

Dear Branimir,

I refer to previous correspondence regarding the proposals for a revised structure in Europe which would not include provision for an elected General Secretary of ETUCE.

The proposals were set out in a paper prepared by the President of the Pan-European Structure, which includes currently ETUCE and EI's European Region. The President was mandated to prepare those proposals at a meeting of the EI/ETUCE Bureau which had before it a number of papers on the subject which it had sought from those present at a previous meeting. These papers included one written by me. The proposals in the papers from myself and one of the Vice-Presidents, Jorgen Lindholm, received the support of the majority of the members of the Bureau at that particular meeting. Those papers did not provide for the continuation of an office of General Secretary of ETUCE, as presently constituted, and, therefore, did not receive the support of the present General Secretary of ETUCE nor the support of one of the Vice-Presidents. A second Vice-President, who consistently follows the lead of the ETUCE General Secretary on virtually all matters, was not present at the particular meeting. Because the principles in these documents were supported generally, however, the President was mandated unanimously by the Bureau to develop them further in a paper for the consideration of the consultative meeting in Luxembourg.

I have made known my personal views on the issues raised in the paper publicly on many previous occasions in discussions at the Bureau and Committee and, indeed, when requested, in other forums. I have been involved in the development of the structures in Europe for a very long time and, since the late nineteen nineties, have been of the view that there should be one structure in Europe to represent Europe's teachers wherever necessary, including with the EU and its Commission. That conviction is based on my perception of the weakness of competing representative structures and the value to hostile organisations of a protagonist with divided identities and loyalties. I carried that conviction into the discussions in 2003 when I chaired the discussions on the integration of ETUCE within EI's European Regional Structure. The current arrangements were a compromise designed to accommodate the views of organisations which shared that vision for a single strong representative European organisation and those who believed that something would be lost if ETUCE was abolished in its then form.

As you are aware the outcome of those discussions was that ETUCE became an autonomous organisation within EI. As such it must operate within the Constitution and By-Laws of EI and its autonomy is curtailed by the provisions of the Constitution and By-Laws of EI. As an experienced General Secretary I am sure that you would not expect an organisation integrated into a larger body to have a provision in its By-Laws which could be interpreted as superseding the Constitution and By-Laws of the parent body. As a member of the EI Executive Board I assume that you would uphold the superior status of the EI Constitution and By-Laws over those of a part of one of its regional structures.

For the record I wish to point out that neither in the original discussions, nor now in the current discussions, did I have any personal beneficial interest in the outcome of the process of developing a new structure for Europe.

The autonomy of ETUCE is asserted currently in its dealings with the European Union and Commission. It makes representations to the EU and the Commission and engages with the EU and

its structures in developing policies and policy responses. It obtains significant financial support for projects which the EU decides it wishes to support and promote. It makes decisions on responses and representations in relations to EU matters both in the Bureau, in the Committee (Executive Board) and in the governing conferences. The distinction which is made at these meetings between those who represent organisations in ETUCE and those who represent organisations from outside the EU(EFTA) countries is that the former vote in any decisions on EU issues which require a vote. Under the proposals in the President's paper none of this would change.

The only significant difference between the existing situation and the situation which would exist after the implementation of the proposals in the President's document is that the post of General Secretary of ETUCE would be amalgamated into the post of EI Chief Regional Coordinator for Europe and the person appointed to the new post would be selected and appointed through a standardised selection procedure rather than appointed by the Committee (Executive Board) as is the current situation. The person appointed to the position would also be more directly and transparently accountable to the General Secretary and Executive Board of EI, both for the maintenance of the finances of the region and for the political and practical decisions made in the management of the regional organisation. The staffing arrangements for the new ETUCE would also have to conform to good trade union principles.

The next stage in the preparation of final proposals for a new structure in Europe is the development of draft By-Laws. The Committee decided that this task should be undertaken initially by the Bureau over the next couple of months. The Bureau's proposals will be presented to the Committee in April. I believe that the By-Laws will provide greater clarity about the role and status of the proposed new ETUCE and illustrate that it will continue to have the same autonomy which it has had since 2003 in relation to EU matters. I do not propose, therefore, to address any of the other misunderstandings or misinterpretations which characterise some of the other comments in your letter.

I also do not intend to engage in any email debate on the issues. I believe that such debates are confined to a small number of organisations whose representatives have the time and the facilities to participate. Such a debate would be undemocratic and could serve to undermine the role of the democratically elected governing bodies of the region. I look forward to continuing the debate with you on the future structures in Europe in the appropriate forums when the proposals have been enshrined in draft By-Laws.

Kindest regards,

Charlie

Dear Charlie,

I am writing on behalf of ESTUS with regard to your response to our comments on the proposal of the president of ETUCE (Consultative Paper). I see your reply as a continuation of the debate on changes that we began in Luxemburg. I sincerely hope that representatives of other EIE members will decide to participate in this debate with the hope of joint reflection of the proposed changes. We should not neglect those who could not join us in Luxemburg for the debate; it would be fair for them to be included in the debate on the future of organisation of European educational unions by means of electronic mail. I am certain that the debate can contribute to the strengthening of democratically structured dialogue in EI. It is quite unusual for us to see you speak in favour of the proposal on changes and polemise on the ESTUS standpoints; you, the Deputy Secretary General of EI and not the president of ETUCE, who is the proposer of changes. In spite the fact that this act does convey a certain message, it is more important that we continue with our political debate on the meaning of recognition of uniqueness and autonomy of one part (ETUCE) within the framework of the whole (EI).

