



**AGENDA ITEM 8: FOR INFORMATION**

**39<sup>th</sup> Executive Board meeting, 30 November-2 December 2011**

# **Improving the welfare and status of education personnel**

## **1. EXECUTIVE SUMMARY**

EI's commitment to defend the human and trade union rights of education personnel and their organisations remains high. EI has assisted many member organisations through awareness raising, training, advocacy, lobbying, protest actions as well as with representations and submissions to the ILO, CEART, UN Human Rights Council, Council of Europe, Inter American Human Rights Commission.

Human and trade union rights are most at risk in times of economic and social crisis. This year saw the development or confirmation of worrying trends in violations of individual human rights and trade union rights of teacher organisations. An increasing number of governments have attempted to designate education as an essential service, which in international labour law means a service that the interruption of which would put people's lives at risk. In doing so, governments have severely restricted or negated fundamental workers' rights such as strike action. ILO jurisprudence refuted the assumption of education provision as an essential service – in the way governments have tried to designate it.

Recommendations from the ILO following complaints lodged by EI and its member organizations with the ILO Committee on Freedom of Association have all reaffirmed union rights of teacher organizations. Government should not suppress the check-off systems; Governments cannot refuse to register legitimate worker organizations; Minimum services have to be determined in full consultations with trade unions; Forced retirement and preventing participation of teacher unionists in international meetings is considered anti-union and discriminatory, all are considered violation of a fundamental trade union rights.

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## **2. COUNTRY CAMPAIGNS SINCE EXECUTIVE BOARD MARCH 2011**

(listed by alphabetical order)

### **Bahrain**

The situation for teachers and their association, the Bahraini Teachers' Association, has remained very concerning. The involvement of teachers and BTA in the February peaceful pro-democracy protests at Pearl Roundabout resulted in persecution, detention and torture.

Over 8,000 teachers have been affected since the beginning of the crackdown. Education institutions were closed and salaries not paid or delayed. According to BTA, 2,500 teachers have been brought in from Egypt to replace dismissed Bahraini teachers. Another 6,500 unqualified local recruits have been hired.

The leadership of the union has been arrested and detained with the first imprisonment in March 2011. In September, the BTA President, Mahdi Abu Dheeb, and female Vice President, Jalila al-Salman, were sentenced to ten and three years' imprisonment by a military court although they are civilians. The BTA President was reportedly tortured in detention. The Vice President has been verbally abused. Another nine BTA officials are facing criminal prosecution, including the General Secretary, Mrs Sana Abdul Razzaq.

The education union is clearly suffering the most hardship. They were strong and representative before the pro-democracy movement and the Government is concerned about the BTA and teaching community influence on the public. Despite the national legislation which prevents the unionisation of teachers, BTA (Bahrain Teachers Society in Arabic) always acted as a union.

### **EI initiatives**

The EI actions culminated with the mission led by the EI General Secretary on 19-20 November. He met key representatives of education unions, the BTA and the academics union as well as civil society organisations. The schedule of the mission prevented an audience with the Minister of Education. EI briefed the Bahrain Independent Commission of Inquiry which was to issue its report and recommendations to the King. The EI General Secretary asked the Commission of Inquiry to include recommendations that all dismissed teachers be reinstated and that union leaders and activists be free from criminal charges and further detention. Van Leeuwen also echoed the unions concern about the decline in education quality due to the replacement of teachers by untrained recruits from Bahrain and Egypt. He also deplored the voluminous accounts of torture from union activists, teachers and students. BTA publicized the EI mission and reported that teacher unionists had felt heartened by the visit of the EI General Secretary.

EI widely publicised the crackdown on teachers and launched three Urgent Action Appeals which generated hundreds of online letters from leading member organisations. Regular updates were posted on the EI website and electronic newsletter. EI appeals were multiplied through union websites (CTF-FCE, GEW, ITUC, TUC UK, LabourStart among others). Amnesty International adopted the BTA leaders, Mahdi and Jalila, as prisoners of conscience to maximise pressure on the authorities.

