Experts shall enquire into the charges and conduct a due hearing before presenting its finding to the Executive Board.*
 - (ii) The organisation whose membership status is under review by the Committee of Experts, shall be given due notice, a copy of the charges, the right to respond to the charges, and a copy of the finding of the Committee of Experts.*
 - (iii) The finding of the Committee of Experts shall be communicated to the Executive Board for action as specified in the By-Laws.*

Conclusions of investigation and exclusion from membership



- h) If the findings of an investigation conclude that the matter has been resolved or that the complaint was unfounded the member organisation shall be re-instated at the next Executive Board meeting.*
- i) If the findings of an investigation conclude that the charge against the organisation is justified the Executive Board may exclude the organisation from membership or may grant the organisation a period of not more than six months within which to rectify the situation to the satisfaction of the Executive Board. The organisation will remain suspended until the six month period has elapsed or until it rectifies the situation. If it has not rectified the situation within the specified six month period it shall be excluded from membership.*
- j) A two thirds majority of those who are both present and voting at a quorate session shall be required for the Executive Board to exclude an organisation from membership.*
- k) The member organisation concerned shall be informed of the decision of the Executive Board and of the reasons justifying that decision.*
- l) Any organisation which is more than twenty four (24) months in arrears of the payment of its membership dues, without the approval of the Executive Board, shall be excluded from membership.*
- m) Any member organisation that has been suspended or excluded by the Executive Board, other than for being in arrears of the payment of membership dues, shall have the right of appeal to the World Congress under conditions to be specified in the By-Laws.*

Withdrawal from membership

- n) An organisation which seeks to withdraw from membership in Education International shall provide notification of such intention six months in advance. Financial obligations to Education International shall not expire until the end of the six month period.*
- o) Only notifications of withdrawal duly authorised by the member organisation's governing body, shall be taken into consideration by the Executive Board."*

3. SUB-REGIONAL AND CROSS-REGIONAL STRUCTURES

Explanatory note from the Executive Board:

Article 13 of the Constitution provides for the establishment of five regions to which countries, and the member organisations within them, may be assigned. Responsibility for the precise definition of the regions and the allocation of countries to them is assigned to the Executive Board in By-Law 18.

There is no provision within the Constitution and By-Laws for the establishment of sub-regional and/or cross-regional structures.

The Executive Board decided at its meeting in March, 2009, that:

1. EI should establish more sub-regional structures, as required, to provide opportunities for organisations to interact and engage with EI and with other member organisations in the region with similar interests and concerns.
2. EI should also establish cross-regional groupings where the interests and concerns of the member organisations warrant such structures.
3. EI should review the boundaries of its regions to try to ensure that member organisations at the boundaries of the regions are not isolated and deprived of opportunities to participate in EI activities and interact with other member organisations in their region.

The Executive Board proposes the following amendments to the Constitution and By-Laws.

3.1. Amendment to Article 13 of the Constitution (Regional Structures):

Insert in Article 13 a new clause (e) as follows:-

"(e) The Education International may also establish such sub-regional and cross-regional structures as it deems necessary to provide advice to the Executive Board on policies and activities which may be undertaken in countries in a sub-region or in countries in more than one region, where the countries are linked by the existence of a an intergovernmental body for the governments of the countries concerned, or by a cultural or linguistic inheritance. Such structures shall be governed by By-Laws approved by the Executive Board."

3.2. Amendment to By-Law 18 (Definition of Regions)

Insert a new second sentence in By-Law 18. Definition of Regions as follows:-

"The Executive Board shall also allocate countries to sub-regional or cross-regional structures, where applicable, after undertaking the necessary consultations with the member organisations concerned".

4. IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SPECIAL COMMITTEE ON STRUCTURES AND FINANCE

4.1. Amendment to By-Law 25 (Finance Committee):

To reconcile the current practice in relation to the Finance Committee and to implement the recommendations of the Special Committee on Structures and Finances the following amendments should be made to By-Law 25:-

- (i) Insert ***"the Officers and two additional"*** after the words "composed of" in (a), and
- (ii) Insert the words ***"in conjunction with each ordinary meeting of the Officers and"*** after "shall meet" in (d).

The revised text would read as follows:-

25. FINANCE COMMITTEE

- a) The Finance Committee shall be composed of ***the Officers and two additional*** members of the Executive Board, to be appointed by the Executive Board. The Executive Board shall appoint the Committee's Chairperson who shall preside over the Committee's meetings and shall be the Committee's spokesperson.
- b) A member shall be appointed for a term of four years and shall be eligible for re-appointment.
- c) The Committee shall:
 - (i) present the financial report and propose a budget to the Executive Board and on its behalf to the Congress;
 - (ii) make recommendations to the Executive Board concerning the management and financial administration of the Education International;
 - (iii) inform the Executive Board about arrears of membership dues and make recommendations regarding the implementation of Article 7(b) of the Constitution and of By-law 26;

- (iv) make recommendations to the Executive Board concerning salaries and conditions of employment of staff members;
 - (v) make recommendations to the Executive Board concerning salary and conditions of employment of the General Secretary;
 - (vi) inform the Executive Board about the financial implications of any decision or proposed decision;
 - (vii) analyze and report upon any other question which the Executive Board may refer to the Committee concerning the revenue, expenditure, investments, accounts, properties and operational costs of the Education International.
- d) The Committee shall meet **in conjunction with each ordinary meeting of the Officers and** immediately prior to each meeting of the Executive Board.
 - e) In each year the Committee shall consider an audited statement and balance sheet for the preceding year, a revised budget for the current year and a budget for the following year, presented by the General Secretary.
 - f) In a year in which a Congress is to be held, the Committee shall consider an audited statement and balance sheet for the preceding year, a revised budget for the current year and a general budget for the following years including the year in which the next Congress is to be held. This general budget shall be drafted by the General Secretary.
 - g) The Committee shall receive any other information from the General Secretary that it deems relevant for the accomplishment of its tasks.

4.2. Amendment to By-Law 26 (Dues):

In order to avoid the organisation suffering a cash shortage at the beginning of each financial year and, especially, after each year in which Congress is held, when cash reserves are at their lowest, the date for payment of dues should be brought forward to the 31st March which is the end of the first quarter of the financial year. In a Congress year this would also assist with the earlier calculation of the numbers of delegates and votes to which organisations are entitled at Congress. At present this cannot be finalised until the month of July, which is the month in which Congresses are held. An additional amendment is proposed to reconcile the practice of the Board whereby it grants special agreements on dues payments for more than one year with the present provision of the Constitution and By-Laws which only provides for one year agreements. The following amendments are therefore proposed to By-Law 26:-

- (i) Replace "30 June" with "**31st March**" wherever it appears,
- (ii) Replace "31 December" with "**30th September**" wherever it appears,
- (iii) Delete "31 December of the preceding year" and insert "**the preceding 30th September of the year**" in (c),
- (iv) Delete "within three months" and insert "**within one month**" in (d),
- (v) Insert "**normally**" after the word "expire" and insert a new second sentence as follows "**In exceptional circumstances a special agreement may be approved for up to three years**" in (h).

The revised text would read as follows:-

26. MEMBERSHIP DUES

- a) The dues payable to the Education International by a member organisation shall be determined by the Congress.
- b) The membership dues shall be receivable not later than **31st March** each year and shall be computed on the total membership of the member organisation on **30th September** of the preceding year.
- c) Each member organisation shall notify the Education International not later than **30th November** of each year of its membership figures on **the preceding 30th September of the year** and shall provide any other information required for the calculation of dues. The Executive Board may request a member organisation to substantiate such information.
- d) In the event that a member organisation fails to provide the required information before **30th November** or to meet a request to substantiate such information **within one month**, the Executive Board, may determine a per capita amount on the basis of information provided by other sources, which shall then be due to the Education International.



- e) Membership dues shall be paid in a convertible currency to be determined by the Executive Board.
- f) If in any year the payments received prior to **31st March** are less than the amount determined in accordance with the previous paragraphs, the member organisation shall be informed that it is in arrears, and all payments received subsequent to **31st March**, whether in that year or in following years, shall in the first instance be applied to the reduction or elimination of the arrears.
- g) If a member organisation is unable to fulfil its financial obligations, owing to extraordinary circumstances, the Executive Board shall have the authority to reach a special agreement with that organisation entailing:
 - (i) a delay of payment; or
 - (ii) a payment on a reduced membership; or
 - (iii) payment in a non-convertible currency; or, in extreme cases,
 - (iv) an exemption from part or all of the payment of membership dues.
- h) Special agreements shall expire **normally** at the end of the financial year in which they are reached, but may be renewed in the following year. **In exceptional circumstances a special agreement may be approved for a period of up to three years.** Agreements that concern payment in a non-convertible currency shall establish the real value of the agreed payment in a convertible currency which shall constitute the basis of the calculation of the number of delegates and votes at the Congress to be allocated to the organisation concerned. Special agreements shall be reported to each Congress.
- i) The number of delegates and votes at the Congress to be allocated to a member organisation shall be calculated according to the average number of members for which membership dues have been paid since the preceding Congress or since the year of affiliation, after adjustment has been made in respect of any arrears owing for preceding years.

4.3. Amendment to Article 9 (b) of the Constitution and By-Law 7:

The Special Committee recommended that the World Congress 'should establish an internal Audit Committee, composed of one representative with some financial expertise from each region, to report to it on the audited accounts. The Chair of the Finance Committee, the General Secretary, or a designate, should also be ex-officio members of the Audit Committee. The Committee should meet between Congresses to review the accounts and prepare a report on the financial statements for the next Congress. The following amendments are proposed to give effect to this recommendation.

4.3a Amendment to Article 9 (b) of the Constitution (World Congress)

Insert in Article 9(b) a new clause (iv) as follows and renumber the subsequent clauses accordingly:

"(iv) appoint the internal Audit Committee"

4.3b Amendment to By-Law 7 (Committees of the Congress):

(i) Insert a new section (d) in By-Law 7 and renumber the subsequent clauses of the By-Law accordingly:

"(d) Audit Committee"

(i) Congress shall appoint an internal Audit Committee consisting of one representative of a member organisation from each of the five regions.

(ii) The Chair of the Finance Committee and the President and General Secretary, or a designate, shall also be ex-officio members of the Audit Committee.

(iii) The role of the internal Audit Committee is to examine the annual audited accounts of EI and report thereon to the next Congress.

- (iv) *The Audit Committee shall meet between Congresses to review the accounts and prepare a report on the financial statements for the next Congress.*
- (v) *The members of the Audit Committee referred to in (i) above, shall be nominated by member organisations to the Executive Board prior to Congress on the basis of their expertise in financial matters.*
- (vi) *The Executive Board shall recommend one such nominated representative from each region to the Congress for appointment to the internal Audit Committee.*
- (vii) *The term of office of each member of the Audit Committee, other than the ex-officio members, shall expire at the end of the Congress after the one at which the member is appointed."*
- (ii) Insert in By Law 7, clause (d), (new (e)), after the words "Resolutions Committee", the words "**internal Audit Committee**".

5. THE CALCULATION OF A TWO-THIRD MAJORITY IN A VOTE ON AMENDMENTS TO THE CONSTITUTION AND BY-LAWS

Explanatory note from the Executive Board:

The issue of the definition of a two-thirds majority in a vote arises in relation to amendments to the Constitution and By-Laws in Article 25 (d) where it is described as 'two-thirds of the total votes cast'. In By-Law 9 (d) (i) it is described as 'two-thirds of the delegates present and voting'. As these words are open to more than one interpretation the Executive Board decided to make a formal interpretation of what constitutes a two-thirds majority in a vote on an amendment to the Constitution or by-laws in EI. It is desirable to avoid contentious debates about rules and procedures on the floor of a conference during a divisive debate. Those participating in debate at a meeting or conference should be clear about the rules which apply to their decision making.

The purpose of the two thirds majority requirement is to ensure that either a proposal has widespread support among the members of the organisation or it cannot be adopted. The benchmark is intended to be higher than the normal fifty per cent plus one. An abstention does not register support for a proposal but it could result in a proposal being adopted if many potential voters recorded abstentions.

A solution to this problem is required which does not of itself require multiple amendments to the Constitution and By-Laws in order to provide, for example, for a minimum number of votes to be cast. In circumstances where there were only three votes cast out of, perhaps, hundreds of potential votes, with a simple two-thirds majority provision, two votes cast in favour, with one against, could constitute a two thirds majority. The two thirds majority should, therefore, be of potential votes, that is, of the votes available to those registered for the Congress.

The Executive Board decided, therefore, that the interpretation of the EI Constitution should be to the effect that a two thirds majority vote in relation to an amendment to the Constitution and/or By-Laws should consist of two thirds of the eligible votes of those registered to attend the Congress. In these circumstances abstentions and negative votes have the same impact. The necessary consequential amendments to the Constitution and By-Laws to this effect are set out below.

5.1. Amendment to Article 25 (b) of the Constitution (Amendments to the Constitution):

Replace 'two-thirds of the total votes cast' with: "**two-thirds of the eligible votes of member organisations which have registered their attendance at the Congress**".

6. CREATION OF A CATEGORY OF 'ASSOCIATE MEMBERSHIP'

Explanatory note from the Executive Board:

The existing aims of Education International include the following:-

- to encourage through their organisations closer relationships among teachers and education employees in all countries and at all levels of education;

- to promote and to assist in the development of independent and democratic organisations of teachers and education employees, particularly in those countries where political, social, economic or other conditions impede the application of their human and trade union rights, the advancement of their terms and working conditions and the improvement of educational services;
- to promote unity among all independent and democratic trade unions both within the educational sector and with other sectors; and thereby contribute to the further development of the international trade union movement.

It is in the context of these aims that the following review of membership and recruitment policies and practices has been prepared.

Education International is now the only major teachers' and education workers' organisation in the world. There are a small number of independent regional federations which teachers and education workers organisations may join and there is also FISE, which claims to be a global organisation but which has only a small number of affiliates.

In countries throughout the world there are a number of national organisations representing teachers and other education workers which are not in membership of EI. Some of these would meet the EI membership criteria but either have not applied for membership for political reasons or have been advised that a membership application would be opposed by existing EI member organisations in the countries concerned. Others have applied for membership and been rejected because they did not meet one or more of the membership criteria. The most common criteria which such organisations fail to meet are independence of government influence or control and internal democratic decision making.

Many of these organisations would support the aims and objectives of EI. They would have no difficulty in making the commitments to EI policies and aspirations which is required of member organisations. In the context of the virtual monopoly of global teacher and education worker representation which EI enjoys currently, the question of relating to and cooperating with such organisations arises, especially where they are the only organisation with the potential to become an EI member in the country concerned.

It is clearly in the interests of EI to try to ensure that it maintains its dominant position as the organisation representing teachers and other education workers at global level and, in that context, to prevent the development of alternative organisations at regional or global level. The present approach to membership processing and recruitment neither encourages potential member organisations which do not meet all of the membership criteria to adapt to meet the criteria, nor does EI consistently and actively seek to recruit non-member organisations which may meet the membership criteria.

In the context of fulfilling the EI aims to unite the trade unions in the education sector across the world and to promote and assist the development of independent and democratic organisations of teachers and education employees a more systematic and active approach to recruitment and cooperation with potential member organisations is required at global and regional levels.

In October, 2000, the Executive Board approved a paper entitled "EI Membership Recruitment and Retention: Developing a Strategic Approach". This paper contained similar comments to those outlined here. It was conceived of in circumstances where WCT was a significant rival to EI and discussions were ongoing about a merger of the two organisations. The recommendations in that paper for an Action Plan on Recruitment and Retention are still relevant today. The paper called for a comprehensive recruitment and retention strategy designed to achieve the goals and objectives identified above requires data collection and analysis, setting of targets for increased membership coverage, identification of priorities and preparation of a systematic approach to targeted non-member organisations.

For those organisations which do not meet one or more of the EI membership criteria at present and cannot therefore become members of EI, EI offers no tangible incentive to them to adapt to meet the criteria. They remain isolated from EI's influence and cannot cooperate with EI or its member organisations in ways which might encourage them to change. A formal structured framework for such organisations to engage with EI would be more likely to influence them to develop their structures, policies and practices to meet the EI membership criteria.

In some organisations, including ITUC, there is provision for associate membership for organisations which support the aims of the organisation but do not fully meet the criteria for full membership. The status of associate member may entitle such an organisation to limited participation in the organisation's activities and to cooperate and collaborate openly with existing member organisations. Their representatives may attend conferences and seminars as participants but only attend governing body meetings as observers. They would not be entitled to vote in elections. They may receive advice and practical assistance, newsletters and other regular communications from the organisation. They would be required to pay dues, albeit at a reduced rate. In some organisations the category of associate member must be reviewed every couple of years or, alternately, is for a fixed term only. If EI were to introduce a provision for such associate membership then it would determine the entitlements and benefits of such a category of membership.

There are not many organisations which would fit into group (i) above, that is which meet the membership criteria and have not applied or have been discouraged from applying for membership. In the second group (ii), that is organisations which meet some but not all of the criteria and would be prepared to commit themselves to support the aims of EI in the context of becoming associate members, there would appear to be great potential for extending the influence of EI. The Executive Board decided to propose the following changes to the Constitution and By-Laws necessary to create a category of Associate Membership.

6.1. Amendment to Article 4 of the Constitution (Membership):

Insert in Article 4 a new clause (e) as follows:

"(e) Education International may also admit into a special category of associate membership, as defined in the EI By-Laws, for a fixed period or periods, organisations which do not meet fully the membership criteria set out in (b) above. Applications for such associate membership shall be processed in accordance with the conditions set out in (c) and (d) above."

