

Date: 11-09-2009

Ronnie Smith, President of the Pan-European Structure
Martin Rømer, General Secretary of ETUCE
Charlie Lennon, Chief Coordinator of EIE

Ref.: 16-ETUCE/20006

Response from BUPL to Draft By-Laws on future structures for EIE/ETUCE

Thank you for mailing "Draft EI Regional Structure in Europe By-laws", though we wonder why the draft doesn't reflect the variety of opinions and remarks presented by member unions at the ETUCE Consultative meeting last November.

BUPL would like to point out the special situation of the teachers unions in Europe, because of the dominance of the European Union in the field of welfare and education issues as well as salary and working conditions. This is a situation fundamental different from every other region of EI worldwide. So that indicates the necessity to choose special structures for teachers' organisations in Europe to cope with that reality.

To us it implies that there is an objective need for an independent structure in Europe in order to secure the professional and working conditions of teachers thus having an independent and autonomous general secretary and secretariat.

BUPL acknowledge the need for coordination between the activities of defending the professional rights and to promote the interests of teachers throughout Europe include both the greater regional area of the geographical Europe (Europe approx. 46 countries) as well as the 27 countries in the EU (and the 3 countries included as the EES).

So of course there is a need of coordination between EI and ETUCE on behalf of the policies and values as stated in the statutes of EI. But on behalf of the principle of autonomy of teacher unions country to country to decide how to work and fight in favour of their legitimate interests we also have to celebrate the autonomy of teachers unions in a region, where they are met by a regional strong construction just like the EU. Especially when this construction includes both political initiatives influencing the daily work of the teaching profession as well as growing economic determination and coordination of employers views and actions on essential issues for teachers. And definitely because the setting up of an EU social dialogue in the field of education raise specific and decisive matters that has to be dealt with specifically by teacher organisations in the EU.

This reality can not be ignored.

BUPL therefore support the "Proposals for Amendments" of Annex A to the "Draft EI Regional Structure in Europe By-laws".

If these amendments aren't carried, BUPL will recommend that the overall proposal is rejected and that we continue with the existing structure of EI/ETUCE in Europe.

Best regards



Henning Pedersen
President



Inge Prip
Director

./. Copy to Member Organisations of EIE/ETUCE

Danmarks Lærerforening

Forening for undervisere i folkeskolen, specialundervisere
for voksne samt formidlere i ernæring og sundhed

Ronnie Smith, President, ETUCE
Martin Rømer, General Secretary, ETUCE
Charlie Lennon, Chief Regional Coordinator, EI

Copenhagen, 8 July 2009
2004/0812/0001*26/ABC/HOF/dl

Dear Colleagues,

Comments to the "Draft EI Regional Structure in Europe By-laws" dated 14.5.09

The Danish Union of Teachers, DLF, supports united European organisation of the work previously carried out by EIE and ETUCE. The precondition for the support to above-mentioned By-laws is the establishment of a European secretariat managed by a general secretary, who is elected by the representatives of the European organisations. The elected general secretary has to be responsible to these organisations and ensure that the supplementary membership dues to ETUCE are allocated to ETUCE work.

If this is not possible, it is DLF's view that the current structure, with an elected general secretary and an autonomous secretariat, has to be maintained.

DLF finds it crucial that the current structure can only be changed if we reach a solution that is widely supported among the European teacher organisations.

Amendment of the By-laws

EI is divided into five regions, each region works in their own way. Europe is not comparable to the other regions. Europe is special, because of the political structure given by the European Union that – as a supranational organisation – has a significant influence on the national policies, also in the field of education. And also, EU is legislative, for instance when it comes to labour market policies. We don't find supranational institutions like the EU in other parts of the world. The EU institutions define education policies that influence all the EU and EFTA member states through the open method of coordination.

Therefore the DLF supports the "Proposals for Amendments" presented separately in Annex A. These amendments are in accordance with the special construction of decision making in Europe.

To the DLF it is a vital question to clarify ETUCE's future competence. The "Draft EI Regional Structure in Europe By-laws" states that ETUCE's purpose will be to "develop and promote policies in relation to EU and EFTA matters" (3 c). On the contrary, the "Proposals for Amendments" in Annex A states that ETUCE is to "determine and develop policies" (1 f). To us in DLF there is a clear distinction between "promote" and "determine" policies. We believe that it should be the European organisations that decide or "determine" the ETUCE policies, and nobody else. The DLF therefore fully supports the amendment in Annex A, because this proposal places the political competence with the European organisations.

In the "Draft EI Regional Structure in Europe By-laws" ETUCE's autonomous secretariat will be eliminated together with the elected general secretary.

This means that – at the end of the day – it will be EI's general secretary, who is responsible for deciding the priorities in the work of the ETUCE secretariat. The DLF has great respect for the work carried out by EI and the EI general secretary. However, the proposed solution is not compatible with the aim of having an elected general secretary, who is directly responsible towards the political organs of the ETUCE.