EI submitted the protest letters to the authorities and requested audiences to the Bahrain embassy. On 26 May, EI joined the ITUC International Day of Action (the embassy however refused to meet the delegation and a joint letter was delivered by the global unions). At the International Labour Conference in June 2011, EI joined the Workers Group request for an ILO Commission of Inquiry. EI submitted allegations to the UN High Commissioner for Human Rights, UN Special Rapporteur on the Right to Freedom of Association and to the UN Special Rapporteur on Torture. In October, EI and ITUC co-authored a joint complaint to the ILO Committee on Freedom of Association (CFA complaint 2882). In November, EI submitted an allegation to the UN Universal Periodic Review process of Bahrain.

### **Botswana**

In 2011, EI continued to support its affiliate, the Botswana Teacher Union (BTU). EI worked on two main issues: the delayed implementation of the 2008 Public Services Act which would grant civil

servants rights in conformity with international standards in terms of pay, retirement and negotiation. EI also defended the right to strike when the government decided in June to re-classify teachers as 'essential services'. EI submitted allegations to the ILO in August 2011. In 2010, the ILO Committee of Experts had issued a recommendation to the effect that "*the Government should not adopt legislation such that the exercise of the right to strike becomes very difficult in practice*".

EI also continued to follow up on the early retirement of former BTU President Japhta Radibe forced to retire from his teaching duties before the age of 50 to prevent him from heading the teacher union. BTU filed a court case and joined EI in submitting a complaint to the ILO Committee on Freedom of Association in June 2009 (CFA complaint 2722). EI and BTU continued to submit regular information, basically stating the delayed court case and non-reinstatement of the BTU President. Audiences were arranged by EI with Cleo Doumbia-Henry, Director of the ILO International Labour Standards department during the 2010 and 2011 International Labour Conferences.

In 2010 the ILO reminded the Government of Botswana that the workers should enjoy adequate protection against all acts of anti-union discrimination in respect of their employment, especially when it comes to trade union officials. This principle applies not only to dismissals, but to other forms of harassment such as forced retirement in connection to legitimate trade union activities.

The ILO also stated that cases of anti-union discrimination should be examined rapidly. ILO also notified the Government that "participation in international meetings is a fundamental trade union right, and that the Government should abstain from any measure that would prevent trade union officials from going abroad".

In March 2011, the Committee requested again the Government to engage the parties with a view to achieving a joint negotiated settlement of the dispute, including the possible reinstatement of Japhta Radibe.

## **Cambodia**

Teachers and civil servants are denied rights to freedom of association and collective bargaining. The two EI member organisations in Cambodia, CITA and NEAD, are registered as associations and not trade unions with the Ministry of Interior.

### **EI initiatives**

The support of EI was crucial to the establishment and registration of the Cambodian Independent Teachers Association (CITA) in 2001. Visible international support for advocacy activities has lessened the pressure on CITA members and officials in recent months.

EI has focused its advocacy on exposing the lack of fundamental rights and freedoms. With the expertise and research work of CITA, EI was able to lodge submissions on the major breaches, such as the fact that public sector workers are not covered by the Labour Law. In June 2011, the EI intervention in the ILO Committee on the Application of Standards, resulted in the ILO specifically requesting the Government that "*new legislation would ensure that civil servants, teachers, [...] are fully guaranteed the rights under the Convention*". A new EI submission was made in August 2011 to deplore the lack of progress.

EI has also put the spotlight on individual cases of anti union harassment. The EI protest letters were answered by the Education Ministry and sanctions were not implemented so far. With support from EI, CITA developed a campaign titled 'Give Teachers a Voice' focusing on the need for greater respect of teacher rights, specifically Conventions 87 and 98, and the 1966 ILO/UNESCO recommendation on the status of teachers.

Cambodia was also chosen as one of eight countries to be highlighted for the EI postcard campaign that was launched at the EI Congress. CITA indicated that this campaign significantly increased the profile of CITA in the national, regional and international setting and has given a great sense of achievement and acknowledgement to CITA activists.

In October, CITA and NEAD hosted the EI-FES Trade Union Rights Network workshop in Phnom Penh. This offered a chance for CITA to work in cooperation with NEAD to develop a common Trade Union

Rights Network plan for 2011-2015. In November, EI organised a national workshop for CITA and NEAD providing another opportunity for both organizations to develop a shared advocacy.