6.2. New By-Law 2 (Associate Membership)

Insert a new By-Law 2: Associate Membership, as follows, and renumber subsequent By-Laws accordingly:

"2 ASSOCIATE MEMBERSHIP

- (a) An organisation which applies for membership of Education International but which, in the opinion of the Executive Board or of the Committee of Experts, does not meet fully the criteria for membership may be offered associate membership by the Executive Board for a limited period in order to enable it to adjust to meet fully the criteria for membership.*
- (b) Associate membership may be granted initially for a period of four years or less. Associate membership may be granted by the Executive Board to an organisation for a further period of four years or less but such membership shall be limited in all circumstances to periods totalling not more than eight years.*
- (c) The list of organisations with the status of associate member must be reported to each Congress.*
- (d) An organisation with the status of associate member will be entitled to
 - (i) Participate in EI activities and programmes*
 - (ii) Receive EI publications, advice and assistance**
- (e) An organisation with the status of associate member will be required to
 - (i) Meet the Constitutional obligations provided for member organisations in Article 6 (b),*
 - (ii) Pay membership dues at a rate to be determined by the Executive Board but which will not, in any event, be less than seventy-five per cent of the rate applying to other member organisations in the country concerned, if such exist, and*
 - (iii) Report annually to the EI Executive Board on the steps which the organisation has taken to meet fully the EI membership criteria.**
- (f) An organisation with the status of associate member will not be allowed
 - (i) to vote in elections to EI governing bodies at global or regional level*
 - (ii) to nominate a representative to stand for election to an EI governing body at regional or global level*
 - (iii) to participate in meetings of EI governing bodies at regional or global levels, other than as an observer.**
- (g) At the end of each period of associate membership the Executive Board shall satisfy itself that the organisation either
 - (i) meets fully the membership criteria, in which case it shall be admitted into membership, or*
 - (ii) has made satisfactory efforts to meet the membership criteria but does not fully meet the criteria and should be granted a further period of associate membership, subject to the overall limit in (e) (i) above, in which to complete its adjustment, or**



(iii) has made no effort to meet fully the membership criteria, in which case associate membership shall be withdrawn."

SECTION B: PROPOSED AMENDMENTS FROM MEMBER ORGANISATIONS

Introductory note from the Executive Board:

The Constitution and By-Laws are the basic documents which govern the organisation. They are the documents which describe the aims of the organisation and its structures and procedures. Every article should be clear and capable of being interpreted, as was intended by the Congress which adopted it, by a person who was not present for the debate and discussion. Each article should be consistent with all other articles. Each article should either contain all of the necessary definitions to understand it, within the article itself, or by cross referencing it to other articles which contain the necessary definitions. The article must be capable of being implemented. It may not, for example, provide for a course of action which would be illegal, or which would require coercion of individuals outside of the organisation in order to implement it.

Any proposed amendment to an article must, therefore, be written clearly with no ambiguity, must not introduce a conflict with another article, must include proposals for all consequential changes in other articles, must be coherent with other articles and must include all necessary definitions or references to such definitions where they are elsewhere in the Constitution and By-Laws.

The Executive Board advises against the adoption of any amendment which, in the opinion of the Board, does not meet these criteria, regardless of the intended purpose, since the impact of such amendment, if adopted, would undermine the clarity of the Constitution and By-Laws or introduce an internal conflict to them.

7. AMENDMENT TO ARTICLE 10 (C) OF THE CONSTITUTION (EXECUTIVE BOARD) FROM SNES-FSU/France AND FENPROF/PORTUGAL

Replace first sentence with: ***"The Executive Board shall be composed of thirty-one (31) members"***; add after (iv): ***"5 regional coordinators, as ex-officio members without voting rights"***

Explanatory note from SNES-FSU/France :

Their good command of regional problems is likely to improve the Executive Board's knowledge of regional matters.

Executive Board Comment:

- (a) The Board is not in favour of the proposed amendment;
- (b) The amendment adding five Regional Coordinators (RCs) to the Executive Board is in conflict with other articles of the Constitution and By-laws. because:
 - It is not possible to put into an article of the Constitution a reference to posts of regional coordinator which are not provided for or defined elsewhere within the Constitution;
 - there are three Chief Regional Coordinators (CRCs) and about twelve RCs and no selection process is proposed for the specific five RCs on the Board, thus bringing the proposal into conflict with by-law 13 on elections to the Executive Board;

- CRCs and RCs are EI employees appointed by the General Secretary. Membership of the Executive Board, however, is restricted to persons nominated by member organisations and elected by the Congress.
- (c) On the Executive Board there are ten “regional seats” for two members from each of the five EI regions. In addition there are five Vice Presidents, one from each region. These three Board Members, elected on a regional basis, would be sufficiently informed about the problems and challenges facing their regions to present the regional perspective on matters discussed by the Board.
- (d) In light of the above the Executive Board requests SNES-FSU/France and FENPROF Portugal to withdraw the amendment

8. AMENDMENT TO BY-LAW 16 (EXECUTIVE BOARD) FROM DLF/DENMARK

Add 16 (e): ***“The minutes of the meetings shall be sent to all member organisations after the Executive Board meetings.”***

Explanatory note from DLF/Denmark

Information about the work and decisions of the Executive Board working between two congress periods is essential knowledge and should be communicated to all member organisations. This is why the DLF proposes that the openness and knowledge sharing are strengthened by sending out minutes shortly after the meetings of the EI Executive Board to all member organisations.

Education International is an important part of the international trade union movement working for democracy, social justice and equal opportunities. As trade unions we work for our members to ensure democratic rights and influence. Openness and transparency are important elements of democracy and in Education International we also value openness, transparency and knowledge sharing highly. In this way we strengthen the organisation’s legitimacy towards the members.

Executive Board Comment:

- (a) The Board is not in favour of the proposed amendment;
- (b) The amendment does not achieve the objective stated in the explanatory note, namely that the decisions of the Executive Board - and information about EI activities in general - be swiftly communicated to all member organizations. Although the Board supports this objective, the minutes of Board meetings are draft minutes which cannot be published until adopted by the following meeting, which is usually held nine months later.
- (c) The amendment is unnecessary. The Board is of the opinion that all documents presented to and adopted by the Executive Board – with the exception of documents addressing personnel matters and other issues which have to be treated as confidential – should be available to member organizations. Within a couple of weeks after each Board meeting, a report of that meeting, a list of decisions, as well as a link to the main documents presented at the meeting, are distributed to the entire membership.
- (d) The objective stated in the DLF explanatory note will be achieved more effectively by further developing the above mentioned reports of Board meetings and by improving access to all Executive Board documents in the membership section of the EI website.
- (e) In light of the above the Executive Board requests DLF to withdraw the amendment



9. AMENDMENT TO ARTICLE 13 OF THE CONSTITUTION (REGIONAL STRUCTURES) FROM ACUGET/SRI LANKA

Add: ***“Additional 5 vice-presidents may be appointed from each region”***

Explanatory note from ACUGET /Sri Lanka

In support of the above Amendments we may categorically point out that

1. Article 13 – Regional Structures
 - (a) The Education International shall establish five (5) regions:
 - (i) Africa:
 - (ii) North America and Caribbean:
 - (iii) Asia & Pacific
 - (iv) Europe; and
 - (v) Latin America.

According to the present Constitution one Vice-President is elected from each Region. This number is quite insufficient in view of the massive increase of the Membership.

Executive Board Comment:

- (a) The Board is not in favour of the proposed amendment;
- (b) The amendment undermines the clarity of the Constitution and By-Laws and introduces an internal conflict to it, because:
 - A change in the composition of the Executive Board would require an amendment of Article 10 (c). The amendment appears to propose a change of Article 13 (Regional Structures) only;
 - The wording is unclear
 - The amendment does not address the consequential amendments which would be required to implement the proposed change.
- (c) The Board does not support the idea of extending the Executive Board with 25 Vice Presidents' positions, bringing the total number of Board members to 46. The size of the Executive Board should not be linked to the increase of EI's membership, which to date stands at 396 member organizations in 171 countries. 6.5% of the membership (in terms of the number of member organisations) is directly represented on the Executive Board. An additional 93 members (23.5% of EI membership) are directly represented on four Regional Committees. Furthermore, the expansion of the Executive Board by 20 members would have substantial financial implications
- (d) In light of the above the Executive Board requests ACUET to withdraw the amendment.

10. AMENDMENT TO ARTICLE 19 OF THE CONSTITUTION (MEMBERSHIP DUES) FROM OLME/GREECE AND FENPROF/PORTUGAL

Insert in subparagraph (a) after "(...) economic circumstances of countries": ***“and for the different salaries of teachers among countries”***.

Explanatory note from OLME/Greece and FENPROF/Portugal

We can find substantial differences between the average salary of teachers of countries with the same GDP. Consequently, the different salaries of teachers amongst countries should be taken in account in the way of calculating dues.

Executive Board Comment:

- (a) The Board is not in favour of the proposed amendment.
- (b) The amendment proposes to introduce a system of determining the dues rate on the basis of two criteria. The Board is of the opinion that it is not possible to develop a dues determining system based both on the "economic circumstances of countries" and on "the different salaries of teachers". Until 1998 the EI dues rates were calculated on the basis of teachers' salaries in the countries of member organizations. The 2nd World Congress decided to abandon this system, considering that it was unworkable and unfair. Five years of experience had shown that member organizations were unable to systematically provide EI with relevant and reliable data, as a result of which some member organizations determined their own dues rate on the basis of salary information that could not be verified by EI. For that reason the World Congress took the decision to revert to an objective and verifiable basis, namely the GDP/GNI of the countries of member organizations.
- (c) The Special Committee on Structures and Finance, which was established following a decision of the 5th World Congress in 2007, recommended in October 2009 that "EI retain the existing dues calculation system, based on a country's GNI, as the fairest and most equitable of the systems considered".
- (d) In light of the above the Executive Board requests OLME/Greece and FENPROF/Portugal to withdraw the amendment

11. AMENDMENT TO BY-LAW 11 (VOTING) FROM SNES-FSU/France AND FLC-CGIL/ITALY

Add a para (h): "A resolution, motion or amendment shall be declared adopted if more than 50% of the votes are in favour of it, from more than 50% of member organisations."

Explanatory note from SNES-FSU/France and FLC-CGIL/Italy:

This is about taking into account the voices of more member organisations in the decision-making process.

Executive Board Comment:

- (a) The Board is not in favour of the proposed amendment
- (b) The proposed amendment would require that almost every vote on every resolution, motion or amendment would not be taken by show of delegates' cards, as at present, but by a roll call vote, involving the counting of the number of votes to which every member organisation was entitled. It would otherwise be impossible to determine that 50% of the votes of 50% of the member organisations were cast in favour of a proposition. The only way to accomplish such voting relatively quickly would be to introduce expensive and sophisticated electronic voting systems, otherwise the voting process on each issue would take up a considerable amount of time.
- (c) The Board notes that currently most votes at the Congress are cast by delegates' show of hands. Member organizations are allowed to register 1 delegate and 1 additional delegate for every 10,000 members for whom membership fees has been paid, with a maximum of 50 delegates. This implies that, in terms of votes by show of hands, the largest organizations have no more than 50 votes, while the smallest organizations have at least 1 vote, giving them relatively more weight in congress decision-making than their larger sister-organizations. As outlined in (b), the proposed amendment would drastically change this voting pattern and not achieve the objective stated in the explanatory note.
- (d) The Board is of the opinion that the amendment weakens the current democratic basis of the decision making process at EI World Congresses, which is that member organizations, freely and without limitations, use their voting strength, in terms of the number of their delegates attending, or the number of votes which have been allocated to them as determined by their membership for which dues has been paid, to seek to influence the decisions of Congress.
- (e) In light of the above the Executive Board requests SNES-FSU/France and FLC-CGIL/Italy to withdraw the amendment



12. AMENDMENT TO BY-LAW 25 (FINANCE COMMITTEE) FROM SNES-FSU/FRANCE

Add to paragraph e: “and communicates the report of this Committee to all member organizations”

Explanatory note from SNES-FSU/France :

The purpose of this amendment is to inform member organizations regularly of the organization’s current resources and their use.

Executive Board Comment:

- (a) The Board is not in favour of the proposed amendment;
- (b) According to Article 17 of the Constitution, the Finance Committee reports to the Executive Board and to the World Congress on the Board’s behalf. The Board does not support the proposal that the Committee communicates its reports directly to member organizations. Reports produced by Executive Board Committees are first to be considered and adopted by the Executive Board. The General Secretary then communicates the decisions of the Board to the EI membership (See also the Executive Board Comment on Amendment 8 proposed by DLF).
- (c) The Board supports the view expressed in the explanatory note, namely, that member organizations should be informed regularly about EI’s financial situation. Currently, audited statements, balance sheets and budgets approved or adopted by the Executive Board are available to all member organizations. No amendment to the By-laws is required to facilitate and improve access to this information. The concerned documents will be published in the membership section of the EI website.
- (d) In light of the above the Executive Board requests SNES-FSU to withdraw the amendment.

Education International
6th World Congress



2. EI Constitution

CONSTITUTION OF EDUCATION INTERNATIONAL

Article 1 NAME

The organisation shall be named:

- (a) Education International (EI)
- (b) Internationale de l'Éducation (IE)
- (c) Internacional de la Educación (IE)
- (d) Bildungsinternationale (BI)

Article 2 AIMS

The aims of the Education International shall be:

- (a) to further the cause of organisations of teachers and education employees, to promote the status, interests and welfare of their members, and to defend their trade union and professional rights;
- (b) to promote for all peoples and in all nations peace, democracy, social justice and equality; to promote the application of the Universal Declaration on Human Rights through the development of education and of the collective strength of teachers and education employees;
- (c) to seek and maintain recognition of the trade union rights of workers in general and of teachers and education employees in particular; to promote the International Labour Standards, including freedom of association and the right to organize, to bargain collectively and to undertake industrial action, including strike action if necessary;
- (d) to enhance the conditions of work and terms of employment of teachers and education employees, and to promote their professional status in general, through support for member organisations and representation of their interests before the United Nations, its specialized agencies and other appropriate and relevant intergovernmental organisations.
- (e) to support and promote the professional freedoms of teachers and education employees and the right of their organisations to participate in the formulation and implementation of educational policies;
- (f) to promote the right to education for all persons in the world, without discrimination, and to this end:
 - (i) to pursue the establishment and protection of open, publicly funded and controlled educational systems, and academic and cultural institutions, aimed at the democratic, social, cultural and economic development of society and the preparation of every citizen for active and responsible participation in society;
 - (ii) to promote the political, social and economic conditions that are required for the realisation of the right to education in all nations, for the achievement of equal educational opportunities for all, for the expansion of public educational services and for the improvement of their quality;
- (g) to foster a concept of education directed towards international understanding and good will, the safeguarding of peace and freedom, and respect for human dignity;
- (h) to combat all forms of racism and of bias or discrimination in education and society due to gender, marital status, sexual orientation, age, religion, political opinion, social or economic status or national or ethnic origin;
- (i) to give particular attention to developing the leadership role and involvement of women in society, in the teaching profession and in organisations of teachers and education employees;



- (j) to build solidarity and mutual cooperation among member organisations;
 - (k) to encourage through their organisations closer relationships among teachers and education employees in all countries and at all levels of education;
 - (l) to promote and to assist in the development of independent and democratic organisations of teachers and education employees, particularly in those countries where political, social, economic or other conditions impede the application of their human and trade union rights, the advancement of their terms and working conditions and the improvement of educational services;
 - (m) to promote unity among all independent and democratic trade unions both within the educational sector and with other sectors; and thereby contribute to the further development of the international trade union movement.
- (b) Any national organisation composed predominantly of teachers and education employees shall have the right to apply for membership and shall be admitted as a member of the Education International by the Executive Board, provided that the applicant:
 - (i) subscribes to the aims and principles as described in Article 2 and 3 - and is thereby actively engaged in promoting the overall professional and trade union interests of its members;
 - (ii) pledges to fulfil the obligations of membership as described in Article 6;
 - (iii) is, to the extent possible, national in character and scope and representative of teachers and/or other education employees in its country. The term country is defined according to membership in the United Nations. Nevertheless applications may also be considered from organisations at the regional level in a country where there is no national member.

Exceptions to this provision may be made by a two-thirds majority of those present and voting at the Executive Board.

Article 3 GENERAL PRINCIPLES

- (a) The Education International shall be guided by the ideals of democracy, human rights and social justice.
 - (b) The Education International shall be independent of every government. It shall be self-governing and not subject to control by any political party or ideological or religious grouping.
 - (c) The Education International shall be associated with the International Trade Union Confederation (ITUC), work closely with the other Global Union Federations (GUFs) and participate in the Council of Global Unions. Its association with the ITUC and involvement with the Council will not affect its status as an independent and autonomous body. Neither ITUC nor the Council may interfere in Education International's internal affairs. Furthermore:
 - (i) any change in this relationship shall be subject to ratification by the Education International's World Congress;
 - (ii) affiliation of member organisations with national trade union centres is a matter to be determined solely by those member organisations.
 - (d) The Education International shall not interfere in the internal affairs of member organisations. It shall respect internal freedom and diversity of expression in accordance with the principles of the constitution.
- (iv) practices internal democracy in the designation of its leadership, in the determination of its goals, policies and activities and in the management and administration of all of its affairs;
 - (v) is self-governing and not under the control of any political party, government and ideological or religious grouping;
 - (vi) is not affiliated to or formally associated with other international teacher's trade union bodies or with their regional structures. This restriction does not apply in the case of affiliation to autonomous regional bodies.
 - (vii) is not part of an organisation already in membership, such that acceptance of the application would create double affiliation.
- (c) If an application is received from an organisation operating in a country in which the Education International already has a member organisation, the Executive Board will consult with the member organisation(s) concerned before making its decision. In the event that the decision of the Executive Board on a membership application is contested, an appeal may be made to the World Congress in accordance with the By-laws. The decision of the World Congress shall be final.