It is necessary to have an elected European general secretary and an autonomous secretariat so that the members of the ETUCE can hold the general secretary direct responsible for the work of the secretariat, and also, so that we can be sure that the supplementary membership dues that the organisations pay specifically to ETUCE is allocated to the ETUCE work.

The process

The "New Draft By-laws for the European Regional Structure" is worked out by President Ronnie Smith and it is recommended by a majority of the Bureau. This proposal is fundamentally identical with previous proposals. We find this peculiar, because Ronnie Smith at the Pan-European Committee Meeting in April this year had expressed his intention to try to include the different opinions. At the Consultative Meeting in November 2008 and at the Pan-European Committee Meeting in April 2009 a large number of the organisations (maybe even a majority of the organisations) have opposed to the proposal. We find it incomprehensible that the the Bureau has not included this situation into their considerations. Also, we find it incomprehensible that the Bureau comments the "Proposal for Amendments". This is an unacceptable procedure.

In Ronnie Smith's cover letter (2.21) he argues that one of the proposed amendments is not in agreement with the EI By-laws. We believe that this is a political question – and not statutory.

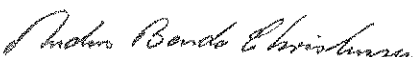
If the new By-laws are not compatible with the EI Constitution, the only solutions are

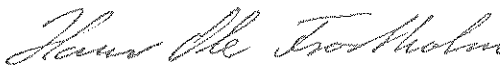
- a) the EI delegating competence to the ETUCE general secretary and making a cooperation agreement regarding the joint administration/cooperation of the secretariats of EI and ETUCE,
or
- b) EI's By-laws are amended at the next EI congress.

Conclusion

The Danish Union of Teachers supports the "Proposals for Amendments" of Annex A to the "Draft EI Regional Structure in Europe By-laws" If these amendments are not included, the DLF calls for a rejection of the overall proposal and thus to maintain the organisations as they are today.

Best regards,


Anders Bondo Christensen
President


Hans Ole Frostholm
General Secretary

Dear Anders & Hans Ole

Thank you for sending me a separate copy of the DLF comments on the Draft By Laws of 14 May which have been issued for consultation.

I do not intend to respond in any detail to your views, apart from stressing again that it is wrong to claim that the General Secretary of the ETUCE is “**elected**”. I simply refer you to the current By-Law 6(b)(vii), which states that one of the functions of the Committee/Executive Board is to “**appoint** for a three year term, the ETUCE General Secretary who shall be eligible for **reappointment** for additional terms:”

Put simply, the ETUCE General Secretary is **appointed**; he is not elected – as you claim in your submission.

Second, the Bureau’s proposals make clear that the Conference will decide the level of any supplementary dues, and that all supplementary dues will be assigned to the ETUCE. The democratically elected governing structures – Conference, Committee and Bureau – will decide how to spend any supplementary dues income on funding ETUCE activity. Moreover, the Committee will appoint its own Treasurer, and the Conference will appoint three internal lay auditors to supplement the work of the professional external auditors.

A stated duty of the Regional Director will be to “*manage, under the supervision of the Treasurer, the income and expenditure of the ETUCE bodies*”. Thus, there is clear and strong democratic control over the raising and spending of ETUCE funds, while the Regional Director is accountable to the governing bodies and responsible for implementing their policy decisions.

However, I cannot let pass without response the comments you make about the process and my part in it.

1. All of the work I have undertaken in relation to this matter has been on the instruction of the Bureau and/or Committee/Executive Board. As President, I strongly believe in, and feel bound by, the obligations of collective responsibility to carry out faithfully the decisions which have been collectively and democratically taken.

2. The proposals now circulated include several very significant changes from those which were placed before the consultative session in Luxembourg in November 2008. Examples of changes include the provision for variable membership dues for EU/non-EU Member Organisations, and the strengthening of guaranteed women’s representation in the governing bodies. It is simply wrong to describe the paper as “*fundamentally identical*” to previous proposals. The truth is that, at every step, amendments and adjustments have been made.

3. All changes to the By Laws will require the approval of the Executive Board of EI. A majority of the Pan European Bureau and, it is believed, of the European members of the EI Executive Board, believe that the introduction of an elected general secretary for the European Region (as suggested in Annex A) would be contrary to the

provisions of the EI constitution. It would be dishonest of the Bureau were it to fail to point this out to Member Organisations when considering the proposals before them.

4. The Bureau has set out, for the benefit of Member Organisations, its reasoning for rejecting a number of proposals which have been put forward. However, given the minority support in the Bureau for certain alternatives, it has taken the unusual step of circulating these alternatives (as Annex A), even though the Bureau does not support them. In doing this the Bureau has been guided by the principle of openness and transparency – and I very much regret that you view that as an “*unacceptable procedure*”.

Throughout this lengthy process, I, together with the majority of the Bureau, have been determined to work in an inclusive and open manner. We have sought to maximise the opportunity for every Member Organisation – whether represented on the Committee/Executive Board or not – to contribute to shaping the final proposals which will go forward in the name of the Committee/Executive Board for decision by the Conference in Warsaw in November.