EI has also assisted its members in Cambodia to engage with UN agencies, Government and civil society in landmark campaigns, such as Global Action Week and World Teachers' Day. CITA is also currently working with EI on lobbying for increased teacher participation in the management and disbursement of the Global Partnership for Education funding allocated to Cambodia until 2015. This has again demonstrated to education stakeholders the union capacity to engage in major policy initiatives.

To celebrate the World Day against Child Labour (WDAFL, every year on 12 June), CITA developed a class-room activity pack using material developed jointly by EI and the ILO IPEC programme. The pack was translated into khmer and disseminated to over 1,500 teachers. In addition, CITA became a member of the national ILO committee against child labour. The WDAFL pack was widely praised within the education sector and has been used by teachers to support class-room activities.

## Colombia

Nineteen additional teacher unionists have been killed in 2011. Consistently with previous years, the killed teacher unionists originated from the departments of Córdoba, Risaralda, Nariño and Antioquia on the Pacific coast. One third of the Colombian trade unionists killed in the last decade were members of FECODE. According to the EI affiliate, teacher unionists are targeted because the advocacy for quality public education for all cuts through the political, cultural and socio-economic challenges of the Government.

Since 1995, over one thousand teacher unionists have been killed in Colombia. Over 2,530 have been threatened, 1,400 have been displaced internally, 121 arbitrary detained, 76 forced to leave the country with their family, 72 have disappeared. Despite the protection programme enacted by the Colombian authorities, teachers and trade unionists continue to be targeted by paramilitary groups, demobilised squads, armed guerrilla and drug traffickers.

FECODE and EI have publicly denounced the killings to a broad range of officials in the Ministries of Education, Justice, Social Protection, the Interior, the Public Defender and the President of the Republic, demanding that Colombian authorities guarantee free exercise of trade union activities and that they undertake all necessary investigations to break the chain of impunity that typically characterises the murder of teachers and trade unionists. If FECODE acknowledges that important legislation has been adopted in 2010 and recently in 2011 to protect the lives of teacher unionists, the lack of implementation and awareness by public officers is blatant.

EI expanded its advocacy in support of trade union rights by also requesting that schools be acknowledged as safe sanctuaries in Colombia and elsewhere.

EI also supported FECODE in its opposition to the privatization of schools, elimination of early childhood education and of the teacher pension and health system.

In support of the unionization of the higher education sector, EI engaged with the academic union ASPU and instigated a successful campaign to release Miguel Ángel Beltrán, a Colombian professor and trade unionist imprisoned in 2009 for his criticism of the Uribe government and its neoliberal reforms in public universities. EI, together with its British affiliates UCU and NASUWT and the NGO Justice for Colombia as well as LabourStart firmly campaigned for Dr. Beltrán's case. He was finally released on 7 June 2011 and all charges against him were dropped. Unfortunately, visa delays made it impossible for Dr Beltrán to join the EI Congress in July.

Throughout the year, EI maintained a steady flow of information regarding developments in Colombia and informed EI member organisations, trade union centres, other Global Union Federations, the ILO Workers Group, as well as human rights watchdogs.

## Egypt

The EI high-level conference with education union representatives from eleven Middle East and North Africa countries (June 2011, Cairo) provided a good opportunity to discuss with the new EI member,

the Independent Teachers Union of Egypt (ISTT). The 40,000-member strong ISTT was formed in July 2010.

ISTT indicates that pressure for change continues to mount in Egypt. The situation of the official national trade union center is changing while workers' claims grow stronger. Politicians and employers have yet to change their antiunion approach. Collective bargaining remains almost impossible and workers have to resort to strike action and street protests. In many cases, the police responds with force, beating and arresting strikers and protestors, while employers dismiss workers for going on strike.

The Egyptian military government's push to ban the right to strike, coupled with rising teacher grievances, continue to spark protests, including the impeachment of the education minister. Teachers claim increased pay, better working conditions, and the right for teachers to organize unions independent of the government. Until now, the post-Mubarak security apparatus "still controls everything in education and the education ministry is still dominated by Mubarak officials." The political security still watches teachers. Hundreds of teachers were fired and transferred during the pro-democracy demonstrations, and ISTT is seeking their reinstatement.