Article 4 MEMBERSHIP

- (a) The Education International shall be composed of organisations of teachers and education and research employees upholding the principles of independent trade unionism and aspiring to enhance democracy, human rights and social justice in their respective nations, to improve the living and
- (d) Only applications duly authorised by the applicant's governing body shall be taken into consideration by the Executive Board.

Article 5 COMMITTEE OF EXPERTS ON MEMBERSHIP

- (a) A Committee of Experts shall be established to report to the Executive Board on the application of membership criteria in cases where the Executive Board considers further inquiry to be necessary in order to reach a decision, or in cases where charges are brought against a member organisation.
- (b) Procedures for the establishment and operation of the Committee of Experts shall be determined in the By-laws.

Article 6 RIGHTS AND OBLIGATIONS

- (a) Every member organisation shall have the same constitutional rights and shall be bound by the same constitutional responsibilities, including the payment of membership fees as provided under Article 19.
- (b) From the date of admission to the Education International every member organisation shall accept the following obligations:
 - (i) to promote their members' awareness of the aims and work of the Education International;
 - (ii) to promote the interests of the Education International;
 - (iii) to inform the Education International about all major actions taken in pursuance of the Education International's aims;
 - (iv) to keep the Education International informed about national activities.

Article 7 SUSPENSION OR TERMINATION OF MEMBERSHIP

- (a) In the event that it is charged that a member organisation violates or ceases to fulfill the requirements of the constitution, on the basis of a complaint lodged by the governing body of another member organisation, the Executive Board shall refer the matter to the Committee of Experts established under the provisions of Article 5. The Executive Board may also initiate a referral to the Committee of Experts. The following requirements shall be met:
 - (i) The Committee of Experts shall enquire into the charges and conduct a due hearing before presenting its finding to the Executive Board.
 - (ii) The organisation whose membership status is under review by the Committee of Experts, shall be given due notice, a copy of the charges, the right to respond to the charges, and a copy of the finding of the Committee of Experts.
 - (iii) The finding of the Committee of Experts shall be communicated to the Executive Board for action as specified in the By-laws.

- (iv) A two thirds majority of those who are both present and voting at a quorate session shall be required for the Executive Board to exclude an organisation from membership.
- (v) The member organisation concerned shall be informed of the decision of the Executive Board and of the reasons justifying that decision.
- (b) Any organisation which is more than twelve (12) months in arrears of the payment of its membership dues, without the approval of the Executive Board, shall be excluded from membership.
- (c) Any member that has been suspended or excluded by the Executive Board other than for being in arrears of the payment of membership dues, shall have the right of appeal to the World Congress under conditions to be specified in the By-laws.
- (d) An organisation which seeks to withdraw from membership in the Education International shall provide notification of such intent six months in advance. Financial obligations to the Education International shall not expire until the end of the six month period.
- (e) Only notifications of withdrawal duly authorised by the member's governing body shall be taken into consideration by the Executive Board.

Article 8 ORGANISATION

The organisation of the Education International shall be:

- (a) Governing Bodies
 - (i) World Congress; and
 - (ii) Executive Board;
- (b) Committee of Experts on Membership
- (c) Regional Structures
- (d) Standing Committees
 - (i) Advisory Bodies
 - (ii) Status of Women
 - (iii) Finance
 - (iv) Constitution and By-laws
- (e) Other Committees
- (f) The Secretariat.

Article 9 WORLD CONGRESS

- (a) The World Congress shall be the supreme authority of the Education International.
- (b) An ordinary session of the Congress shall:
 - (i) adopt its rules of procedure and agenda;
 - (ii) elect the President, Vice Presidents, General Secretary and other members of the Executive Board;
 - (iii) appoint the auditors;
 - (iv) determine the policies, principles of action and programme of the Education International;
 - (v) consider the activity report of the General Secretary;
 - (vi) consider the audited financial report, adopt the general budget, and determine the membership fees.
- (c) The Congress shall have the authority to amend the Constitution by a two-thirds majority vote or the By-laws by a majority vote and to take final decisions in case of appeals concerning applications for membership, the suspension or expulsion of member organisations or the removal of members of the Executive Board.
- (d) The Congress shall be composed of delegates representing member organisations and of the Executive Board.
- (e) Each member organisation shall be entitled to one delegate; additional delegates shall be allocated to each member organisation whose membership fees have been paid in full prior to the World Congress in accordance with the following scale:
 - (i) up to 10,000 members 1 delegate; and
 - (ii) more than 10,000 members, 1 additional delegate for every 10,000 members or a part thereof with a maximum of 50 delegates for any one organisation.
- (f) Votes shall be allocated to each member organisation whose membership fees have been paid in full prior to the World Congress in accordance with the following scale: up to 5,000 members 1 vote; and more than 5,000 members, 1 additional vote for every 5,000 members or a part thereof.
- (g) A fully paid up organisation may vote by proxy provided it has given advance notice in writing to the General Secretary.
- (h) Member organisations shall receive provisional notification by the General Secretary of the number of delegates and votes to be allocated to them. A Credentials Committee to be appointed by the Executive Board shall verify and determine the allocation of delegate credentials and voting rights for each member organisation. No roll-call voting or election shall take place until the World Congress has adopted the report of the Credentials Committee.
- (i) The venue, date and provisional agenda of the Ordinary Congress shall be determined by the Executive Board, taking into account the recommendations made by the preceding

Congress, and by the Regional Committees. Notification of the convening of the Ordinary Congress shall be given at least nine (9) months prior to the scheduled date.

- (j) The Congress shall meet in ordinary session at least every four years.
- (k) An Extraordinary Congress may be convened on the authority of the Executive Board (by a two-thirds majority vote) or shall be convened at the formal and properly substantiated request of at least twenty five (25) member organisations together representing at least one quarter of the paid membership.

Article 10 EXECUTIVE BOARD

- (a) The Executive Board shall direct the affairs and activities of the Education International between World Congresses in conformity with the resolutions and decisions of the latter.
- (b) The Executive Board shall:
 - (i) draft the agenda for the World Congress;
 - (ii) review implementation of the resolutions and decisions of the World Congress;
 - (iii) initiate policies and actions in accordance with the resolutions and decisions of the World Congress and with the aims and principles of the Education International;
 - (iv) review and approve financial statements, establish annual budgets, and submit a general budget to the World Congress;
 - (v) consider applications for membership, in accordance with Articles 4 and 5;
 - (vi) consider suspensions or exclusions of member organisations, in accordance with Article 7;
 - (vii) determine standards, in accordance with recognised trade union practice, and procedures regarding the appointment, suspension, salary and conditions of employment of staff;
 - (viii) determine the salary and conditions of employment of the General Secretary;
 - (ix) submit to the World Congress a report on its decisions and activities.
- (c) The Executive Board shall be composed of twenty-six (26) members, including:
 - (i) the President and five (5) Vice Presidents, one Vice President from each Region;
 - (ii) a General Secretary;
 - (iii) ten (10) members, two from each region, and
 - (iv) nine (9) members;



at least three (3) of the group comprising the President and Vice Presidents, and at least one member from each region shall be women.

- (d) The term of office of each member of the Executive Board shall expire
 - (i) at the end of each ordinary session of the World Congress. Each member of the Executive Board shall be eligible for reelection for two additional terms in the same position, except that there shall be no limitation on the number of terms which may be served by the General Secretary;
 - (ii) at such time as an organisation to which the member belongs is no longer a member of the Education International.
- (e) A person holding a position outside the Education International or its member organisations which would be in conflict with his/her independent responsibility to the Education International cannot be a member of the Executive Board.
- (f) The Executive Board may remove a member from office under the following conditions:
 - (i) an objection raised by a member organisation in writing to the continuance in office of a member of the Executive Board who at the time of his or her election was a member or officer of that member organisation;
 - (ii) cessation of eligibility for membership of the Executive Board under article 10(e).
 - (iii) grave misconduct or dereliction of duty.
- (g) An Executive Board member whose removal from office is under consideration shall have the right to be informed in writing of the objections raised and to respond before a meeting of the Executive Board. In the event of removal, the member concerned shall have the right of appeal to the World Congress.
- (h) In the event of a vacancy the Executive Board may appoint a replacement. If it so decides and the vacancy occurs:
 - (i) in the position of President, a Vice-President shall be appointed as President until the next Congress;
 - (ii) in the position of Vice-President, a member of the Executive Board shall be appointed until the next Congress;
 - (iii) in the position of General Secretary, a replacement shall be appointed until the next Congress.
 - (iv) in any other position, the Executive shall invite nominations from the Board and also seek a nomination, to which it shall give strong consideration, from the national organisation of the member being replaced. The person shall be appointed until the next Congress.
- (i) The Executive Board shall meet in ordinary session at least once a year.
- (j) An extraordinary session of the Executive Board may be convened on the authority of the President or General Secretary

and shall be convened at the formal and properly substantiated request of a two-thirds majority of members of the Board from organisations together representing at least one quarter of the paid membership.

Article 11 FUNCTIONS OF PRESIDENT, VICE-PRESIDENTS AND GENERAL SECRETARY

- (a) The President shall be the principal representative of the organisation; he/she, or in his/her absence, one of the Vice-Presidents shall:
 - (i) chair the World Congress;
 - (ii) chair the meetings of the Executive Board;
 - (iii) represent the Education International, in consultation with the General Secretary.
- (b) The General Secretary shall be the Principal Executive Officer of the organisation; he/she shall:
 - (i) maintain liaison with member organisations, Regional Structures, Sectoral and other Standing Committees, and other bodies within the Education International; with the International Trade Union Confederation (ITUC), the Global Union Federations and other non governmental organisations; and with inter-governmental bodies;
 - (ii) convene and prepare meetings of the Executive Board and of the World Congress in accordance with decisions of the Executive Board;
 - (iii) keep a record of the proceedings of the Congress and of the Executive Board;
 - (iv) implement the decisions of the World Congress and the Executive Board;
 - (v) submit activity reports to the Executive Board and to the World Congress each time they meet;
 - (vi) conduct the affairs of the Education International between meetings of the Executive Board, in accordance with the decisions taken by the Executive Board and the World Congress.
 - (vii) be responsible to the Executive Board and the World Congress for the work of the Secretariat and for all staffing matters;
- (c) The President, Vice-Presidents and General Secretary shall meet at least once between Executive Board meetings.

Article 12 SECRETARIAT

- (a) The General Secretary shall be assisted by a secretariat staff to fulfil the tasks mentioned in Article 11(b).
- (b) The secretariat staff shall include at least one Deputy General

Secretary to be appointed by the Executive Board in consultation with the General Secretary.

- (c) The standards and procedures regarding the appointment, suspension, salaries and conditions of employment of staff members shall be determined by the Executive Board.
- (d) The appointment, suspension, salaries and conditions of employment of staff members, with the exception of the appointment of a Deputy General Secretary, shall be attended to by the General Secretary in accordance with standards and procedures set out by the Executive Board.
- (e) In the event of suspension by the General Secretary, the individual suspended shall have the right of appeal to the next meeting of the Executive Board, or, with the approval of the suspended employee, through an alternative procedure to be established by the Executive Board.

Article 13 REGIONAL STRUCTURES

- (a) The Education International shall establish five (5) regions:
 - (i) Africa;
 - (ii) North America and the Caribbean;
 - (iii) Asia and the Pacific;
 - (iv) Europe; and
 - (v) Latin America
- (b) The definition of regions and the allocations of countries to them shall be established in the by-laws.
- (c) A regional structure may be established to:
 - (i) advise the Executive Board on policies and activities to be undertaken by the Education International in the concerned region;
 - (ii) develop and promote policies in relation to any regional intergovernmental body and represent member organisations at that body.
- (d) A Regional Structure shall be governed according to By-Laws approved by the Executive Board. Reports of such a Regional Structure shall be submitted to the Executive Board.

Article 14 ADVISORY BODIES

- (a) Advisory bodies may be established for the purpose of advising the Executive Board on specific policies and activities concerning but not limited to sectoral and cross-sectoral educational and professional areas of interest to EI and its member organisations.
- (b) Advisory bodies may include round tables, working groups, task forces, or similar bodies
- (c) The Executive Board may seek recommendations from member organisations regarding the composition of such advisory bodies, where appropriate, and shall determine their

purposes and procedures, in line with the programme and budget priorities established by the World Congress.

Article 15 STATUS OF WOMEN COMMITTEE

- (a) A Status of Women Committee shall be established to recommend policies and activities to be undertaken by the Education International to promote equality of women and girls in society, in education and in the trade union movement.
- (b) The Status of Women Committee shall be composed of women by the Executive Board from among its members. The Chairperson shall be elected by the Committee. The Executive Board shall determine its purposes and procedures.

Article 16 CONSTITUTION AND BY-LAWS COMMITTEE

- (a) The Executive Board shall establish a Constitution and By-laws Committee to:
 - (i) review all proposals to amend the Constitution and By-laws and advise the Executive Board accordingly;
 - (ii) provide advice on constitutional matters referred to it by the Executive Board.
- (b) The Constitution and By-laws Committee shall be composed of members of the Executive Board. The Chairperson shall be appointed by the Board.

Article 17 FINANCE COMMITTEE

- (a) The Executive Board shall establish a Finance Committee to supervise the management of the financial affairs of the Education International and to report accordingly to the Executive Board and the World Congress.
- (b) The Finance Committee shall be composed of members of the Executive Board and shall meet at least once a year. The Chairperson shall be appointed by the Board.
- (c) The Chairperson of the Finance Committee shall present financial reports to the Executive Board and on its behalf to the World Congress.

Article 18 FINANCES

- (a) The General Secretary shall be entrusted with the management of income and expenditures. Expenditures shall be governed by Financial Regulations within the framework of the annual budget, drafted by the Finance Committee upon the basis of proposals submitted by the General Secretary. This budget shall be submitted to the Executive Board for its endorsement.
- (b) The accounts of Education International shall be closed on December 31 of each year, and shall be audited by a qualified accountant registered according to international standards. The financial and auditors' reports shall be presented to the annual meeting of the Executive Board, and the auditors' reports shall be presented to the Congress.



- (c) Only Education International tangible properties shall be considered as security for financial liabilities. Elected members of the Education International shall not be held legally responsible for such liabilities.
- (d) The financial year shall be the calendar year.

Article 19 MEMBERSHIP DUES

- (a) Dues to be paid by the member organisations shall be determined by the World Congress on a per capita basis according to a scale which allows for the different economic circumstances of countries. Specifications shall be given in the By-laws.
- (b) Membership fees shall be paid before June 30 of each year, and shall be computed on the membership reported as of December 31 of the preceding year.
- (c) If a member organisation is unable to fulfil its financial obligations, owing to extraordinary circumstances, the Executive Board shall have the authority to grant a delay, a temporary reduction or, in extreme cases, a temporary exemption from the payment of such fees. Such special agreements must be established in writing, and shall be limited to a maximum of two years, extension being subject to review by the Executive Board.

Article 20 SOLIDARITY FUND

- (a) The Education International shall establish a Solidarity Fund.
- (b) The Education International shall regularly invite member organisations to contribute on a voluntary basis to the Solidarity Fund.
- (c) Rules governing the Solidarity Fund shall be given in the By-laws.

Article 21 OFFICIAL LANGUAGES

The official languages of the Education International shall be English, French, German and Spanish.

Article 22 HEADQUARTERS AND OTHER OFFICES

- (a) The location of the headquarters office of the Education International shall be Brussels.
- (b) The Education International shall be incorporated under the laws of the country in which the Headquarters office is located.
- (c) The location of other offices shall be determined by the Executive Board upon the recommendation of the General Secretary.

Article 23 BY-LAWS AND RULES OF PROCEDURE

By-laws and rules of procedure shall be appended to this constitution in order to regulate such matters as elections, conduct of the Congress and Executive Board meetings, and other matters referred to it by the Constitution.

Article 24 INTERPRETATION

In the event of question or doubt as to the interpretation of the provisions of the Constitution or By-laws, the English text shall be considered as original and authentic. The interpretation of the Constitution and By-laws is within the purview of the Executive Board.

Article 25 AMENDMENTS TO THE CONSTITUTION

- (a) Notices of motion to amend the Constitution must be submitted in writing to the General Secretary not less than six (6) months before the opening date of the Congress. They shall be circulated to all member organisations at least three (3) months prior to the opening of the Congress together with any comments which the Executive Board may wish to communicate to members.
- (b) A proposed amendment to the constitution shall be declared adopted if supported by not less than two-thirds of the total votes cast.

Article 26 DISSOLUTION

- (a) The World Congress shall be the only body authorised to decide upon the dissolution of the Education International, provided that a proposal to that effect has been placed on the Congress agenda, and provided that at least six months notice has been given to a specific motion to this effect.
- (b) A resolution calling for dissolution shall be implemented, provided that it has secured at least a two third majority of the votes cast. It shall be binding upon the World Congress to make specific provision for the discharge of any financial obligations of the Education International, including obligations to its staff and for the disposal of its assets.

Article 27 TRANSITION

The provisions contained in the document entitled "Transitional Arrangements" shall have constitutional force so long as those provisions are applicable.

