

## **Syndicat national des Enseignements de Second Degré (FSU)**

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Ronnie Smith, President of the Pan-European Structure

Martin Romer, General Secretary of ETUCE

Charlie Lennon, Chief Coordinator of EIE

Dear colleagues,

### **SNES-FSU comments on the new draft By-laws**

SNES is one of the parts which initiated the proposal for the two amendments to the draft paper presented by the President of the Pan-European Structure on behalf of the majority of the Bureau. These two amendments are presented in Annex A of the draft paper.

SNES has been fully involved in the activity of the ETUCE for several terms because it is persuaded that in order to solve the numerous issues they are facing in each country, our member organisations need a reinforced activity and a better coordination at European level. The implementation of the Education and Training 2010 agenda is a good piece of evidence and the strategic framework for European cooperation named Education and Training 2020 has already been adopted (Conclusions of the Education, Youth and Culture Council meeting, 12 May 2009). During the last conferences / General Assemblies, SNES has come down in favour of a reinforcement of the ETUCE activity. In the current situation of economic crisis, this need for reinforcement is even stronger in order to develop Public Education, raise the status of the teaching profession and of educators in general, fight against all kinds of privatisation and reinforce all the public services in close cooperation with ETUC and the other European Federations.

Since the first meetings of Review Committee of the Pan-European Structure, the reason put forward by those who were in favour of a complete new set of By-Laws was the duplication of the work done on one side by the ETUCE and on the other side by the European region of EI and the bad use of finances. Therefore it was legitimate to ask what these duplications were about and which supplementary expenses were involved. Not a single and concrete example was provided. On the contrary, the outcome of the discussion was that big progress had been made since 2003, especially with the coordinated action program EIE-ETUCE even if things could still be improved.

SNES was first in favour of maintaining the Structure put in place in 2003 by bringing along, if necessary, some improvements throughout a detailed protocol of cooperation between EIE and ETUCE and by maintaining the three principles that have proved its efficiency:

- Autonomy of decision of the Europeans on the European matters
- Democracy and accountability in the implementation of the decisions
- Financial autonomy

In a region where a political structure can deeply influence the decisions relating to education and educators, trade unions need both individually and collectively a strong trade union tool which has the capacity of synthesizing common positions and initiating the interventions and campaigns which are necessary to emphasize them. Europe is the only region of EI where there is such a situation.

The situation of the other European Federations of ETUC being mentioned during the first consultation, SNES has proceeded to an in-depth analysis of their statutes, most of them available on their websites. The result is interesting. The majority of European Federations have all evolved in their relationship with their International towards a single organisation for the whole of the European region, their previous European structure being abolished or/and merged into the European Federation member of ETUC. Relatively speaking, it is as if EIE was merging into the structure of an ETUCE enlarged to the whole of Europe, in agreement with EI. However, these Federations keep an elected General Secretary and their autonomy in matters of decision-making and finances; sometimes they even get some supplementary financial assistance from their International in order to support the work done for the member organisations from countries outside the EU. The most recent example is that of the European Public Services Union which has finalised this process during its Congress in June 2009. SNES is making this study available to member organisations.

So SNES position has moved to the direction that was asked by a certain number of member organisations. It has made a significant step in this direction by accepting the principle of a single structure for the whole of the European region of EI while keeping the three principles mentioned before in order to get the strong trade union body that European affiliates need. That is why with SEB from Bulgaria and with the concern to look for a compromise and consensus, SNES proposed to put to the debate only two amendments to the draft paper of the President of the Pan-European Structure, and not an alternative text.

On several occasions, the amendments were declared incompatible with the Statutes/Constitution of EI. SNES read the text of the Statutes carefully, thinking that an analysis of the text itself is preferable to what people “believe” the text says. The texts to be considered are the Statutes/Constitution and the By-laws of EI.

So article 13 c) and d) of the Statutes/constitution (see Annex) states that a regional structure is not compulsory (it “may be established”); that’s why there is no EI regional structure for North America and the Caribbean. Its statutes **have to** be approved by the EI Executive Board. It doesn’t **determine** policies: it **advises** the EI Executive Board, and **develops and promotes** policies. The point, not a statutory one, but a political one, is to know if the European Region needs to have an autonomy of decision making on European questions. The Executive Board, with its high level of wisdom, can approve this principle. In fact, it has already done it in 2003, when it approved the “Joint Statutes for a Pan-European Structure EIE-ETUCE”.