### **EI Initiatives**

EI supported and reported on the pro-democracy movement in Egypt. On 3 February, EI launched an Urgent Action Appeal in support of Egyptian teacher unionists in their quest for fundamental freedoms and rights. On 8 February, the EI Deputy General Secretary Jan Eastman joined the ITUC General Secretary, Sharan Burrow, for an audience with the Egypt ambassador in Brussels.

EI also reported regularly about the developments affecting education unions during and after the "uprising". During the period under review, 7 webitems were released on the EI website and e-newsletter. On 26 June, the EI General Secretary and representatives from the Arab and Western countries rallied on Tahrir Square to praise the courage and determination of Egyptian colleagues.

Egypt is prominently featured in the 2012-2015 EI Initiative in the Arab cross region (EB39.08.8). The ISTT is also suggested as a partner for an EI project submission. The project, if accepted, aims to equip eleven teacher unions in Egypt, Jordan, Kuwait, Morocco and Tunisia with the skills and methodology to advocate for legislative frameworks securing fundamental rights at work. These will include freedom of association, collective bargaining, social dialogue and non discrimination, as well as equality policies.

### **Ethiopia**

The absence of legal recognition of EI's member, the National Teacher Association, is a persistent problem.

In 2008, after 15 years of legal proceedings, the Federal Supreme Court ruled that the name, logo, all property and bank assets of the Ethiopia Teacher Association (ETA) be given to the government-recognised entity, thereby dismantling the independent teacher association. The EI affiliate then reorganised itself and formed a new association called the National Teacher Association, NTA.

Since August 2008, NTA is regularly denied legal registration on the grounds that a national teacher association already exists. However, the NTA never received any official notification from the relevant government agency. Attempts by NTA to bring the issue before court have failed because the Charities and Societies Agency has not yet developed recourse mechanisms and courts declare themselves incompetent.

In 2010, the UN Human Rights Council Universal Peer Review recommended, e.a. that the authorities *"amend the provisions of the 2009 Charities and Societies Proclamation inconsistent with international human rights standards, including with respect to freedom of expression, association and assembly"*.

Also commenting on the various allegations submitted by EI since August 2006, the ILO has consistently *"urged the Government to take all necessary measures to ensure that the NTA is registered without further delay so that teachers may fully exercise their right to form organizations for the furthering and defence of teachers' occupational interests"*.

The Labour Code has still not been amended. Civil servants in Ethiopia, including teachers in public schools, therefore continue to be deprived of the right to form and join trade unions, in violation of ILO Convention 87.

## **EI initiatives**

EI and cooperating organisations have continued to support NTA officials in their efforts to obtain registration and to engage with union activists. EI has maintained a line of communication with government authorities through meetings, including at the International Labour Conference. EI has also continued to inform UN agencies, diplomatic contacts and human rights organisations of developments, or the absence thereof. In August, EI submitted updated allegations to the ILO Committee of Experts reporting the refusal to register the NTA and pressure by the education authorities to enroll teachers and students as party members.

## **Fiji**

Anti union busting has amplified throughout 2011. In August, the military junta took an additional step by charging and jailing Felix Anthony and Daniel Urai, General Secretary and President of the Fiji Trade Union Council (FTUC). EI joined actively the overwhelming trade union campaign to obtain their release.

In June at the International Labour Conference, the Workers Group stated that “all power is vested in the hands of the President and presidential decrees are not subjected to any judicial control regarding their legality or constitutionality.”

The public sector trade unions have been excluded from the scope of the Employment Relations Promulgation. Discussing implementation of the ILO Convention 111 on non discrimination, a teacher representative from the NUT stated that no measures had been taken to remove discrimination in access to education and training on grounds of race, creed or gender. On the contrary, equality of access had become less likely, as the rise in school fees meant that schooling was out of reach for many, and a large number of children, in particular those from ethnic minorities, were forced to drop out and engage in child labour. She also stated the suspension and dismissal of Mr Tevita Koroi, President of the Fijian Teachers Association, who had been arrested and threatened with violence. She also emphasized that there was widespread interference in the organization of workers often through military intervention, intimidation and violence.