Education International
6th World Congress



3. EI By-Laws

BY-LAWS OF EDUCATION INTERNATIONAL

MEMBERSHIP

1. MEMBERSHIP APPLICATIONS

- (a) An application for membership, duly authorised by the applicant's governing body (ref. Article 4d of the Constitution) shall be lodged with the General Secretary and shall include a completed application form, a statement that it will subscribe to the aims and principles of the Education International and a copy of the Constitution of the applicant organisation.
- (b) Applications shall be considered by the Executive Board at the first meeting following receipt. At this meeting the General Secretary shall inform the Executive Board about the results of the consultations with any member organisations in the country of the applicant organisation.
- (c) Notice shall be sent to the applicant organisation and any member organisation in the same country within fifteen days of the decision of the Executive Board. An appeal to the World Congress may be filed by:
 - (i) a member organisation in the same country contesting a decision to admit;
 - (ii) any member organisation supporting an application for membership that has been denied.

Any appeal must be filed in writing to the General Secretary not more than 120 days after the decision of the Executive Board. The decision of the World Congress shall be final.

- (d) Where a membership matter is referred to the Committee of Experts by the Executive Board the appeal procedures shall be as specified in 2 (j).

2. COMMITTEE OF EXPERTS ON MEMBERSHIP

- (a) The Committee of Experts shall be composed of a minimum of five and a maximum of seven members to be appointed by the Executive Board. One of the members of the Committee shall be designated by the Executive Board as the Committee's Chairperson. In agreement with the Chairperson, the General Secretary, who shall serve as the Committee's Administrative Secretary and provide all administrative services needed for the accomplishment of the Committee's tasks, shall convene and prepare Committee meetings.
- (b) Members of the Committee shall be selected according to their experience and expertise related to teachers' organisations and the trade union movement in general. They shall not be members of the Executive Board, of governing bodies of member organisations, or hold other positions in organisations which may create conflicts of interests affecting the impartiality of judgements.
- (c) The term of office of the Committee shall be four (4) years. The Committee shall be appointed at the first Executive Board meeting following an ordinary session of the World Congress. Members are eligible for re-appointment. In case of misconduct or dereliction of duty, the Executive Board may remove a member from office.
- (d) In the event of a vacancy occurring on the Committee of Experts, a replacement shall be appointed by the Executive Board for the remainder of the term of the member whose place becomes vacant.
- (e) The Committee shall only examine cases referred to it by the Executive Board regarding:
 - (i) applications for membership in respect of which the Board considers that conformity with the membership criteria is not evident;
 - (ii) member organisations which have been charged by another member organisation or by the Board with failure to conform to the membership criteria.

- (f) When a case is referred to the Committee the Chairperson may designate one or more members to conduct an enquiry. The organisation concerned shall be notified that enquiry has been opened. The enquiry must respect rules of due process, including the right of the organisation concerned to a hearing and to present documentation. The enquiry shall be completed according to a time-scale pre-determined by the Committee. The report resulting from this enquiry must be considered by the Committee as a whole, which is required to make a finding as to whether the member or applicant organisation is in conformity with the membership criteria of the Education International;
- (g) If the Committee of Experts finds conformity with the criteria:
- (i) in the case of a member organisation of the Education International, it shall be proposed that the Executive Board confirm its membership status;
 - (ii) in the case of an applicant organisation, the Executive Board shall be notified that there is no statutory obstacle to admission.
- (h) If the Committee of Experts finds non-conformity with the criteria, unless the Executive Board determines that the procedures followed by the Committee of Experts were not impartial, or that due process was not respected:
- (i) in the case of a member organisation of the Education International, the organisation shall be suspended for a period of three years, unless the Executive Board
 - by majority vote, provides for a shorter period of suspension;
 - by two thirds majority, votes to exclude the organisation from membership. At the end of the period of suspension the question of whether the organisation is in conformity or non-conformity with the membership criteria shall be re-examined by the Committee of Experts.
 - (ii) in the case of an applicant organisation, the application shall be rejected. The Executive Board may offer to assist such organisation to meet the membership criteria.
- (i) The Committee shall present its finding to the Executive Board, together with a written report describing its enquiry and showing, in the event that the Committee's conclusions are not unanimous, details of its votes on the finding.
- (j) The member or applicant organisation concerned shall be informed of the Committee's finding. The organisation has the right to lodge an objection to the Executive Board if it considers that the enquiry was not impartial or that due process was not followed. If such an objection is lodged, the Executive Board must satisfy itself that the Committee's finding was arrived at in an impartial manner and with respect for due process. If the Board is not so satisfied, it shall refer the case back to the Committee for a new enquiry.
- (k) Notice shall be sent to any member or applicant organisation which has been a party to a case shall be informed within fifteen days of the decision. Appeals to the World Congress

concerning cases considered by the Executive Board on the basis of a finding by the Committee of Experts may be filed only by:

- (i) an organisation which has been suspended or excluded from membership;
- (ii) a member organisation which has been party to a case before the Committee of Experts involving another member organisation;
- (iii) an organisation whose application for membership has been denied because of a finding of the Committee of Experts.

In these cases any appeal must be filed in writing to the General Secretary not more than 120 days after the decision of the Executive Board and must be based upon the proposition that the procedures followed by the Committee of Experts and the Executive Board were not impartial or that due process was not respected. The decision of the World Congress shall be final.

- (l) The Executive Board shall make the budgetary allocation necessary to cover the Committee's expenses.

CONGRESS

3. DELEGATES

- (a) At least six months prior to the opening of the Congress member organisations shall be sent provisional notification by the General Secretary of the number of delegates and votes to be allocated to them.
- (b) Member organisations entitled to send delegates to the Congress shall, three months prior to the opening of the Congress, furnish the General Secretary with the names of such delegates. One month prior to the opening of the Congress the General Secretary shall issue to each delegate a credential certifying that he/she has been named as a delegate by a member organisation.
- (c) A delegate who is unable to attend the Congress may be replaced by a substitute from the organisation concerned provided that written notice of such substitution signed by an authorized officer of the organisation concerned is received by the General Secretary.
- (d) In order for the Congress to open at least one third of the member organisations having at least 50% of the total voting entitlement must be registered. A majority of the registered delegates shall constitute a quorum.

4. OBSERVERS AND GUESTS

- (a) At the discretion of the Executive Board organizations and individuals may be invited to attend the Congress as guests.
- (b) A member organisation may designate a reasonable number of observers from among its membership or staff.



- (c) Observers and guests may address the Congress if invited to do so by the Chair.

5. *PLENARY SESSIONS*

The Plenary Sessions shall be public except when the Congress decides to declare a closed session at which time only delegates and observers shall be present.

6. *CHAIR*

The President shall preside over the Congress. In his/her absence, a Vice-President shall preside, preference being given to the Vice-President with longest service in this office. If neither the President nor a Vice-President is available the meeting shall elect a chairperson from among the members of the Executive Board.

7. *COMMITTEES OF THE CONGRESS*

(a) *Credentials Committee*

In accordance with Article 9(h) of the Constitution, the Executive Board shall appoint a Credentials Committee which shall be composed of at least three members. The Committee shall:

- (i) verify and determine the allocation of delegate credentials;
- (ii) verify and determine the voting rights for each member organisation;
- (iii) submit a report to the Congress during the first business session.

Pending the adoption of the Committee's report by the Congress, any delegate whose credentials are challenged shall enjoy full rights as a delegate.

(b) *Elections Committee*

The Congress shall elect an Elections Committee which shall be composed of at least five members and shall include delegates from all regions. The Committee shall:

- (i) ensure that elections are conducted fairly and in accordance with the Constitution and with By-law 13;
- (ii) report the results of each election to the Congress.

(c) *Resolutions Committee*

The Congress shall elect a Resolutions Committee. The Committee shall be composed of a Chairperson and fifteen members and shall include delegates from all regions.

The Committee shall:

- (i) consider all resolutions and amendments to resolutions submitted to the Congress;
- (ii) prepare and present to the Congress if necessary recommendations regarding these resolutions and amend-

ments, including the order of debate;

- (iii) prepare, if necessary, and present composite texts to the Congress;

- (iv) present recommendations regarding receivability and content of urgent resolutions.

The Resolutions Committee shall invite a member organisation which is not represented on the Committee to be represented at the Committee's meeting when a resolution or an amendment proposed by that member organisation is discussed.

- (d) Meetings of the Credentials Committee, the Elections Committee and the Resolutions Committee shall meet in closed session.

- (e) Voting in Committees shall be by show of hands and decisions shall be made on the basis of a simple majority.

- (f) The Congress may establish other Committees for the conduct of its business.

8. *RULES OF DEBATE*

- (a) A delegate or member of the Executive Board shall speak only once in a debate, unless otherwise agreed by the Congress. The representative of a Congress Committee presenting a report or a mover of a motion, resolution or amendment (not concerning a motion of procedure) shall have the right of reply at the close of debate on an item.

- (b) A request to speak shall be made in writing to the Chair, except when related to a point of order or procedure. The Chair shall call upon speakers in the order in which they signify their desire to speak. The Chair may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

- (c) The time limit applicable to all speakers in debate shall be five minutes, except on procedural questions, when the Chair shall limit each intervention to a maximum of three minutes. When a delegate exceeds the allotted time, the Chair may call that delegate to order without delay. In the interest of completing particular items of business, the Chair may, with the permission of the Congress, reduce the length of time speakers are permitted to three minutes.

- (d) The General Secretary shall have the right to speak on any subject.

9. *RESOLUTIONS AND AMENDMENTS*

- (a) Resolutions, written in one of the four official languages, shall be submitted to and received by the General Secretary at least four months prior to the opening of the Congress. They shall be translated and distributed to the member organisations at least three months prior to the opening of the Congress.

- (b) Amendments to resolutions, written in one of the four official languages, shall be submitted to and received by the General Secretary at least one month prior to the opening of

the Congress. They shall be translated and distributed to the delegates as soon as possible.

- (c) The Resolutions Committee shall determine whether a resolution or amendment is in order. If the determination of the Resolutions Committee is challenged by a delegation, it shall then be put to the Congress whose decision shall be final.

- (d) Urgent resolutions

Urgent resolutions may be considered in the case of matters arising less than three months prior to the opening of the Congress.

- (i) Urgent resolutions, written in one of the four official languages, shall be submitted to and received by the General Secretary prior to the end of the opening session of the Congress. If exceptional events occur during a Congress, urgent resolutions on those events may be considered with the approval of two-thirds of the delegates present and voting. Urgent resolutions shall be translated and distributed to the delegates as soon as possible.

- (ii) The Resolutions Committee shall determine whether an urgent resolution is in order. If the determination of the Resolutions Committee is challenged by a delegation, it shall then be put to the Congress whose decision shall be final.

- (iii) Amendments to urgent resolutions may be presented verbally to the Congress during debate.

- (iv) The Chair shall determine whether an amendment to an urgent resolution is in order. If the determination of the Chair is challenged by a delegation, it shall then be put to the Congress whose decision shall be final.

- (e) The debate on a resolution or amendment shall not commence before the texts have been translated and distributed to the delegates, except in the case of an amendment to an urgent resolution presented verbally.

- (f) If a member organisation submitting a resolution accepts an amendment to that resolution, the amended resolution shall form the basis for further debate.

10. POINTS OF ORDER, MOTIONS OF PROCEDURE

- (a) The debate on a question may be interrupted at any time by a point of order or by a motion of procedure. The Chair shall give an immediate ruling in response to a point of order.

- (b) A motion challenging the ruling of the Chair shall be put immediately to a vote.

- (c) A motion of procedure shall be required in order:

- (i) to adjourn the sitting;
- (ii) to adjourn the debate;
- (iii) to close the debate and/or vote on the item under discussion;

- (iv) to proceed with the next item on the agenda.

- (d) The above or any other motion of procedure shall be put immediately to a vote, except that the delegation submitting the resolution under discussion, may exercise its right to reply.

11. VOTING

- (a) Upon registration each delegate shall be given a voting card.

- (b) Voting shall be by show of voting cards. If a delegation requests a roll call vote, the request must be supported by at least five delegations holding 20 percent of the total voting rights before such a vote shall be taken.

- (c) The Chair shall appoint a maximum of six tellers who shall assist in:

- (i) counting of voting cards, if requested;
- (ii) in a roll call vote, distributing ballot papers to each delegation, collecting and counting them;
- (iii) any other related activity that the Chair may require

- (d) A resolution, motion or amendment shall be declared defeated if an equal number of votes has been cast in favour and against it.

- (e) An amendment to a resolution shall be voted upon before the resolution concerned is put to a vote.

- (f) If there is more than one resolution on the same matter, the Chair shall determine the order in which these resolutions or amendments shall be voted upon by the Congress, starting with the text farthest from the status quo. In the event that a majority vote is carried in favour of a resolution or an amendment to a resolution, which renders the alternative(s) redundant, the latter(s) shall not be put to a vote.

- (g) In the event that none of the resolutions or amendments to a resolution is farther from the status quo than the other, the Congress shall determine the order in which these resolutions and amendments to a resolution shall be voted upon. In the event that a majority vote is carried in favour of such a resolution or amendment, the alternative(s) shall be considered redundant and shall not be put to a vote.

12. VOTING RIGHTS

- (a) The number of votes to which each organisation is entitled shall be determined as provided in Article 9(f) of the Constitution, whereby the membership of each organisation be calculated on the basis of the average amount of affiliation fees paid since the preceding Congress or between the year of affiliation and the Congress.

- (b) Any proxy must be presented in writing, signed by an authorised officer of the concerned member organisation, to the General Secretary prior to the opening of the Congress. No organisation may exercise more than three proxies, and proxies may only be exercised on behalf of organisations from the same region.



13. *ELECTIONS*

- (a) Elections shall be conducted by the Elections Committee.
- (b) Prior to the elections each delegation shall receive a copy of the report of the Credentials Committee, showing the voting entitlement of delegations and proxy voting rights.
- (c) Elections shall be conducted by secret ballot in the following order: President, Vice-Presidents, General Secretary, regional members of the Executive Board and other members of the Executive Board. The Congress programme shall specify the period of time between each of the above elections.
- (d) For each ballot, voting papers shall be prepared showing the names of candidates, listed in alphabetical order of family names. The Elections Committee shall give to a representative of each member organisation the number of voting papers indicated by the report of the Credentials Committee.
- (e) Votes must be cast for a number of candidates equal to the number of positions to be filled. A voting paper with votes cast for a greater or lesser number shall be invalid.
- (f) If the number of candidates for any position is equal to the number of vacancies for that position, the candidate(s) shall be declared elected, unless
 - (i) at least five delegations holding 20 percent of the total voting rights request a secret ballot, or
 - (ii) the candidates do not meet the requirements of the relevant Articles or By-Laws.
- (g) For the position of President and General Secretary a candidate must receive at least half plus one of the total votes cast in order to be elected. If no candidate receives such majority on the first ballot, a run-off ballot shall be held between the two candidates receiving the most votes.
- (h) In the election of Vice Presidents, if there are more than five (5) candidates, delegations shall vote for five (5) candidates only. To meet the requirements of the final sentence of Article 10 (c), the necessary number of women candidates, not from the same region, with the highest number of votes shall be elected first. To meet the requirements of Article 10 (c)(i), the number of candidates from the other regions necessary to fill the remaining positions with the highest number of votes shall be elected next.
- (i) In the case of
 - (i) an uncontested election for which a secret ballot is held under 13 (f) and the candidate(s) do(es) not obtain the majority specified in 13 (g),
 - (ii) the candidates do not meet the requirements of the relevant Articles and By-Laws;

new nominations shall be called and a new election conducted according to deadlines determined by the Congress.
- (j) Subject to the provisions of Article 10 (c) (iii) and subject to

the last sentence of Article 10 (c), for other positions on the Executive Board and for any other elections conducted at the World Congress, candidates receiving the highest number of votes corresponding to the number of positions to be filled, shall be declared elected.

- (k) A candidate for the office of President, Vice-President or General Secretary must be nominated by at least four member organisations from different countries, including his/her own organisation. Nominations for these offices, together with a statement signed by the candidate accepting nomination, must be filed with the General Secretary not less than four months before the opening of the Congress. The names of all candidates shall be sent to all member organisations at least three months before the opening of the World Congress.
- (l) A candidate for other positions on the Executive Board must be nominated by at least two member organisations, including his/her own organisation. Nominations for these positions, accompanied by a statement signed by the candidate accepting nomination, shall be filed with the General Secretary in accordance with deadlines determined by the Congress.
- (m) If as a result of withdrawal or other reason the number of candidates is less than the number of vacancies, electoral arrangements shall be made at the Congress.

14. *RECORD OF PROCEDURE*

The General Secretary shall be responsible for ensuring that a record is kept of every vote and all the proceedings of the Congress.

15. *OTHER QUESTIONS*

In all questions of order not specified above, the Chair shall recommend appropriate procedures to the Congress.

EXECUTIVE BOARD

16. *MEETINGS OF THE EXECUTIVE BOARD*

- (a) The President of the Education International shall be chairperson of the Executive Board. In his/her absence, a Vice-President shall preside, preference being given to the Vice President with longest service in this office. If neither the President nor a Vice-President is available, the Executive Board shall elect a chairperson from among its members.
- (b) The first meeting of the new Executive Board shall be held before the members leave the place of the Congress.
- (c) The Executive Board shall meet at least once in any calendar year in addition to meetings immediately before and after the Congress. An extraordinary meeting of the Executive Board may be convened in accordance with Article 10(j) of the Constitution.
- (d) The President, Vice-Presidents and General Secretary shall meet at least once between two Executive Board meetings.

17. COMMITTEES OF THE EXECUTIVE BOARD

(a) Finance Committee

At its first meeting after the Congress the Executive Board shall appoint five of its members to form the Finance Committee. The terms of reference of the Finance Committee are given in By-law 25 (c).

(b) Constitution and By-laws Committee

At its first meeting after the Congress the Executive Board shall appoint at least three of its members to form the Constitution and By-laws Committee. The Executive Board shall appoint the Committee's Chairperson who shall preside over the Committee's meetings and who shall be the Committee's spokesperson.