I make no apology for the process followed to date, but commend to DLF the principles of transparency and inclusiveness which have underpinned our work.

Regards
Ronnie
14 July 2009

Dear Anders & Hans Ole

Thank you for sending me a separate copy of the DLF comments on the Draft By Laws of 14 May which have been issued for consultation.

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I make no apology for the process followed to date, but commend to DLF the principles of transparency and inclusiveness which have underpinned our work.

Regards
Ronnie
14 July 2009

DM's response to the proposed structures and by-laws.

DM is strongly in favour of the proposal to connect the chairs of standing committees to the bureau. This is in our view a satisfactory compromise, even though we would have liked a designated member of the bureau/Vice-president from HE. It is our hope that this improvement will find broad support among the member organisations, no matter what their position is on the overall issues of autonomy, democracy and efficiency.

As far as the issue of a single European structure is concerned, it is the opinion of DM that 3 basic principles should be taken into account in a discussion of structures and by-laws of the region.

These principles are:

1. Autonomy in relation to the world structure,
2. Democratic elections by the European member organisations,
3. Efficiency and visibility, including how to avoid overlapping tasks and an unclear division of labour.

We are obviously aware that all three principles cannot be taken into account with equal weight if we are to expect a result which will work in daily life. A study of the proposal for new structures and by-laws will lead to the conclusion that they are overwhelmingly dominated by the third of the principles mentioned above.

This means that European member organisations will be facing a risk that their interests vis-a-vis the European Union and its institutions could be overruled by the global interests of EI. There will also be a risk that the head of the European secretariat will become more accountable to the global interests of EI than to the European members. This would be unfortunate as the European teachers' unions are directly affected by the growing influence of the EU over working conditions and education policies.

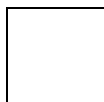
As mentioned in the introduction to this reply, DM is very much in favour of the principle of involving the standing committees more than they are under the current structures. This is a major improvement compared to the existing structure. In relation to the overall structure and by-laws, it is the recommendation and hope of DM that the consultation process will result in a revision of the proposal with a better balance between the three principles listed above.

Kind regards

Ingrid Stage, President

and

Jens Vraa-Jensen
Konsulent



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uddannelsesforbundet

Dato 14.09.2009

Ela

Ronnie Smith, President of the Pan-European Structure
Martin Rømer, General Secretary of ETUCE
Charlie Lennon, Chief Coordinator of EIE

Response from Union of Education Denmark to the Draft By-Laws on future structures for EIE/ETUCE

In accordance with our fellow Danish teacher unions Union of Education Denmark supports the "Proposals for Amendments" presented in Annex A to the "Draft EI Regional Structure in Europe By-laws".

If these amendments are not included, Union of Education Denmark will recommend that the overall proposal is rejected and thus to maintain the existing structure of EI/ETUCE in Europe.

Best regards

Hanne Pontoppidan
President

Birgitte Johansen
General Secretary

Ronnie Smith, President of the Pan-European Structure
Martin Rømer, General Secretary of ETUCE
Charlie Lennon, Chief Coordinator of EIE

11. September 2009

Comments from GL to Draft By-Laws on future structures for EIE/ETUCE

You can only be in favour of coordination and initiatives to avoid double work. But when you try to implement these goals in new By-Laws it is important to do it with respect of basic political interests of member unions in countries deeply affected by the political process in the European Union.

The European Union has a major influence in the field of welfare and education issues as well as salary and working conditions. The EU governments coordinates their policy initiatives and the Commission serves the process with stronger power than the federal government influence education issues in individual states in many federal countries. This is a situation fundamental different from every other region of EI worldwide. That indicates the necessity to choose a special structure for teachers' organisations in Europe to cope with that reality.

To us it implies that there is an objective need for an autonomous structure in Europe in order to secure the professional and working conditions of teachers thus having a secretariat and a head of that secretariat that is serving the special interest of the member organisations in the EU/EES region in relation to the European Union. The right to appoint or approve the head of that secretariat and to define the policy and initiatives by that secretariat must rest within the group of member organisations from the same EU/EES countries.

GL acknowledge the need for coordination between the activities of defending the professional rights and to promote the interests of teachers throughout Europe include both the greater regional area of the geographical Europe (Europe approx. 46 countries) as well as the 27 countries in the EU (and the 3 countries included as the EES).

So of course there is a need of coordination between EI and ETUCE on behalf of the policies and values as stated in the statutes of EI. But on behalf of the principle of autonomy of teacher unions country to country to decide how to work and fight in favour of their legitimate interests we also have to celebrate the autonomy of teachers unions in a region, where they are met by a regional strong political construction just like the EU.

GL therefore support the "Proposals for Amendments" of Annex A to the "Draft EI Regional Structure in Europe By-laws". If these amendments aren't carried, GL will recommend that the overall proposal is rejected and that we continue with the existing structure of EI/ETUCE in Europe.

Best wishes

Gorm Leschly
President

Hans Laugesen
International Secretary