In June, the ILO Governing Body, noting “the difficulty in exercising the right to freedom of association in the country” called the Government to “establish the conditions necessary for genuine tripartite dialogue”. In 2010, the ILO Governing Body had requested the Government of Fiji to immediately reinstate the President of the Fiji Teacher Association, Tevita Koroi, in his former position as a school principal without loss of pay or benefits and to refrain from any further interference in the internal affairs of the FTA.

In August, EI submitted an update to the ILO Committee of Expert regarding the deterioration of the teacher union situation in Fiji for both affiliates, FTA and FTU.

## **Georgia**

The Educators and Scientists Free Trade Union of Georgia (ESFTUG) is still the main teacher trade union organisation in Georgia, despite attempts by the government to set up yellow unions and organise splinter groups. The EI affiliate is also the most important sectoral federation of the Georgia Trade Union Confederation (GTUC). In 2011, the ETUCE continued to follow closely the developments.

Further to the resignation of the ESFTUG President and former ETUCE Vice President, Ms Manana Ghurchumalidze, a joint commission GTUC/ESFTUG conveyed an Extraordinary Congress on 30 October 2010 to elect a new President. During the congress, the leader of a local federation of the Tbilisi district (capital of Georgia), Ms Ekaterina Cherkezishvili, called for a walkout to protest against the sole candidacy of Ms Maia Khobakidze, who was supported by GTUC. The EI envoy to the

ESFTUG Congress estimated the walkout of delegates up to 40%. On 22 November 2010, a lawsuit was filed against ESFTUG by a group of former ESFTUG delegates led by Ekaterina Cherkezishvili claiming that the quorum of delegates at Congress was not sufficient to elect Maia Khobakidze. From this moment onwards Maia Khobakidze reported to EI pressures from the Ministry of Education, including death threats, to pressure her to resign. She stated the walkout and following lawsuit were instigated by the Ministry of Education in order to control ESFTUG. The EI affiliate also reported that the Ministry of Education was pressurising teachers and headmasters to pull out from the check-off system automatically allocating 1% of their salary to ESFTUG, leading the organisation to a severe lack of finance.

### **EI initiatives**

In January 2011, the UN Universal Periodic Review examined the human rights practices of Georgia and considered the EI submission on non implementation of the principles of freedom of association. Although the Government reaffirmed its respect for freedom of association and assembly, the March 2011 UN Recommendation request the Government to review the "Law on Assembly and Manifestation which imposes several restrictions on the right to assembly and to demonstrate in order to ensure free and unhampered enjoyment of this right".

The ETUCE sent an international delegation to attend the first court hearing on 17 March 2011. The delegation also met with Maia Khobakidze, the ESFTUG lawyers, the EU delegation in Georgia and the Embassies of France and the Netherlands. The mission reported that ESFTUG was now close to financial bankruptcy, surviving with the support from GTUC and from the American Trade Union Confederation's Solidarity Center. No material evidence of pressures from the Georgian government to control ESFTUG was produced, undermining the possibility of a legal action at international level.

On the 15 June 2011, the court case against ESFTUG was transferred to an administrative court, the Tbilisi court having declared itself incompetent.

The ETUCE European Director Martin Rømer went to Tbilisi on 21-23 October. He noted that ESFTUG had started to collect dues from members using a new banking system. This system is now compulsory by the law for any trade union organisation. Mr Rømer met with GTUC, the EU Ambassador as well as with the Minister of Education Dimitri Shashkin. The Minister committed to restrain from any interference from the government in the court case and, as long as the court case is ongoing, recognize Maia Khobakidze as the legitimate ESFTUG President.

The ETUCE is now expecting that ESFTUG will be able to re-finance using the new dues payment system. The possible developments of the court case are unknown. Should the administrative court also declare itself not competent, the case would be transferred to the Supreme Court.

In August, EI and ESFTUG also filed a submission to the ILO Committee of Experts about the failure of the Government of Georgia to comply with Conventions 87 and 98 in law and practice.