Would the election of a General Secretary for Europe be contrary to the Statutes? Article 19 of the By-laws of EI (see Annex) only states that the **methods of election** must be **clearly set out** at the first meeting of the regional structure; they would be clearly set out with the adoption of the amendments by the European Conference. As for the “ultimate responsibility” of the IE General Secretary mentioned in this article, it must be understood as the last authority to be consulted in case of deep conflict, not in the ordinary day to day implementation of the decisions. Otherwise, the text would read: “the responsibility of the administration and communication rests on the General Secretary”. It is also important to

notice that neither the Statutes/Constitution nor the By-laws of EI mentions a “Chief Coordinator” or a “General Director” for the regional structures.

In the Statutes/Constitution and in the By-laws, nothing is formally contradictory with the fact that the European Region could have an elected General Secretary, if he is considered an important person in terms of union policy making, accountable to the European unions, and not as an ordinary staff employee, who is only accountable to the person who has appointed him, that’s to say the EI General Secretary.

**So the question we are confronted with is not statutory, it is political.**

The point is to know if we are capable of building a consensus combining the great movement towards the unity of our professions embodied in EI since 1993, unity in which SNES participated, and for which it still works now, with the indispensable and specific union work in Europe, embodied in ETUCE for the last decades. To combine, not to oppose, this is the meaning of the two amendments.

**But, if beyond formulations, everybody agrees on this general orientation of unity within EI, and on the principles of autonomy in decision making, financial matters, and accountability in European matters, SNES remains convinced that a compromise is possible.**

If it turns out to be impossible, SNES thinks the best solution for the European unions, the solution which will preserve the possibility of a democratic and efficient union work in Europe, is to stick to the 2003 statutes, and to reject the draft paper presented by the President of the Pan-European Structure.

Paris, August 31, 2009

Roger Ferrari International Secretary

Odile Cordelier National Secretary

Attached: Annex

## Annex :

### Article 13 of the Constitution of EI (extract):

- 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 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 19 of the By-laws of EI "Regional Structures" (extract):

- a)
- 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
  - vi) **Ultimate** responsibility for administration and communication shall rest with the general Secretary of Education International, who shall present reports to each meeting of the Executive Board"



Paris, le 14 septembre 2009

*Monsieur Ronnie Smith  
Président de la Structure  
Paneuropéenne de l'IE et du CSEE*

*Monsieur le Président,*

*Le SNESUP-FSU de France a pris connaissance du nouveau projet de règlement intérieur de la structure européenne IE/CSEE, daté du 14 mai 2009, rédigé par le bureau de l'IE/CSEE. Il partage le souci de ne pas multiplier les outils syndicaux. Mais il rappelle la nécessité impérative, au niveau de l'Union européenne et pour les questions qui relèvent de ce niveau, d'une organisation syndicale de l'enseignement disposant d'une entière autonomie de décision, d'organisation, d'exécution et de représentation. La politique de plus en plus intégrée en matière de recherche et d'enseignement supérieur, notamment dans le cadre de la stratégie de Lisbonne, en est une illustration particulièrement forte. D'accord ou non avec cette évolution, le syndicalisme ne peut l'ignorer. C'est pourquoi des amendements devraient être apportés au projet. Dans le cas contraire, les textes de 2003 devraient rester en vigueur.*

*Best regards,*

*Marc DELEPOUVE  
Co-Responsable  
du secteur International du SNESUP*

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SNESUP-FSU from France (higher education trade union) has taken note of the new draft By-laws concerning the Pan-European structure EI/ETUCE, dated may 14 2009, and sent by its President. SNESUP-FSU is concerned about the fact that trade union tools should not be extended. However, SNESUP considers that it is more than necessary to have, at European Union level, but also for the whole of Europe, including the issues related to these two levels, a teacher trade union organization having a real autonomy in decision-making, organization, implementation and representation. Increasingly integrated research and higher education policies (as laid out, most notably, in the Lisbon strategy) and their subsequent requirements are a case in point. Trade Unionism, whether or not it concurs with such developments, cannot afford to ignore them in any case. Amendments to this draft are therefore necessary. Were it to remain in its present form, the 2003 statutes should remain in force.

## Timo Linsenmaier

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**From:** President Pes  
**Sent:** 25 September 2009 11:08  
**To:** Dalila El Barhmi  
**Subject:** FW: UNSA Education response to consultation re new structures and By-Laws

From: Secteur International - UNSA Education [mailto:internat@unsa-education.org]  
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manfred.brinkmann@gew.de  
Subject: UNSA Education response to consultation re new structures and By-Laws

Dear colleagues

UNSA Education from France wants to express its support to the proposal of a new By-Law made by the President of the Pan European Structure. This proposal will enable the construction of a powerful structure for education in Europe.

UNSA Education is therefore fully in favour.

Patrick Gonthier

General Secretary