REGIONAL STRUCTURES

18. DEFINITION OF REGIONS

The regions are defined in Article 13 of the Constitution. Allocation of countries to these regions shall be determined by the Executive Board which shall undertake any necessary consultations. These allocations shall be published in the Handbook.

19. BY-LAWS OF REGIONAL STRUCTURES

(a) By-laws of a regional structure, submitted to the Executive Board in accordance with Article 13(c) of the Constitution, must satisfy the following conditions:

- (i) A region shall be defined as one of the five regions named in Article 13(a) of the Constitution.
- (ii) All member organisations in a region shall be included in the regional structure.
- (iii) The designation, functions, method of election and term of office of regional office holders shall be clearly set out at the first meeting of the regional grouping, convened by the General Secretary.
- (iv) The organisation and methods of governance of the regional structure, the frequency of meeting of its various bodies, and the quorum applicable to each meeting shall be clearly specified.
- (v) Provision shall be made for the permanent presence of at least one member of the Executive Board of the Education International in the governing body of the regional grouping. Unless regional by-laws provide that they are members of regional governing structures, members of the Executive Board who are not elected members of their region's governing structures, shall be ex-officio members of the structures, without voting rights.
- (vi) Ultimate responsibility for administration and communication shall rest with the General Secretary of the Education International who shall present reports to each meeting of the Executive Board.

(vii) In the event of any conflict over provisions of the regional structure and those of the Education International, the provisions of the Constitution and the By-laws of the Education International shall prevail.

(b) Any proposal for an activity of a regional structure which involves expenditures by the Education International must be accompanied by a full statement of costs and shall not be undertaken without the prior approval of the Executive Board or the General Secretary.

20. SUPPLEMENTARY MEMBERSHIP DUES

Subject to approval by the Executive Board, a regional structure may establish supplementary membership dues to be paid by member organisations in the concerned region. The supplementary membership fee shall be:

- (a)
 - (i) a percentage in addition to the membership dues of the Education International.
 - (ii) collected by the Education International.
- (b) In no instance shall the supplementary membership dues paid to the regional structure be greater than or calculated on a different basis to the membership dues paid to EI.

COMMITTEES OF THE EDUCATION INTERNATIONAL

21. COMPOSITION OF COMMITTEES

In composing all committees, the Executive Board shall take into account regional and gender balance.

22. ADVISORY BODIES

- (a) The purpose of an advisory body shall be specified by the Executive Board, in line with the programme and budget priorities established by the World Congress.
- (b) Advisory bodies may include round tables, working groups, task forces, or similar bodies established in order to:
 - (i) advise the Executive Board on educational, professional or other issues of concern to teachers and other educational employees;
 - (ii) recommend activities to be undertaken by Education International, including seminars, conferences, studies or other activities, and advise on their implementation;
 - (iii) implement activities upon the mandate of the Executive Board; or
 - (iv) assist with the drafting of future policy or program proposals.
- (c) Advisory bodies shall account for all activities in written reports presented through the General Secretary.



- (d) The staff providing services to an advisory body, shall be assigned by the General Secretary.
- (e) Any proposal for an activity of an advisory body which involves expenditures by Education International must be accompanied by a full statement of costs and shall not be undertaken without the prior approval of the Executive Board or the General Secretary.

23. *STATUS OF WOMEN COMMITTEE*

- (a) The Status of Women Committee shall:
 - (i) advise the Executive Board on issues related to women and girls;
 - (ii) recommend policies and activities to be adopted and undertaken by the Education International, including seminars, conferences, studies or other activities, and advise on their implementation,
 - (iii) provide written annual reports through the General Secretary to the Executive Board.
- (b) The Committee shall meet in conjunction with meetings of the Executive Board.
- (c) The staff providing service to the Status of Women Committee shall be assigned by the General Secretary, who shall, in consultation with the Chairperson, convene and prepare Committee meetings.
- (d) Any proposal for an activity of the Status of Women Committee which involves expenditures by the Education International must be accompanied by a full statement of costs and shall not be undertaken without the prior approval of the Executive Board or the General Secretary.

24. *EX OFFICIO MEMBERSHIP*

The President and General Secretary shall be ex officio members of all Committees of the Education International, with the exception of the Elections Committee, and shall have voting rights.

FINANCIAL REGULATIONS

25. *FINANCE COMMITTEE*

- (a) The Finance Committee shall be composed of five members of the Executive Board to be appointed by the Executive Board. The Executive Board shall appoint the Committee's Chairperson who shall preside over the Committee's meetings and shall be the Committee's spokesperson.
- (b) A member shall be appointed for a term of four years and shall be eligible for re-appointment.
- (c) The Committee shall:
 - (i) present the financial report and propose a budget to the Executive Board and on its behalf to the Congress;

- (ii) make recommendations to the Executive Board concerning the management and financial administration of the Education International;
- (iii) inform the Executive Board about arrears of membership dues and make recommendations regarding the implementation of Article 7(b) of the Constitution and of By-law 26;
- (iv) make recommendations to the Executive Board concerning salaries and conditions of employment of staff members;
- (v) make recommendations to the Executive Board concerning salary and conditions of employment of the General Secretary;
- (vi) inform the Executive Board about the financial implications of any decision or proposed decision;
- (vii) analyze and report upon any other question which the Executive Board may refer to the Committee concerning the revenue, expenditure, investments, accounts, properties and operational costs of the Education International.
- (d) The Committee shall meet immediately prior to each meeting of the Executive Board.
- (e) In each year the Committee shall consider an audited statement and balance sheet for the preceding year, a revised budget for the current year and a budget for the following year, presented by the General Secretary.
- (f) In a year in which a Congress is to be held, the Committee shall consider an audited statement and balance sheet for the preceding year, a revised budget for the current year and a general budget for the following years including the year in which the next Congress is to be held. This general budget shall be drafted by the General Secretary.
- (g) The Committee shall receive any other information from the General Secretary that it deems relevant for the accomplishment of its tasks.

26. *MEMBERSHIP DUES*

- (a) The dues payable to the Education International by a member organisation shall be determined by the Congress.
- (b) The membership dues shall be receivable not later than 30 June each year and shall be computed on the total membership of the member organisation on 31 December of the preceding year.
- (c) Each member organisation shall notify the Education International not later than 31 March each year of its membership figures on 31 December of the preceding year and shall provide any other information required for the calculation of dues. The Executive Board may request a member organisation to substantiate such information.
- (d) In the event that a member organisation fails to provide the required information before 31 March or to meet a request to substantiate such information within three months, the

Executive Board, may determine a per capita amount on the basis of information provided by other sources, which shall then be due to the Education International.

- (e) Membership dues shall be paid in a convertible currency to be determined by the Executive Board.
- (f) If in any year the payments received prior to 30 June are less than the amount determined in accordance with the previous paragraphs, the member organisation shall be informed that it is in arrears, and all payments received subsequent to June 30, whether in that year or in following years, shall in the first instance be applied to the reduction or elimination of the arrears.
- (g) If a member organisation is unable to fulfil its financial obligations, owing to extraordinary circumstances, the Executive Board shall have the authority to reach a special agreement with that organisation entailing:
 - (i) a delay of payment; or
 - (ii) a payment on a reduced membership; or
 - (iii) payment in a non-convertible currency; or, in extreme cases,
 - (iv) an exemption from part or all of the payment of membership dues.
- (h) Special agreements shall expire at the end of the financial year in which they are reached, but may be renewed in the following year. Agreements that concern payment in a non-convertible currency shall establish the real value of the agreed payment in a convertible currency which shall constitute the basis of the calculation of the number of delegates and votes at the Congress to be allocated to the organisation concerned. Special agreements shall be reported to each Congress.
- (i) The number of delegates and votes at the Congress to be allocated to a member organisation shall be calculated according to the average number of members for which membership dues have been paid since the preceding Congress or since the year of affiliation, after adjustment has been made in respect of any arrears owing for preceding years.

27. OTHER INCOME

The Executive Board shall establish a policy for the receipt of other income.

28. EXPENDITURE

- (a) Authority for the expenditure of funds is provided within the framework of the budget, and, subject to decision of the Congress and the Executive Board, is vested in the General Secretary, who has power to delegate.
- (b) Bank accounts in the host country of the main office or elsewhere may be opened on the instructions of the General Secretary with the approval of the Executive Board. Statements for each account shall be presented to the Finance

Committee at each of its meetings.

- (c) The General Secretary shall be a signatory for all accounts. Signing authority may also be held by other persons designated by resolution of the Executive Board on the recommendation of the General Secretary.
- (d) Cheques, payment orders and other negotiable instruments having a value in excess of an amount to be determined by the Executive Board must bear the signatures of two duly authorised persons.
- (e) The Executive Board shall establish regulations to govern the payment of expenses to those traveling on Education International business, financial procedures relating to the Congress, banking, and such other matters as it considers necessary.

29. SOLIDARITY FUND

- (a) The Solidarity Fund shall be used
 - (i) To develop co-operation programmes with individual teacher organizations to help them achieve their goal of strengthening their functioning.
 - (ii) To assist member organizations in emergencies such as natural disasters, famine, war, persecution or other life-threatening situations; this short-term relief will help to ensure the survival of the organization and/or its members during a particular crisis.
- (b) All member organisations shall be invited to contribute to the Fund according to their means. Member organisations shall be requested to renew their contribution to the Fund on an annual basis.
- (c) Education International shall make an annual contribution to the Fund equal to 0.7% of its annual dues income.
- (d) The Fund shall be established in a special interest bearing account separate and apart from other Education International accounts.
- (e) The member organisations in need shall present a request for assistance outlining the purposes for which that assistance will be used.
- (f) The General Secretary shall obtain such information as is necessary to make a decision and shall report that decision to the Finance Committee.
- (g) The receiving organisation(s) shall provide a report on the use of the funds allocated.
- (h) Reports on the use of the Fund shall be provided on an annual basis to all member organisations which contributed.
- (i) The Fund will be subject to external audit, a report of which shall be set out separately in the financial report to the World Congress.



AMENDMENTS

30. AMENDMENTS TO THE BY-LAWS

- (a) The Congress shall have the authority to amend the By-laws.
- (b) Proposals for amending the By-laws shall be submitted to the General Secretary not later than six months prior to the opening of the Congress. The General Secretary shall circulate the proposed amendments to the member organisations not later than three months prior to the opening of the Congress.
- (c) Any amendment to the By-laws shall be valid only if it obtains a majority of the votes cast.

Education International
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4. EIRAF By-Laws

BY-LAWS EDUCATION INTERNATIONAL REGION AFRICA (EIRAF)

1. NAME

The regional group of Education International in Africa shall be named: Education International Region Africa (EIRAF).

2. AIMS

The aims of the EIRAF are:

- To advise and recommend to the Executive Board on policies and activities to be undertaken by Education International and on the coordination of programmes and other activities of EI at the regional level.
- To promote the aims and principles of EI in the Region.
- To further regional cooperation and unity with a view to protecting and advancing the rights and interests of education employees in the African Region.

3. REGIONAL CONFERENCE

- A. There shall be a Regional Conference which shall be the main advisory body of the EIRAF.
- B. An ordinary regional conference shall meet at least once in four years, preferably six to nine months prior to the EI World Congress, in order to:-
- (i) adopt its rules of procedure and agenda;
 - (ii) elect the Regional Committee members;
 - (iii) advise on policies, principles of action and programmes of EI;
 - (iv) examine and adopt the regional report, including the financial statement and the proposed budget;

- (v) amend the by-laws and rules of procedure subject to the approval of the EI Executive Board.

C. Composition

- (i) The Regional Conference shall comprise delegates representing the member organisations, as well as the Regional Committee members.
- (ii) Each member organisation shall be entitled to at least one delegate; additional delegates shall be allocated to each member organisation whose membership dues to EI have been paid in full prior to the Regional Conference, in accordance with the following scale:-
 - up to 10.000 members - 1 delegate
 - Organisations with more than 10.000 members, 1 additional delegate for every 10,000 members or part thereof
- (iii) The maximum number of delegates allocated to any organisation shall not exceed twenty-five.

D. Voting rights

- (i) The right to vote shall be allocated to each member organisation which has paid full membership dues prior to the Regional Conference.
- (ii) The number of votes allocated to an organisation shall be determined in accordance with the following scale:-
 - up to 5.000 members - 1 vote
 - over 5.000 members - 1 additional vote per 10.000 members or part thereof
- (iii) Member organisations shall receive provisional notification by the General Secretary of EI of the number of delegates and votes to which they are entitled.
- (iv) A Credentials Committee, to be appointed by the Regional Committee, shall verify the powers of each mem-

ber organisation and calculate the number of delegates and votes to which it is entitled. No roll call voting shall take place until the Regional Conference has adopted the report of the Credentials Committee.

- (v) Voting in the Regional Conference shall be done by show of hands except otherwise decided by the Conference.
- (vi) A fully paid up organisation may vote by proxy provided it has given advance notice in writing to the General Secretary of EI.

E. Agenda

- (i) The venue, date and provisional agenda of the Conference shall be determined by the Regional Committee in consultation with the General Secretary of EI and such information copied to the Chief Regional Coordinator.
- (ii) Member organisations shall receive notification to attend the ordinary Conference at least six (6) months before the set date.

F. Supplementary membership dues

Subject to approval by the Executive Board, the Conference may establish supplementary membership dues to be paid by member organisations in the African Region. (See item 11 FINANCES)

4. EDUCATION INTERNATIONAL AFRICAN REGIONAL COMMITTEE (EIARC)

A. Composition

The EIARC shall be composed as follows:

- (i) One Chairperson;
- (ii) One Vice-Chairperson;
- (iii) All members of the Executive Board of EI from the African Region;
- (iv) Two elected members from each zone in Africa, one of whom shall be a woman;
- (v) The General Secretary of EI or his/her representative (ex-officio).

B. Definition of Region

- (i) Education International Region Africa (EIRAF) shall include, in addition to the African Continent, Madagascar, Mauritius, Cap Vert, Sao Tome and Principe.
- (ii) For the purpose of representation, the Region shall be sub-divided into the following zones:

- Zone 1
- Zone 2
- Zone 3
- Zone 4

- Zone 5
- Zone 6

- (iii) Countries included in the various zones shall be indicated in the by-laws.

C. Functions of the EIARC

- (i) The EIARC shall advise the Executive Board, through the General Secretary, regarding priority activities of EI at the African level, as well as regarding any other matters of general concern to the members of the Region.
- (ii) The Committee shall:
 - (a) draft the agenda of the Regional Conference;
 - (b) monitor the implementation of resolutions and decisions of the Regional Conference;
 - (c) examine and comment on the reports from the EI Executive Board on matters specific to the Region;
 - (d) report to the Conference and make proposals for future activities to be undertaken in Africa;
 - (e) cooperate with all teachers and trade union federations that promote Education and the unity of teachers and other workers in Africa;
 - (f) examine and adopt the financial statements, and present the budget to the Regional Conference, in consultation with the General Secretary of EI.
 - (g) Advise the EI Executive Board on applications from Teachers Education Workers unions in Africa for EI Membership

D. Terms of Office of the Members of the EIARC

- (i) The EIARC shall be elected every four years at the Regional Conference.
- (ii) The term of office of each member shall expire:
 - (a) at the end of each Regional Conference;
 - (b) at such time as the organisation of which he/she is a member is no longer affiliated to EI;
 - (c) at such time as he/she is no longer a member of his/her organisation;
 - (d) at such time as he/she is suspended from his/her organisation;
 - (e) at such time as he/she is physically or mentally disabled;
 - (f) if he/she holds a position outside EI, which is in conflict with his/her independent responsibility towards EI;

It is to be noted that in cases c), d), e) and f) the organisation to which this member is affiliated has the responsibility to inform the Regional Commit-



tee of the change in the member's situation.

(iii) All Committee members can be re-elected for two consecutive terms at the most;

(iv) In the event of a vacancy, the EIARC may appoint a replacement:-

(a) If the position of Chairperson is vacant, the Vice-Chairperson shall act as temporary Chairperson until the next Conference;

(b) If the position of Vice-Chairperson is vacant, the EIARC shall appoint one of its members to replace him/her until the next Conference;

(c) For other vacancies, the substitute member from the zone concerned shall be appointed until the next Conference.

5. ELECTIONS TO THE EIARC

A. The Chairperson and Vice-Chairperson shall be elected by the Regional Conference.

B.

(i) For each zone, there shall be elected one male representative and one female representative. In addition, two substitutes, one male and one female, shall be elected.

(ii) For each of the two positions in a zone, there shall be at least two nominated candidates who shall be resident in the zone concerned. The candidate who gets the highest number of votes shall be declared as the elected representative of the zone and the candidate ranking second shall be declared as substitute.

C.

(i) The election of the EIARC Members shall be by secret ballot.

(ii) Delegates from each zone shall meet and elect their representatives to the EIARC. This election shall be subject to approval by the Regional Conference.

(iii) Each member shall be entitled to one vote only.

(iv) No country shall have more than one voting member on the EIARC.

(v) The General Secretary of EI or his/her representative shall not be entitled to vote.

6. FUNCTIONS OF THE CHAIRPERSON

A. The Chairperson shall preside over the work of the Regional Conference and of the EIARC.

B. He/she shall liaise with the General Secretary of EI through the Regional Office and also through their regional representations on the global EI Executive Board of EI

C. In case the Chairperson is not available or absent, his/her

functions shall be taken on by the Vice-chairperson.

D. In case the Chairperson and Vice-Chairperson are not available or are absent, the Committee shall appoint a Chairperson from among its membership.

7. MEETINGS OF THE EIARC

A. The EIARC shall meet at least once a year.

B. If necessary, the Chairperson can convene an extraordinary meeting, after consultation with the General Secretary of EI.