### **Iran**

EI has continued to provide advice and support to its member organisation, the Cooperative Council of Iranian Teachers Trade Associations (CCITTA).

The participation of three representatives from CCITTA at the 6<sup>th</sup> World Congress was considered by them as a major step in developing a better understanding and expertise of the functioning of independent teacher union. They also developed a wider network of support among member organisations and international agencies.

EI has continued to support its member organisation and give visibility to the abuses of teacher rights through ILO and other UN agencies. EI also communicated information to the Special Rapporteur on human rights in Iran.

EI has also continued to engage in the international campaign 'Justice for Iranian Workers' which is a network of trade union rights activists from the Global Unions and Amnesty International. EI also shared information with the Network for Education and Academic Rights (NEAR).

## Swaziland

In April 2011, EI engaged with the authorities following the violent repression and arbitrary arrests of members of the Swaziland National Association of Teachers (SNAT).

EI addressed a request to the Prime Minister condemning the violent crackdown on peaceful pro-democracy activists which demonstrated against the continued state of emergency and ban of political parties after 34 years. EI's affiliate also specifically requested genuine social dialogue and the suspension of the impending salary cuts for civil servants. SNAT advocated for conditions to allow fair collective bargaining and sound governance of education initiatives as a way to address the socio-economic development of the country in a positive manner.

In the capital, security forces used tear gas, water cannon, riot guns and even live ammunition against protestors, arrested hundreds among which trade union leaders, confined teachers and students to campuses and schools, and raided trade union offices without warrant, including the headquarters of the SNAT where over 500 teacher unionists were under siege. The SNAT reported that 30 of its leaders and members had been arrested. Amongst them were the SNAT President and General Secretary, Sibongile Mazibuko and Muzi Mhlanga.

In 2010, the Swazi authorities anti union repression had prompted the ILO to send a high-level tripartite mission to the country in October 2010. In 2011, the Committee on the Application of Standards labeled again Swaziland with a Special Paragraph. Among other recommendations, the ILO instructed the authorities to place the Public Service Bill before the social dialogue committee to ensure full tripartite debate prior to adoption. SNAT has not reported any development in that direction.

## Tunisia

Tunisia's affiliates, the SGEB and the higher education union, FGESRS, together with the trade union center UGTT played a leading role in the protests that quickly led to the ousting of President Ben Ali. EI regularly released webitems reflecting the actions taken by its affiliates which sent shock waves across the entire Arab region. In February, the FGESRS delegate who was to attend the EI World Women Conference sent a message in absentia. *"An historic stage on the road to freedom and democracy is starting for the people who can again become masters of their own destiny, restore individual, trade union and political freedoms, fight corruption and set up democratic institutions. Our struggle continues in order to retain what has been acquired in respect of education system and the status of women, and to win our place in respect of democracy, progress and social justice,"* stated the message from Monia Cheikh.

### EI initiatives

EI together with the higher education FGESRS continued to fuel information to the ILO through the Committee on Freedom of Association (CFA complaint 2592) and the Committee of Experts.

The complaint was lodged in September 2007 denouncing the authorities' refusal to recognize the representativeness of FGESRS, established in 2006 and affiliated to the UGTT. EI further noted anti-union discriminatory measures and acts against teachers on account of their union activities; and the Government's disregard for the principles of collective bargaining.

The two EI affiliates in Tunisia were present at the EI high-level meeting with education union representatives from 11 Middle East and North Africa countries (June 2011, Cairo, Egypt).

Two submissions involving the teacher unions in Tunisia were submitted for external contribution.

## Turkey

The teacher union Egitim Sen continued to be harassed by the authorities because of its policy in favour of education in mother tongue (Kurdish) and for its outspokenness. The legal framework on freedom of association, rights to strike and to bargain collectively in the public sector still needs to be brought in line with ILO conventions. Unions are still being thwarted in their organising efforts by dubious court cases and arrests of their leaders. On 23 October, more than 600 people have died in



the earthquake in Eastern Turkey, including 75 teachers. Egitim Sen has bought tents and Egitim Sen branches are collecting clothes and blankets throughout Turkey for the victims of the earthquake. EI forwarded solidarity support in the context of the GEW/AOb relief effort.

The court case against 31 defendants from the trade union center KESK (Turkish Confederation of Public Services), and among them 27 members from Egitim Sen, is still pending. The case started in May 2009 with the arrest and detention of over 30 union leaders and members from Egitim Sen and KESK. The court case really started in November 2009 and since the verdict has been postponed seven times.

All 31 defendants had been released on bail in November 2009 but they can still be sentenced up to 10 years' imprisonment. The ban on travelling abroad has prevented the Egitim Sen Women Secretary, Gulçin Isbert, from attending the EI activities, including the EI Congress where she was presented in absentia the Mary Hatwood Futrell Human and Trade Union Rights Award. A Turkish primary school teacher, Isbert was awarded for her work to promote women's empowerment and the rights of ethnic minorities. In a pre-recorded video, Isbert said: *"I am a teacher and I believe that education is a basic and universal human right that should be public, democratic, and available in the mother tongue for everyone. I feel honoured for myself, and on behalf of my union, to be given this award, and I'd like to pay tribute to all companions fighting for freedom. I thank EI for its continuing solidarity"*.

On 29 April and 21 October, EI coordinated international delegations witnessing the court case. The EI delegation was joined by representatives of the ITUC and the Director of the International Centre for Trade Union Rights (ICTUR). Throughout the years, GEW, SNES, NASUWT, DLF and AOb have followed the court case closely.

The hearing on 21 October was the last one and the verdict should be delivered on 28 November. The union lawyers again successfully uncovered that the accusations were unsubstantiated and that the so called evidence were collected unlawfully. Interestingly, on 14 October 2011, the UN Special Rapporteur on the Independence of Judges and Lawyers called the Turkish authorities for further steps to guarantee an independent and impartial judicial system. She noted "the far too close relationship between judges and prosecutors" raising concerns about the respect of the principles of impartiality and equality of arms.

EI continued to submit allegations to UN bodies highlighting the fact that full trade union rights have yet to be created in Turkey. That the rights to organize, to strike and to bargain collectively still need to be brought in line with EU standards and ILO Conventions. And that unions organizing strikes were being thwarted through massive lay-offs of their members, court cases and arrests of their leaders.

In September 2010, the UN Human Rights Council Universal Peer Review recommended, e.a. that the authorities *"make the necessary legal amendments to guarantee freedom of association in accordance with article 22 of the International Covenant on Civil and Political Rights."*

In June, the ILO Commission on the Application of Standards reviewed implementation of ILO Convention 87 by Turkey. EI contributed to the Workers Group interventions and made sure that the KESK/Egitim Sen case was presented. The ILO noted *with concern new allegations of restrictions placed on freedom of association and assembly of trade unionists*. It *"urged the Government to review, in full consultation with the social partners, any legislation that might be applied in a manner contrary to this fundamental principle and to consider any necessary amendments or abrogation."* The ILO Committee also regretted that no specific progress had been made on the long-awaited draft law on trade unions. It further regretted the exclusion from the right to organize of certain categories of public employees, and restrictions to organize activities in full freedom. The Committee further noted with regret that there had been no further proposals to amend Act No. 4688 on public employees' trade unions. In August, EI and Egitim Sen updated their submission to the ILO Committee of Experts deploring the lack of improvement by the Government of Turkey.

## Yemen

EI launched two Urgent Action Appeals on behalf of its member the Yemeni Teachers Syndicate (YTS) in April and November 2011. The Yemeni teachers and their union continue to be particularly exposed by the repression as they have been in the first line since the beginning of the uprising in February.

EI denounced to the UN Human Rights Office the disproportionate use of force against unarmed protesters killed by government troops. The YTS stated that over 40 teachers have been killed in recent months.

EI reported regularly on development on its website and electronic newsletter. The YTS sent two representatives at the EI high-level conference for representatives from Middle East and North Africa countries (June 2011, Cairo). The conference provided a good opportunity for Yemeni unionists to explain their situation and share experience with others.

In July, EI submitted an application for a European Union call. It is entitled "Trade union training as vector of democratic transformation in a context of social and political crisis".