8. APPOINTMENT OF EIARC STANDING COMMITTEE

A. The EIARC shall appoint a Standing Committee. All members of the Standing Committee shall be full members of the EIARC. The General Secretary or his/her representative shall be an ex-officio member of the Committee.

B. The Committee shall consist of : one member from each zone;

C. The Standing Committee shall act on behalf of the EIARC and meet in between the meetings of EIARC. It shall meet at least once in every calendar year.

9. QUORUM APPLICABLE TO THE REGIONAL CONFERENCES AND EIARC MEETINGS

A. Forty percent of accredited delegates representing thirty percent of member organisations shall constitute the quorum at the Regional Conference.

B. For the meetings of the EIARC, the quorum shall be set at fifty percent plus one.

10. REGIONAL SECRETARIAT

A. The Regional Secretariat of Education International established in Africa shall be in charge of the implementation of regional activities, on the basis of proposals made by the EIARC subject to approval by the General Secretary of EI.

B. The staff of the Regional Secretariat shall be appointed on full/part time basis by the General Secretary of EI.

11. FINANCES

A. Regional activities shall be financed by:

(i) subventions from EI;

(ii) grants;

(iii) contributions arising from supplementary sources approved by the Executive Board or by the General Secretary of EI.

B. Supplementary membership dues applicable to all member organisations in the region and computed per capita can be

determined by the Regional Conference, in accordance with article 20 of the EI by-laws.

Article 20 of the EI by-laws stipulates:

"Subject to approval by the Executive Board, a regional structure may establish supplementary membership dues to be paid by member organisations in the concerned region. The supplementary membership fee shall be:

- (i) a percentage in addition to the membership dues of the Education International up to a maximum of 25%;
- (ii) collected by the Education International."

- C. Supplementary membership dues shall be paid to EI by June 30 of each year at the latest and shall be computed on the membership reported as of December 31 of the preceding year.
- D. Financial rules of EI shall apply to regional structures.

12. AMENDMENTS TO THE BY-LAWS

- A. The Regional Conference shall have the authority to amend the by-laws subject to the approval of the Executive Board.
- B. Proposals for amending the by-laws shall be submitted to the Regional Secretariat no later than 6 months prior to the opening of the Regional Conference. The General Secretary shall circulate the proposed amendments to member organisations no later than a month prior to the opening of the Conference.
- C. Any amendment to the by-laws shall be valid only if it obtains a two-third majority of votes cast and if it is approved by the Executive Board.

13. COUNTRIES ALLOCATED TO THE VARIOUS ZONES IN AFRICA

Zone I

ALGERIA, CHAD, EGYPT, LIBYA*, MALI, MAURITANIA*, MOROCCO, NIGER, TUNISIA, SUDAN*

Zone II

CAPE VERDE, GAMBIA, GUINEA, GUINEA BISSAU, LIBERIA, SENEGAL, SIERRA LEONE

Zone III

BENIN, BURKINA FASO, CÔTE D'IVOIRE, EQUATORIAL GUINEA*, GHANA, NIGERIA, SAO TOME AND PRINCIPE, TOGO

Zone IV

BURUNDI, CAMEROON, CENTRAL AFRICAN REPUBLIC, CONGO BRAZZAVILLE, CONGO (DEMOCRATIC REPUBLIC OF), GABON, RWANDA

Zone V

COMOROS*, DJIBOUTI, ERITREA, ETHIOPIA, KENYA, MADAGASCAR*, MALAWI, MAURITIUS, SEYCHELLES*, SOMALIA*,

TANZANIA, UGANDA,

Zone VI

ANGOLA, BOTSWANA, LESOTHO, MOZAMBIQUE, NAMIBIA, SOUTH AFRICA, SWAZILAND, ZAMBIA, ZIMBABWE

* (Not affiliated to Education International by July 2004)



4. EIAP By-Laws

BY-LAWS OF EDUCATION INTERNATIONAL ASIA-PACIFIC (EIAP)

1. NAME

The Regional structure of the Education International in Asia-Pacific shall be named Education International Asia-Pacific (EIAP).

2. COMPOSITION

The Education International Asia-Pacific (EIAP) shall be composed of the member organisations of the Education International in the Asian-Pacific region as defined by the Executive Board of the Education International.

3. FUNCTION

The function of the Education International Asia-Pacific (EIAP) shall be:

- (a) to advise the Executive Board of the Education International on policies and activities to be undertaken by the Education International in Asia-Pacific, and to assist in the implementation of these policies and activities;
- (b) to promote the aims and principles of the Education International in the Asian-Pacific region;
- (c) to promote regional cooperation and collective action to protect and advance the rights and interests of teachers and education employees, and of education at the Asian-Pacific level;
- (d) to cooperate with the COPE, ACT and STF;
- (e) to participate in the formulation of EI policy at the world level with particular regard to the World Congress.

4. REGIONAL CONFERENCE

- (a) The Regional Conference shall be the supreme authority of the Education International Asia-Pacific (EIAP).
- (b) An ordinary session of the Regional Conference shall:
 - (i) adopt its rules of procedures and agenda;
 - (ii) elect the Chairperson, Vice-Chairpersons and other members of the Regional Committee;
 - (iii) determine the policies, principles of action and program of the Education International Asia-Pacific (EIAP);
 - (iv) approve the activity report, the financial report and the proposed budget;
 - (v) determine the supplemental membership fees.
- (c) Subject to approval by the Executive Board of the Education International the Regional Conference shall have the authority to amend the By-laws by a majority vote.
- (d) The Regional Conference shall be composed of delegates representing member organisations and of the members of the Regional Committee.
- (e) Each member organisation shall be entitled to one delegate and one additional delegate for every 20,000 members, or a part thereof, with a maximum of 25 delegates.
- (f) Votes shall be allocated to each member organisation whose membership fees have been paid in full prior to the Conference in accordance with the following scales:
 - up to 1,000 members, 1 vote
 - and more than 1,000 members, 1 additional vote for every 1,000 members, or a part thereof.
- (g) Member organisations shall receive provisional notification by the Regional Committee of the number of delegates and votes to be allocated to them. A credentials Committee to be



appointed by the Regional Committee shall verify and determine the allocation of delegate credentials and voting rights for each member organisation. No roll-call voting shall take place until the Regional Conference has adopted the report of the Credentials Committee.

- (h) The venue, date and provisional agenda regional Conference shall be determined by the Regional Committee. Notification of the convening of the Regional Conference shall be given at least six (6) months prior to the scheduled date.
- (i) The Regional Conference shall meet at least once every three years.

5. REGIONAL COMMITTEE

(a) The Regional Committee shall direct the affairs and activities of the Education International Asia-Pacific (EIAP) between the Regional Conferences.

(b) The Regional Committee shall:

- (i) draft the agenda for the regional conference;
- (ii) review implementation of the resolutions and decisions of the Regional Conference;
- (iii) initiate policies and actions in accordance with the resolutions and decisions of the Regional Conference, and with the aims and principles of the Education International;
- (iv) review and approve financial statements and submit a budget of the Regional Conference;

(c) The Regional Committee shall be composed of fifteen (17) members as follows:

- | | |
|---|---|
| (i) Chairperson | 1 |
| (ii) Vice-Chairpersons (one man and one woman) | 2 |
| (iii) One man from each from SAARC, ASEAN, Pacific, Central Asia and North Asia sub-regions | 5 |
| (iv) One woman from each of the sub-regions | 5 |
| (v) Open seats | 4 |

No affiliate shall have more than one seat on the Regional Committee except in case of being elected to the EI Executive Board.

- (d) EI Executive Board members in the Region shall also be the members of the Regional Committee
- (e) The General Secretary of the Education International, or his/her representative, shall be ex-officio member of the Regional Committee without voting rights.
- (f) Elections shall be carried out as follows:
 - (i) No election shall be carried out until a minimum member of candidatures has been nominated which satisfy the requirements of this article.
 - (ii) Where the number of candidates is greater than the num-

ber to be elected, each member organisation shall receive a ballot paper on which shall be indicated the number of votes allocated to that organisation.

(iii) The first election shall be for the office of Chairperson. Where ballot papers are issued, member organisations which choose to vote shall vote for one candidate. The candidate receiving the highest number of votes will be declared elected.

(iv) The second election shall be for the office of Vice Chairpersons. Where ballot papers are issued, member organisations which choose to vote shall for two candidates. The candidate receiving the highest number of votes shall be declared elected. To fulfill the requirement of the Article 5 (c) (i) one woman receiving the highest number of votes amongst the women candidates shall also be declared elected.

(v) The third election shall be for the fourteen (14) committee members. The organisations which choose to vote shall vote for one man and one woman from each of the five sub-regions and for the four candidates under the open seats as mentioned in article 5 (c) (i). The candidates with the highest numbers of votes under each of the category shall be declared elected.

(g) The term of office of each member of the Regional Committee shall be three years and shall expire:

- (i) at the end of the Regional Conference; or
- (ii) at such time as an organisation to which the member belongs is no longer a member of the Education International.

(h) A member of the Regional Committee who retires in accordance with paragraph 5(g)(i) shall be eligible for election.

(i) Article 10 (e), (f), (g), of the Constitution of the Education International shall be applicable to members of the Regional Committee. In the event of removal the member concerned shall have the right to appeal to the Regional Conference.

(i) In the event of a vacancy, the Regional Committee may appoint a replacement. If the vacancy occurs:

- (i) in the position of Chairperson, a Vice Chairperson shall be appointed as Chairperson until the next Regional Conference;
- (ii) in the position of Vice Chairperson, a member of the Regional Committee shall be appointed until the next Regional Conference;

For other vacancies, the Regional Committee shall seek a nomination, to which it shall give strong consideration, from the national organisation of the member being replaced.

(j) The Regional Committee shall meet at least twice between Regional Conference.

6. FUNCTIONS OF CHAIRPERSON AND VICE-PRESIDENTS

In the absence of the Chairperson, one of the Vice President shall:

- (i) chair the Regional Conference;
- (ii) chair the meeting of the Regional Committee;
- (iii) maintain liaison with the Executive Board of the Education International between meetings of the Regional Committee

7. *SECRETARIAT*

The Secretariat and financial administration shall be provided by the General Secretary of the Education International.

8. *FINANCES*

- (a) Supplementary membership dues to be paid by the member organisations shall be determined by the Regional Conference on a per capita basis in accordance with by-laws 20 of the Education International,
- (b) The supplementary dues shall cover all expenses related to the regional Committee and other regional activities.
- (c) Supplementary dues shall be paid to the Education International before June 30 of each year, and shall be computed on the membership reported as of 31 December of the preceding year.
- (d) Any organisation which is more than twelve (12) months in arrears of the payment of its supplementary membership dues, without the approval of the Regional Committee, may, at the recommendation of the Regional Committee, be suspended by the Executive Board of the Education International in accordance with Article 7(b) of the Constitution.
- (e) If a member organisation is unable to fulfil its financial obligations, owing to extraordinary circumstances, the Regional Committee may recommend to the Executive Board of the Education International, in accordance with Article 19 (c) of the Constitution, to grant a delay, a temporary deduction or, in extreme cases, a temporary exemption from the payment of such supplementary fees.

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5. EILA By-Laws

BY-LAWS EDUCATION INTERNATIONAL FOR LATIN AMERICA (EILA)

measures and policies among the member organisations.

ON THE REGIONAL ORGANISATION

Article 1

The organisation will be called: Education International for Latin America (EILA)

Article 2

The EILA will include all the organizations of the Latin America Region which are members of the Education International and which hold their status pursuant to provisions under Article 4 and 7 of its Constitution.

Article 3

The Education International for Latin America will have the following functions:

- (a) Carrying out the objectives and principles of the Education International (EI) in the Region.
- (b) Forming a mechanism for the application at regional level of the measures and policies established at the international level by the EI.
- (c) Forming an advisory and consultative body to the Executive Committee and General Secretary of the EI.
- (d) Establishing policies for the region in accordance with the decisions taken at EI Congresses.
- (e) Enabling and facilitating the communication and adoption of

Article 4

The highest authority of the EILA is the Regional Conference, which will ordinarily meet once between each two World Congresses of the EI. It should be called at least 7 months before the date on which it is due to be held.

Article 5

The EILA will be able to hold extraordinary Regional Conferences in places and on dates as chosen by the Regional Committee.

An extraordinary meeting of a Regional Conference must meet the following requirements:

- (a) It must be called at least 120 days before the date on which it is to be held.
- (b) The notice of the conference must indicate the themes to be dealt with at the extraordinary conference. No themes may be dealt with there which do not appear in the notice, with the exception of urgent matters where necessary.
- (c) It must be financed by extra-budgetary funds from the EI.
- (d) It must be called by a two-thirds majority of votes of the members of the Regional Committee.

Article 6

Half plus one of the total number of countries or 66,6% of the national organizations included in the EILA will constitute a quorum for the holding and legitimation of both regular and extraordinary Regional Conferences.

Article 7

Each member organization which is up to date with its membership dues has the right to a delegate at the Regional Conference. The representation costs of this delegate will be met by the EI budget approved for the holding of the Conference.

Article 8

Each member organisation of the EILA has the right to determine additional delegates on the basis of the number of members who have paid their affiliation dues in full before the holding of the Regional Conference and in accordance with the following scale:

- Up to 5,000 members - one delegate
- For each additional 5,000 members or fraction of more than 1,000 members one delegate

The maximum number of delegates for each organisation is 10.

The representation costs of the additional delegates will be met by the national organisation which appointed them.

Article 9

The number of votes of each member organisation of the EILA will be established on the basis of the total number of members who have paid their affiliation dues in full before the holding of the Regional Conference and in accordance with the following scale:

- Up to 5,000 members - one vote
- For each additional 5,000 members or fraction of more than 1,000 members one vote

An organisation which has paid its dues in full will be able to cast its vote by proxy, provided that it has notified the General Secretary of the EI in writing in advance.

Article 10

The General Secretary will inform each affiliated organisation of the number of delegates and votes to which it is entitled in due time. The Credentials Committee appointed by the Regional Committee will determine the number of delegates present, their credentials and the voting rights to which each member organisation is entitled, in accordance with the information provided by the General Secretary and the payments made by the organisations before or during the Conference.

Article 11

The member organisations of the EILA will appoint their delegates to the Regional Conference, applying their own statutes or internal regulations.

Article 12

The functions of the Regional Conference are as follows:

- (a) To adopt its procedural rules, determine its agenda and draw up the programme.
- (b) To elect the President, Vice Presidents and other members of the Regional Committee.
- (c) To determine the policies, activities, programmes and projects of the EILA.
- (d) To lay down general lines of policy and priorities to guide the activities of the Regional Executive Committee.
- (e) To approve the activities report of the Regional Executive Committee.
- (f) To examine the financial report and to adopt the general budget of the EILA.
- (g) To carry out all other activities in keeping with its character as a higher organisation.

ON THE REGIONAL COMMITTEE

Article 13

The Regional Committee will be elected by the Regional Conference and will direct the activities and affairs of the EILA during the period between two ordinary Regional Conferences, in accordance with the resolutions and decisions of the last Regional Conference and/or of the extraordinary regional conferences held in the intervening period between the two ordinary Regional Conferences, and with the resolutions and decisions of the Executive Committee and the World Congress of the EI.

Article 14

The functions of the Regional Committee are as follows:

- (a) To prepare the agenda and documentation for the holding of the Regional Conference.
- (b) To supervise the implementation of the resolutions and decisions of the Regional Conference.
- (c) To initiate policies and activities in accordance with the decisions of the Regional Conference, the World congress and the principles and objectives of the EI.
- (d) To examine and approve the financial reports presented by the Regional Secretary.
- (e) To prepare the EILA budget proposal and to submit it for the approval of the Regional Conference.



(f) To call the ordinary and extraordinary Regional Conferences.

(g) To present the Regional Conference with a general activities report and with proposals for future activities.

Article 15

The Regional Committee will consist of 9 members, besides the inclusions that may arise from provisions set forth under Article 17:

- 1 President elected from any member organisation enjoying full rights from any country of the region.
- 2 Vice Presidents elected from any member organization enjoying full rights; one for the sub-region Central America and one for the sub-region South America.

At least one of these three positions must be held by women

- 6 regional posts distributed as follows: 3 for the sub-region Central America and 3 for the sub-region South America.

At least two of these six posts must be held by women.

Article 16

No country or organization may have more than one member on the Regional Committee, except for any inclusions subsequent to the election of the Regional Committee as set forth under Article 17.

Article 17

The members of the Executive Committee of the Education International for the Region of Latin America will be members of the regional Committee in their own right, to which they shall integrate automatically from the moment of their international election, even when any other member from their country or organizations holds a position in the Regional Committee. If at the moment of their integration they were already holding a position in the Regional Committee, they shall continue to hold it. Otherwise, they shall hold a regional position.

Article 18

The General Secretary of the Education International or his representative will be a member of the Regional Committee in his own right, with the right to speak but without the right to vote.

Article 19

The members of the Regional Committee will serve in their functions for the period intervening between the holding of two ordinary Regional Conferences.

They may be re-elected to the same position or to a different one for two additional periods.

Article 20

The Regional Committee will meet once a year

The place for the meeting will be determined by the majority of its members.

Article 21

Parts e and h of Art. 10 of the EI Constitution are applicable to the regional Committee.

Article 22

It is the duty of the President of the Regional Committee, or one of the Vice Presidents in his absence, to:

- Chair the Regional Conference.
- Chair the meetings of the Regional Committee.
- Call the ordinary or extraordinary Regional Conferences together with the General Secretary of the Education International.

Article 23

The resolutions of the Regional Committee will be taken by a majority of votes.

Article 24

The Principal Coordinator of the EI for the Region will be the Secretary of the Regional Committee of the EILA.

ON FINANCE AND ADMINISTRATION

Article 25

The funds of the EILA will be constituted in the following manner:

- (a) The budgetary sum allocated by the EI and approved by the World Congress for the functioning of the Region.
- (b) The additional dues to be collected from the member organizations as approved by the Regional Conference.

In no case may the additional dues exceed the affiliation dues paid by each member organisation to the EI by more than 25%.

ON THE ELECTORAL PROCEDURE

Article 26

The Regional Conference will elect an Electoral Committee composed of at least 5 members, in which the sub-regions of the EILA are represented.

The duties of the Electoral Committee are:

- (a) To ensure that the elections are held in a correct manner and that the present Regulations are strictly adhered to.
- (b) To inform the Regional Conference of the result of the elections and to declare the election result for each position.

Article 27

The holding of the elections of the Regional Committee will take place in accordance with the following rules:

- (a) The candidates for the positions of President and Vice President will be presented in writing to the Principal Coordinator of the EI by at least 4 organisations including their own organisation. The candidacies and the signed declaration of proposals must be submitted at least four months before the opening date of the Regional Conference.
- (b) The names of the candidates for the positions of President and Vice President will be submitted to the member organisations at least two months before the opening date of the Regional Conference.
- (c) If no more than one candidate is proposed for the positions of President and Vice President for each sub-region, no elections will be held and the Electoral Committee will declare the election result at the Regional Conference.
- (d) The candidates for the other positions on the Regional Executive Committee must be presented in writing to the Principal Coordinator of the EI by at least two organisations including their own organisation on the opening day of the Regional Conference.
- (e) If there are no other candidates apart from those who are elected for each sub-region, no elections will be held and the Electoral Committee will declare the election result.
- (f) If it is necessary to hold elections, the same will be held separately for the positions of President, Vice President and the other members of the Regional Committee.
- (g) Before the elections, each delegation should receive a copy of the report of the Credentials Committee stipulating the number of votes granted to each organisations and the representations by virtue of size.
- (h) The elections will be held by secret ballot. The Conference programme will specify the period in which each election will be held.
- (i) The election ballots will contain the surnames of the can-

didates in alphabetical order. Each Head of Delegation will receive from the Electoral Committee the number of ballots as indicated by the report of the Credentials Committee.

- (j) Votes may be cast for the number of candidates equal to the number of positions to be filled. A ballot containing more candidates than positions will be declared null and void. A ballot containing less candidates than positions to be elected shall be considered valid, and blank votes shall be computed as candidates missing in the ballot.
- (k) Half plus one of the total of votes to be cast will be required for the election of the President and Vice President. The other positions will be chosen by a simple majority.
- (l) If there is a tie in any of the contests, a second round will be organised for the candidates with the most votes. If necessary, successive elections may be held in order to obtain the number of votes required to declare the election result.

ON INTERPRETATION, AMENDMENTS AND VALIDITY

Article 28

In case of doubt, the interpretation of the present Regulations will be the responsibility of the Regional Committee.

Article 29

Proposals for amendments to the present Regulations will be presented to the Principal Coordinator in writing at least six months before the opening date of the Regional Conference. The proposals for amendments and the explanatory texts considered relevant will be submitted to the member organisations at least three months before the opening date of the Regional Conference.

Article 30

The amendments will be adopted if the Regional Conference approves them with at least half plus one of the votes cast.

Article 31

In the event of a discrepancy between the provisions of the present Regulations and those of the Education International, the provisions laid down in the statutes and Regulations of the Education International will take precedence.

Article 32

The present Regulations will come into force as from the date of their approval by the Regional Conference and the Executive Committee of the Education International.



6. ETUCE BY-LAWS

BY-LAWS European Trade Union Committee for Education (ETUCE) - EI REGIONAL STRUCTURE IN EUROPE

1. NAME

The regional structure of the Education International in Europe shall be the European Trade Union Committee for Education (ETUCE).

2. MEMBERSHIP

The ETUCE shall be composed of all EI member organisations in the EI European Region, as defined by the EI Executive Board in accordance with EI By-Law 18. The European Region of Education International is divided politically into those organizations in countries within the EU and EFTA and those outside of them. It is recognized that the existence within the European region of the European Union creates special circumstances affecting the operations of the European Regional Structure.

3. AUTONOMY

The Regional Structure in Europe shall be autonomous in the determination and implementation of regional policies and programs, the representation of the EI European membership with EU and other European institutions, and the establishment of a budget and supplementary membership fees. The exercise of such autonomy shall be conducted in a manner consistent with the EI Constitution and By-Laws.

4. RELATIONSHIP WITH ETUC

ETUCE shall be the European Industry Federation for the education sector of the European Trade Union Confederation (ETUC). The member organisations of ETUCE in the countries of the European Union and the European Free Trade Association shall have autonomy in relation to deciding matters pertaining wholly to the European Union and its agencies.

5. AIMS AND OBJECTIVES

- (a) To promote and implement the Aims of Education International (EI) in the European region:
- (b) To advise the EI Executive Board on policies and activities to be undertaken by EI in the European Region, including the development of responses to proposals and policies which emanate from other international bodies such as OECD or UNESCO.
- (c) To develop and maintain positive relationships with organizations in Europe which have similar aims and objectives, including ETUC and PERC/ITUC.
- (d) To determine and promote policies in relation to the Council of Europe, and any such other European inter-governmental body, which addresses issues of concern to education unions.
- (e) To promote the development of strong independent and democratic education unions throughout the European Region.
- (f) To determine and promote policies in relation to European Union (EU) and EFTA matters.
- (g) To represent member organizations in EU consultative structures and at EU meetings.
- (h) To respond to proposals, policies and decisions of the EU affecting the members of education unions in Europe.

- (i) To develop and implement projects and programs designed to further the interests of education unions in the European Region and, especially, in the EU/EFTA countries.
- (j) To be the social partner for education workers in the EU Social Dialogue process.
- (k) To be the industry federation representing the education unions in the ETUC structures.

6. STRUCTURE

The structure of the ETUCE shall be:

6.1 Governing Bodies

- (a) The ETUCE Conference as defined in By-Law 7.
- (b) ETUCE Special Conferences as defined in By-Law 10.
- (c) The ETUCE Committee as defined in By-Law 8.
- (d) The ETUCE Bureau as defined in By-Law 9.

6.2 Advisory Bodies

- (a) ETUCE Advisory Committees
- (b) Standing Committees
- (c) Panels and Networks
- (d) Working Groups

6.3 Secretariat:

The Secretariat shall comprise the EI chief regional coordinator for Europe, who shall be known as the European Director of ETUCE, and such professional and technical staff as are appointed specifically to assist the Director in the ETUCE Office.

6.4. Members of the EI Executive Board from Europe

The members of the EI Executive Board from Europe shall be ex-officio members of the Governing Bodies. They shall be entitled to attend and to speak but not to vote at meetings of the Governing Bodies. Their membership of the Governing Bodies shall not affect any of the entitlements of member organisations to have representatives elected to the Governing Bodies as provided for elsewhere in these By-Laws.

7. THE ETUCE REGIONAL CONFERENCE

7.1 Notice

- (a) Preliminary notice of the ETUCE Regional Conference shall be issued by the Bureau at least six months prior to the opening day of the Conference.
- (b) The final notice of the ETUCE Regional Conference, including the agenda and provisional notification of entitlement

to delegates and votes, shall be issued by the Bureau at least three months prior to the opening day of the ETUCE Regional Conference.

- (c) These documents, and all other official documents sent by the ETUCE Secretariat pertaining to the business of the ETUCE Regional Conference, shall be issued in all the official languages of the ETUCE.

7.2 Functions

An ordinary session of the ETUCE Regional Conference, hereafter referred to as the Conference, shall:

- (a) elect the President, Vice-Presidents and other members of the ETUCE Committee;
- (b) determine the policies, principles of action and programme of ETUCE;
- (c) deal with any resolutions or amendments submitted as provided for in the Standing Orders;
- (d) approve the activity report, the financial report and the proposed budget;
- (e) determine the supplementary membership fees;
- (f) appoint two persons who shall act as internal auditors;
- (g) appoint the external auditors.

7.3 Delegates and Observers

- (a) The Conference shall be composed of delegates representing member organisations and by the members of the outgoing ETUCE Committee.
- (b) Each member organisation shall be entitled to one delegate and one additional delegate for every 20,000 members or a part thereof, for which it pays supplementary membership dues, up to a maximum of 25 delegates.
- (c) Travelling and subsistence expenses of delegates attending the Conference shall normally be the responsibility of the nominating member organization. Assistance with such expenses may be provided for delegates from certain organizations in accordance with the arrangements prescribed for the EI World Congress.
- (d) Travelling and subsistence expenses of the members of the ETUCE Committee will be paid from ETUCE funds.
- (e) Member organizations may send observers to the Conference who shall not have the right to vote. The number of observers from any one organization may be limited by decision of the Bureau but may not, in any event, exceed the number of accredited delegates of the organization.
- (f) Travelling and subsistence expenses of observers shall be the responsibility of their nominating organization.
- (g) Member organizations shall notify the Bureau of the names of their delegates and observers at least one month prior to the



opening day of the Conference.

- (h) Member organizations may appoint substitute delegates. The names of such substitute delegates shall be notified to the Secretariat at least three days prior to the opening of the Conference by the official correspondent of the member organization concerned.

7.4 Voting entitlements

- (a) Votes shall be allocated to each member organisation whose membership fees have been paid in full at least one week prior to the Conference in accordance with the following scale:
- up to 1,000 members: 1 vote;
 - more than 1,000 members, 1 additional vote for every 1,000 members or a part thereof.
- (b) Only member organisations from EU and EFTA Member States shall be entitled to vote on decisions which, on the ruling of the Chair, pertain solely to the EU. The ruling of the Chair on such matters may be challenged in accordance with the provisions of the Standing Orders;
- (c) At least three months prior to the opening day of the Conference member organisations shall receive provisional notification by the Bureau of the number of delegates and votes to be allocated to them.
- (d) A Credentials Committee will be appointed by the Bureau prior to the opening of the Conference to verify and determine the allocation of delegate credentials and voting rights for each member organisation. The report of this committee shall be presented for adoption to the opening session of the Conference.

7.5 Voting Procedures

- (a) Voting shall normally be by show of voting/credential cards.
- (b) Decisions shall normally be made by simple majority of those present and voting for and against the proposition for decision.
- (c) Representatives of at least twenty member organisations may call for a roll call vote on any matter for decision. Such a vote requires that the votes of each organisation must be counted on the same basis as for the conduct of elections. The call for a roll call vote must be made before the matter is put to a vote. In a roll call vote at least fifty percent of the total voting entitlements of organisations registered for the Conference must be used for the outcome to be valid.
- (d) No roll-call voting shall take place until the Conference has adopted the report of the Credentials Committee.
- (e) A member organisation may give its votes by proxy to be exercised by another member organisation. Notice of this intention must be given in writing to the President by the organisation giving the proxy, prior to the opening of the Conference. No member organisation shall exercise a proxy

vote on behalf of more than two organisations. This provision is restricted solely to the conduct of voting in elections for the ETUCE Committee as provided for in By-Law 8.

7.6 Frequency of Conference

- (a) The ETUCE Conference shall meet in ordinary session at least once every four years.
- (b) The venue, date and provisional agenda of the Conference shall be determined by the ETUCE Committee. Notification of the convening of the Conference shall be given at least six (6) months prior to the scheduled date.
- (c) An Extraordinary ETUCE Conference shall be convened either by the ETUCE Committee decision on a two-thirds majority vote or at the formal and properly substantiated request of at least ten (10) member organisations, together representing at least one quarter of the paid membership. The request must set out the proposed business for the Extraordinary Conference which must come within the scope of the aims and objectives of ETUCE. Notification of the convening of an Extraordinary Conference shall be given at least two (2) months prior to the scheduled date, unless the ETUCE Committee determines that the extreme urgency of the business requires a shorter period of notice.

7.7 Resolutions and Amendments to the By-Laws

- (a) Resolutions for consideration at an ordinary session of the Conference must be submitted to the Bureau by member organizations or by the Committee, in one of the official languages of ETUCE, at least one month prior to the opening day of the Conference. Such resolutions will be circulated to member organizations by the Bureau in the official languages at least one week prior to the opening day of the Conference.
- (b) Urgent resolutions for the consideration of the Conference, which must pertain to matters arising between the last date for submitting ordinary resolutions and the opening day of the Conference, may be submitted to reach the secretariat prior to the close of the opening session of the Conference. The outgoing Bureau shall meet to decide whether or not such resolutions shall be presented to the Conference.
- (c) A proposed amendment to the By-Laws shall be declared adopted if supported by no less than two-thirds of the total votes cast. In such a vote at least fifty percent of the total voting entitlements allocated to organisations registered for the Conference must be used for the outcome to be valid. The amended By-Laws shall be submitted for endorsement to the Executive Board of Education International.
- (d) Proposed amendments to the By-Laws for consideration at an ordinary session of the Conference must be submitted to the Bureau by member organizations or by the Committee, in one of the official languages of ETUCE, at least three months prior to the opening day of the Conference. Such proposed amendments to the By-Laws will be circulated to member organizations by the Bureau at least one month prior to the opening day of the Conference.

7.8 Standing Orders/Rules of Debate

- (a) The Standing Orders/Rules of Debate are set out in Appendix One.
- (b) Proposals for amendment of the Standing Orders/ Rules of Debate must be submitted to the Bureau at least one month prior to the opening day of the Conference.
- (c) The Standing Orders/Rules of Debate may be amended by a simple majority vote of the accredited delegates.

8. THE ETUCE COMMITTEE

8.1 Functions

The ETUCE Committee shall direct the affairs and activities of the regional structure between the quadrennial Conferences. It shall meet at least twice a year. The Committee shall:

- (i) draft the agenda for the ETUCE Conference;
- (ii) review the implementation of the resolutions and decisions of the Conference;
- (iii) initiate policies and actions in accordance with the resolutions and decisions of the Conference ;
- (iv) review and approve financial statements and submit budgets to the Conference;
- (v) submit to the Conference a report on its decisions and activities;
- (vi) select a European Director, as required;
- (vii) establish the standing committees and appoint advisory committees and networks as required from time to time;
- (viii) appoint, from among its members, a Treasurer, at its first meeting after the ETUCE Conference.

8.2 Composition

The ETUCE Committee shall be composed of

- (i) the President;
- (ii) six (6) Vice-Presidents, at least one of whom shall come from a non-EU/EFTA country;
- (iii) one (1) person from each country;
- (iv) one (1) additional person from each country with more than 250,000 dues paying members and not more than 500,000;
- (v) one (1) additional person from each country with more than 500,000 dues paying members;
- (vi) At least seventeen (17) Members of the Committee shall be women, including at least three Officers; in the event that an insufficient number of women are nominated to ordinary seats on the Committee to fill the quota then the matter shall

be dealt with as provided for in by-law 8.3.3 (d).

- (vii) the European Director shall be an ex officio member of the Committee without voting rights;
- (viii) no national organisation shall have more than one (1) member of the Committee, other than as may arise from (ix) below; the European Director not being counted for this purpose;
- (ix) the members of the EI Executive Board from Europe and the Chairpersons of the two Standing Committees, who shall be ex-officio members of the Committee without voting rights. They shall not be taken into account for the purposes of determining the outcome of elections, as provided for below.

8.3 Election of the Officers and Committee

Elections of Officers and other members of the Committee shall take place at the ETUCE Conference.

8.3.1 Nomination Procedures

- (a) Candidates for election as President or Vice-Presidents shall be nominated by a member organisation in a written notification to the Bureau at least one month prior to the opening day of the Conference. Candidates for the post of President who are not elected to that position will be automatically considered to have been also nominated for election to a post of Vice-President unless the candidate indicates otherwise in a written notification to the Chair prior to the election for Vice-Presidents.
- (b) Candidates for election to country seats on the Committee must be nominated by a member organisation from the country concerned, in a written notification to the Bureau, prior to a deadline after the election for Vice-Presidents has been conducted, which will be set by the Bureau during the Conference.
- (c) The elections of Members of the ETUCE Committee shall not be carried out until a minimum number of candidates has been nominated which satisfy the requirements of this Statute.
- (d) Where the number of candidates is greater than the number to be elected, each member Organisation shall receive a ballot paper on which shall be indicated the number of votes allocated to that organisation.

8.3.2 Balloting procedures

- (a) An Elections Committee will be elected at the beginning of the Conference to supervise the conduct of the elections. The Committee will be composed of five delegates from five member organizations which do not have candidates for election as officers and which are broadly representative of the whole European region. The Bureau will submit a proposal for membership of the Committee



to the Conference for approval.

- (b) At registration for the Conference delegates from each member organization will be asked to indicate which delegate is authorized to act as the Principal Delegate for the organization. The role of the Principal Delegate will be to collect ballot papers and cast votes for the organization.
- (c) For each election the Principal Delegate will be given a ballot paper on which will be indicated the name of the organization and the number of votes to which it is entitled. This information will be written on the ballot paper and/or enshrined in a bar code on the ballot paper.
- (d) The Principal Delegate will be required to vote, on behalf of the organization, for the number of candidates for which there are vacancies in the particular election, as indicated on the ballot paper, by placing a mark beside the name(s) of the candidate(s) of choice. The Principal Delegate must vote for a number of candidates equal to the number of vacancies in the particular election.
- (e) The completed ballot papers will be returned to the Election Committee which will supervise the counting of the votes.
- (f) When the count is completed the Elections Committee will determine the election of candidates in accordance with the provisions outlined above for each election, and announce the results to the Conference.

8.3.3 Order of Elections

The elections shall be carried out in the following order:

- (a) The first election shall be for the office of ETUCE President. If there is not more than one candidate, this candidate shall be declared elected. If there is more than one (1) candidate, Member Organisations, which choose to vote, shall vote for one (1) candidate. The candidate who first receives at least a half plus one of the total votes cast shall be declared elected. In the event that no candidate receives such majority in the first ballot, a run-off ballot shall be held between the two candidates receiving the most votes in the first ballot.
- (b) The second election shall be for the offices of Vice-Presidents. If there are not more than six (6) candidates and they satisfy the requirements of By-Law 8.2 (ii), they shall be declared elected. If there are more than six (6) candidates, Member Organizations shall vote for six (6) candidates only. To meet the requirements of By-Law 8.2 (ii) the candidate from a non-EU/EFTA country with the highest number of votes shall be declared elected. To meet the requirements of By-Law 8.2 (vi), the two women candidates (or three women candidates in the event that the President is a man) with the highest number of votes shall be declared elected first. The remaining places shall be filled by the election of candidates with the highest number of votes.
- (c) The third election shall be for one or more members from each country in accordance with By-Law 8.2 (iii), (iv) and

(v) above. If the number of candidates from a country satisfies the requirements of By-Law 8.2 (iii), (iv) and (v), he/she or they shall be declared elected. If there is more than the required number of candidates from a country, the number necessary to satisfy the requirements of By-Law 8.2 (iii), (iv), and (v) shall be elected next. Member Organizations shall vote for the number of candidates equal to the number of vacancies. The number of women candidates required to meet the terms of By-Law 8.2 (vi) shall be elected first.

- (d) Should the result of the elections not satisfy the requirements of the Statutes, the next ordinary meeting of the Committee shall co-opt the number of persons necessary, having invited nominations from member organizations.

8.4 Terms of Office

- (a) The term of office of each member of the Committee shall be four years and shall expire :
 - at the end of the Conference; or
 - at such time as an organisation to which the member belongs is no longer a member of the Education International: or
 - at such time as the member resigns from the Committee.
- (b) A member of the Committee, who retires shall be eligible for re-election:
- (c) Article 10 (e), (f), (g) of the Constitution of Education International shall be applicable to members of the Committees. In the event of removal the member concerned shall have the right of appeal to the Conference:
- (d) In the event of a vacancy, the ETUCE Committee may appoint replacements. If the vacancy occurs:
 - (i) in the position of President, a Vice-President shall be appointed as President until the next Conference;
 - (ii) in the position of Vice-President, a member of the Committee shall be appointed until the next Conference;
 - (iii) in the position of Treasurer, a member of the Committee shall be appointed;
 - (iv) for other vacancies, the Committee shall seek a nomination, to which it shall give strong consideration, from the national organisation of the member being replaced.

8.5 Decisions at the Committee

- (a) Decisions of the Committee will be made by consensus or by simple majority vote of the members of the Commit-

tee who vote for or against in a division.

(b) For the purpose of deciding matters which, on the ruling of the Chair, pertain solely to the EU, only the representatives of organisations from EU/EFTA countries may vote. The ruling of the Chair on such matters may be challenged in accordance with the provisions of the Standing Orders.

9. THE ETUCE BUREAU

9.1 Composition

- (a) The Bureau shall be composed of:
- (i) The President,
 - (ii) The Vice-Presidents
 - (iii) The Treasurer
 - (iv) The European Director
 - (v) The members of the EI Executive Board from Europe shall be ex-officio members of the Bureau without voting rights.
 - (vi) The chairpersons of the Standing Committees for Higher Education and Research and for Equality shall be ex-officio members of the Bureau without voting rights.
- (b) For the purposes of deciding matters which, on the ruling of the Chair, pertain solely to the EU, only the officers from organisations in EU and EFTA countries may vote on such matters. The ruling of the Chair on such matters may be challenged in accordance with the provisions of the Standing Orders.

9.2 Function and meetings

The Bureau shall:

- (i) Direct the affairs and activities of ETUCE between the Committee meetings in conformity with the decisions and policies adopted by the Committee.
- (ii) Prepare Committee meetings and agendas;
- (iii) Consider for approval financial statements and submit budgets and proposals for supplementary dues to the Conference
- (iv) Have the responsibility for establishing Standing Committees, Advisory Panels, Networks and other advisory bodies in accordance with the decisions of the Committee.
- (v) Meet at least four times a year, including meetings held in conjunction with the Conference and the Committee.

10. ETUCE SPECIAL CONFERENCE

10.1 Function

The ETUCE shall hold a Special Conference two years after each ordinary Conference to consider and decide on matters related to ETUCE policies on education and employment.

10.2 Composition

The Special Conference shall be composed of the ETUCE Committee and a maximum of two representatives from each member organisation.

10.3 Procedures

The procedures for the presentation and processing of resolutions at Special Conferences shall be the same as those applying to the quadrennial Conference. The Standing Orders set out in Appendix One shall also apply to Special Conferences.

10.4 Voting

For the purposes of deciding matters at the Special Conference, which, on the ruling of the Chair, pertain solely to the EU, the representatives from organisations in EU and EFTA countries only may vote on such matters. The ruling of the Chair on such matters may be challenged in accordance with the provisions of the Standing Orders.

11. ADVISORY AND STANDING COMMITTEES, NETWORKS, PANELS and WORKING GROUPS

11.1 Establishment

The Committee may establish such advisory committees, networks, panels and working groups as it deems necessary to advise it on specific issues or sectors from time to time. The Committee will determine the composition and remit of such bodies and the duration of their operation.

11.2 ETUCE Status of Women Committee:

- (a) The ETUCE Status of Women Committee (ESWC) shall be a permanent advisory committee consisting of the women members of the ETUCE Committee.
- (b) The ESWC shall meet immediately prior to each ordinary meeting of the ETUCE Committee.
- (c) The ESWC shall advise the ETUCE Committee and Bureau on matters affecting girls and women in education
- (d) At its first meeting after the ETUCE quadrennial Conference the ESWC shall elect a Chair from among its members. In the event of a vacancy arising for the position of Chair between Conferences the position shall be filled by election at the next meeting.
- (e) The Chair shall report to the Committee any opinions or



advice which the ESWC wishes to convey to the Committee.

11.3 Standing Committees for Higher Education and Research and for Equality

- (a) Two Standing Committees, one for Higher Education and Research and one for Equality, shall be established.
- (b) The membership of the Standing Committee for Higher Education and Research shall consist of one representative for each organisation which represents education personnel working in the post-secondary education and/or research sectors.
- (c) The membership of the Standing Committee for Equality shall consist of one representative for each member organisation.
- (d) At the first meeting of each Standing Committee after the ETUCE Conference the Standing Committees shall elect a Chairperson and Vice-Chairpersons in accordance with the procedures specified below.
- (e) Meetings of the Standing Committees should be conducted in accordance with the Standing Orders which are set out in the Appendix to these By-Laws.

11.4 Procedures for the Election of Chairperson and Vice-Chairperson(s) of Standing Committees

- (a) The elections should take place at properly convened meetings of the Standing Committees.
- (b) The notice of meeting and agenda should refer to the elections.
- (c) The procedures for the conduct of the elections for Standing Committee chairpersons and vice-chairpersons are set out in the Appendix to these by-laws.

12. THE PRESIDENT, VICE-PRESIDENTS AND TREASURER

- a) The President shall be the principal representative of the ETUCE.
- b) The President, or in his/her absence, one of the Vice-Presidents shall:
 - (i) chair ETUCE Conferences;
 - (ii) chair the meetings of the Committee and ETUCE Bureau;
 - (iii) represent ETUCE externally;
 - (iv) maintain liaison with the EI Executive Board.
- c) The ETUCE Treasurer shall be responsible to the ETUCE Committee for financial affairs, and specifically for recommendations concerning ETUCE supplementary dues and

the related expenditures. He/she shall:

- supervise the management by the European Director of income and expenditure;
- submit financial statements to the ETUCE Committee.

13. SECRETARIAT

13.1 Duties and Responsibilities

The European Director shall promote the aims and objectives of ETUCE as set out in By-Law 5. The European Director shall support the ETUCE structure and carry out the decisions of the Conference, ETUCE Committee and ETUCE Bureau. In this context the European Director shall:

- (a) report to the Conference, Committee and Bureau;
- (b) initiate proposals for consideration by the ETUCE bodies, in all matters related to ETUCE policies;
- (c) implement the decisions of the ETUCE bodies;
- (d) maintain liaison with member organisations,
- (e) maintain liaison with the European Trade Union Confederation and be appointed as a representative of ETUCE on that body.
- (f) maintain liaison with the institutions of the European Union and represent the ETUCE at relevant meetings with those bodies;
- (g) convene and prepare meetings of the ETUCE bodies;
- (h) keep a record of the proceedings of the ETUCE bodies;
- (i) submit activity reports to the ETUCE bodies;
- (j) manage, under the supervision of the Treasurer, the income and expenditure of the ETUCE bodies;
- (k) ensure that the appropriate financial documents and reports are available to the Auditors;
- (l) manage the ETUCE Secretariat, both in relation to the appointment and management of staff who are directly employed by ETUCE and to the management of the staff employed by EI while they are providing services to ETUCE;
- (m) cooperate with the EI General Secretary to make the best use of the human and financial resources available to the Region;
- (n) submit reports on ETUCE finances, programmes and activities to the Bureau, Committee and Conference and to the EI General Secretary, as required.

13.2 Appointment of European Director

- (a) The ETUCE Committee shall select a candidate for ap-

pointment as European Director, through open, fair and transparent selection procedures, which it shall establish. The candidate, thus selected, shall be recommended to the EI General Secretary for appointment, in accordance with the provisions of the EI Constitution.

- (b) The General Secretary shall appoint the recommended candidate unless, for what the General Secretary regards as good and sufficient reasons, the General Secretary deems the recommended candidate unacceptable. In this case the recommendation shall be referred back to the Committee by the General Secretary for further consideration. The General Secretary shall also send to the Committee a statement of the reasons for rejecting the recommendation

14. FINANCES

14.1 Financing of ETUCE

The operations and activities of ETUCE shall be funded by

- (a) The portion of the global dues of EI allocated for the purposes of supporting EI and ETUCE programmes and activities in Europe;
- (b) Such supplementary dues as are levied in accordance with By-Law 20 of the EI By-Laws; and
- (c) Such additional funding for projects and programmes as may be received from time to time from external sponsors and donors and from member organisations.

14.2 Supplementary Dues

- (a) Supplementary membership dues to be paid by the member organisations shall be determined by the Conference on a per capita basis in accordance with By-Law 20 of Education International.
- (b) Rates of supplementary dues shall be determined by the ETUCE Conference based on a percentage of the EI global dues and will be differentiated between those organisations from EU/EFTA countries and those which are not.
- (c) All supplementary dues shall be paid to the Education International before June 30 of each year, and shall be computed on the membership reported as of 31 December of the preceding year.
- (d) Any organisation which is more than twelve (12) months in arrears of the payment of its supplementary membership dues, without the approval of the Committee, may be reported to the EI Executive Board which may suspend the organisation in accordance with the provisions of the EI Constitution.
- (e) If a member organisation is unable to fulfil its financial obligations, owing to extraordinary circumstances, the Committee may recommend to the Executive Board of the Education International, in accordance with Article 19 (c) of the Constitution, to grant a delay, a temporary

reduction or, in extreme cases, a temporary exemption from the payment of such supplementary fees.

14.3 Auditors

- (a) The accounts of ETUCE shall be audited annually by a professional external auditing company, appointed by the ETUCE Conference, which shall present its annual report to the ETUCE Committee and a quadrennial report to the Conference.
- (b) The Conference shall also appoint two representatives of member organisations to act as internal lay auditors.
- (c) These representatives shall hold no other office within the ETUCE governing structures.
- (d) They shall examine and report to the Conference and Committee on the income and expenditure of ETUCE and on the implementation of the financial decisions taken by the ETUCE governing structures.
- (e) They shall report to the Committee once each year and to each ordinary Conference.

15. OFFICIAL LANGUAGES

The Official Languages of ETUCE shall be English, French, Spanish, German and Russian. Translation into English and French will be provided normally at ETUCE activities. Translation into Spanish, German, Russian or another European language may be provided at conferences and meetings should all or any one of these languages be deemed appropriate in the context of the venue or audience at the meeting or conference, and, should the financial resources available for the meeting or conference, permit.

Documents will be issued normally in English and French but may also be translated into other appropriate languages should circumstances and financial resources permit.

16. INTERPRETATION OF THESE BY-LAWS OR STANDING ORDERS

These By-Laws and Standing Orders will be published in the official languages of ETUCE. However, in the event of any dispute arising in relation to the interpretation of these By-Laws or Standing Orders the text in English shall prevail.



APPENDIX:

1. STANDING ORDERS/RULES OF DEBATE FOR THE ETUCE CONFERENCE OR ETUCE COMMITTEES

- 1) A delegate or member of the Committee shall speak only once in a debate, unless otherwise agreed by the Committee or Conference. The representative of a Committee presenting a report or a mover of a motion, resolution or amendment (not concerning a motion of procedure) shall have the right of reply at the close of debate on an item.
- 2) A request to speak shall be made to the Chair, except when related to a point of order or procedure. At the Conference such request must be made in writing. At the Conference a delegate who is invited by the Chair to speak may yield the right to speak to another member of the delegate's own union delegation.
- 3) The Chair shall decide the order in which speakers are called upon to speak in a manner designed to ensure balance in the debate on any issue or resolution.
- 4) At any time during the course of a debate the Chair may call a speaker to order if the remarks of the speaker are not relevant to the subject under discussion or if the speaker exceeds the allotted time or if the speaker is otherwise in breach of these Standing Orders/Rules of Debate.
- 5) The European Director shall have the right to speak on any subject.
- 6) Resolutions or other proposals for the consideration of the Committee from member organizations or other committees must be proposed to the Committee in writing.
- 7) Resolutions (motions/ propositions), which have been submitted to the Conference by member organizations or by the Committee in accordance with the prescribed procedures, must be proposed by accredited delegates or by members of the Committee to the Conference in order to place them for debate before the Conference.
- 8) The proposer must speak to the resolution when it has been placed before the Conference.
- 9) Amendments to the resolution, which have been submitted to the Conference by member organizations or by the Committee in accordance with the prescribed procedures, must also be proposed by accredited delegates or by members of the Committee, to place them before the Conference.
- 10) Amendments to a resolution must be taken immediately after the proposer has spoken.
- 11) Each amendment must be disposed of before the next one is taken.
- 12) Each delegate may speak only once on any resolution or amendment to it which is placed before the meeting except the proposer of the resolution who may speak once on the resolution and once on any amendment to it. The proposer may also reply to the debate on the resolution (or substantive

resolution) before it is voted upon.

- 13) The proposer of a resolution may speak for a maximum of five minutes in proposing the resolution. Any subsequent contributor to the debate on the resolution or amendments, may speak for a maximum of three minutes.
- 14) In the interests of completing particular items of business, the Chair may, with the permission of the Conference or Committee, reduce the length of time speakers are permitted.
- 15) After the proposer of the resolution or amendment has spoken, the Chair will select speakers for and against the resolution or amendment, in turn. If during the course of the debate there are no further requests to speak against the resolution or amendment, the Chair may put immediately the resolution or amendment to a vote.
- 16) The debate on a question before the Conference or Committee may be interrupted at any time by a point of order or by a motion of procedure. The Chair shall give an immediate ruling in response to a point of order.

A motion challenging the ruling of the Chair shall be put immediately to a vote.

A motion of procedure shall be required in order:

- (i) to adjourn the sitting;
- (ii) to adjourn the debate;
- (iii) to close the debate and/or vote on the item under discussion;
- (iv) to proceed with the next item on the agenda.

The above or any other motion of procedure shall be put immediately to a vote, except that the delegation submitting the resolution under discussion, may exercise its right of reply.

2. PROCEDURES FOR THE CONDUCT OF ELECTIONS FOR CHAIRPERSON AND VICE- CHAIRPERSONS AT STANDING

COMMITTEES

- (i) The notice of the meeting should invite nominations for Chairperson from member organizations. The nominations should be submitted in writing to the secretariat by a date, to be set by the Committee, which is at least two weeks prior to the opening day of the meeting.
- (ii) At the beginning of the meeting the outgoing Chairperson, or in the absence of the outgoing Chairperson a member of the Bureau who is designated as temporary Chairperson, will read out the list of nominations for Chairperson which have been received from member organisations. In the event that no nominations have been received prior to the meeting nominations may be made orally on behalf of member organizations at the beginning of the meeting. In such circumstances when nominations cease to be presented the

designated Chairperson will close the nominations.

- (iii) If necessary, a time will be fixed for the conduct of the ballot being not earlier than one hour after the close of nominations.
- (iv) Two Tellers will be appointed by the designated Chairperson to conduct the election from among the members of the Committee who are not nominated. They will be assisted by a member of the secretariat.
- (v) A ballot paper will be prepared listing all of the nominated candidates in alphabetical order of surnames (family names).
- (vi) The Tellers will give a ballot paper to each member of the Committee.
- (vii) Each member of the Committee should place an X beside the name of the candidate, or in the case of Vice-Chairpersons the candidates, for whom they wish to vote.
- (viii) The Tellers will collect the completed ballot papers from the members of the Committee.
- (ix) The Tellers will count the ballots and present the result to the designated Chairperson.
- (x) The designated Chairperson will announce the results.
- (xi) In the event of a tied vote a run-off election will take place on the same basis between the candidates with the equal highest number of votes.
- (xii) The same procedures should be applied to the election of Vice-Chairpersons.

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Constitution

Congress Book 3

Constitution and By-Laws



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