1. In your response to ESTUS's viewpoints you say that it is untrue *“to state that autonomy of ETUCE in relation to its dealings with EU would be changed by the proposals.”*

The fact is that ETUCE is now an autonomous organisation within the EI that is composed of EI member organisations in the countries of EU and EFTA and it would be unreasonable to insist on claiming that the autonomous position of ETUCE would not be changed. It is obvious from the proposal of the president of ETUCE that the above definition of ETUCE would be changed and ETUCE would be abolished on the whole: »There should be established a new, unified structure which will serve as the European Region of EI and be the voice of Europe's teachers and education workers at EU institutions. (...) All affiliates of EI within its European Region would be members of the new ETUCE, **which should have the same status within the EI constitution as the others regions**«. ETUCE, consisting of member organisations of EU and EFTA, is not mentioned in the proposal; it is replaced by the European Region of EI, which is 'merely' a regional structure of EI. If the autonomy of member organisations in the countries of EU, which the members in relation to the EU institutions have, is replaced with a regional structure of EI, which is something completely different, then the member organisations of EIE from the EU countries will lose all autonomy in relation to the EU institutions. It is also false of you to claim that the »unified structure (new »ETUCE«) will have the same autonomy with regard to the EU matters as the current ETUCE does. For this you appeal to the Article 13 of (c) (ii) EI Constitution. This provision enables regional structures of EI to **develop** and **promote** policies in relation to any intergovernmental body. However, the By-Laws of the Pan-European Structure in Article 3 enable ETUCE to **determine!** and develop policies in relation to the EU. We cannot overlook the much narrow definition of autonomy or regional structures of EI in comparison to the autonomous jurisdiction of ETUCE as defined by the By-Laws of the Pan European Structure.

2. In your reply you state that *There is no proposal to remove any risk of problems of communication between the Chief Regional Coordinator of EI and the ETUCE General Secretary by abolishing the autonomy of ETUCE.*

From the quotes of the president of ETUCE, which I stated in paragraph 1, it is evident that the proposal abolishes the autonomous organisation of ETUCE as defined in the By-Laws of the Pan-European Structure. To dissolve ETUCE, to

dissolve all bodies of ETUCE (paragraph 11 of Consultative paper) and to abolish the function of Secretary General of ETUCE can mean one thing only, the abolishment of ETUCE autonomy. Could these actions be interpreted in any other way? In the commentary to the proposals in the Consultative Paper, which abolishes the position of Secretary General of ETUCE and replaces it instead with the EI Chief Regional Coordinator, there is also a reason given why ETUCE should be dissolved: To be consistent, the removal of the dual governance structures (see paragraph 11 above) suggests that the dual principal officer positions (EI Chief Regional Coordinator and ETUCE General Secretary) should also be brought together in one post. This overcomes any problem of having »two captains on the same bridge« and **should remove any risk of problems of communication or coordination.**« However, I could not possibly agree with the way you think, saying that »structures of organisation should eliminate the possibilities that poor working relationships between individuals may disrupt the functioning of the organisation.« It is simply impossible to create a structure in any organization that individuals who are a part of this organization could not interfere with, should they decide to do so. At the same time, your argument which says that an organization should change its structure in order to prevent individuals from interfering with the usual activity of an organization is in diametrical opposition to the argument which says that it is the double structure of EIE and ETUCE the one that causes problems. So, is it the people or the structures?

3. You say that I, while in Luxemburg, received assurances from the President *»that no organisation would have to pay additional supplementary dues arising from the establishment of the »new« ETUCE.*«

If what you claim is true, then I expect the President of ETUCE to change Point 18 of Consultative Paper, which in its commentary explicitly lies upon the unions from the European region but outside the EU to pay additional membership fee that has so far been paid only by the unions which were part of the ETUCE. And I quote the Comment 18.2: *»If the governance, direction, administration and activity of the structure were to be unified, there would cease to be any differentiation in the supplementary European dues.*« Again, I would like to point out that it is impossible for the east and central European unions, which are financially weak, to pay additional membership fee. Unless the entire fee, in comparison with the present, is lower.

In your comment about the European Commission you say *»that is not unreasonable to describe it in a shorthand manner as an intergovernmental body.*«

This statement does not hold water. In accordance with the Lisbon Treaty the European Commission is elected by the European Parliament, which is the direct representation body of the EU citizens. The Lisbon Treaty explicitly states that the European Commission is completely autonomous and should not accept instructions from anyone, especially not from governments of individual EU member states. It is impossible to see the commission as the *»regional intergovernmental body*« which is mentioned in Article 13 (c) (ii) of EI Constitution. It is however true that the European Council, which is an intergovernmental body does fit the definition of Article 13 (c) (ii) of EI Constitution or at least is closest to that definition. Unfortunately, the European Council is not a key social partner of the unions while the European Commission is. If we wanted to realize the proposal of the President of ETUCE, which is to have the regional structure of EI, as a stakeholder, represent the interests of unions from EU member states (illogical enough and probably quite inefficient, too), and if we wanted

to be consistent, we would have to change this particular provision of the EI Constitution.

If then we, the citizens of the EU, have our own parliament that we elect in direct elections and the European Parliament elects the »government«, which is independent in its decisions, then the question of union organization, which function within the territory of EU, should fall under the jurisdiction of these unions. The proposal of the President of EU overlooks an obvious fact that the EU is a unique formation which cannot be compared with any other state or formation in the world. Surprisingly enough, the question of autonomy of ETUCE is directly linked to the question of understanding of the status of EU as a formation *sui generis*. The current autonomous position of ETUCE within EI acknowledges this fact while the proposal on the changes completely disregards it.

EI is a powerful, influential and well-organized confederation which enjoys a great reputation. A few days ago when I as a member of the executive committee of EI and by authority of Secretary General EI Fred van Leeuwen publicly warned the Macedonian government to immediately cease the illegitimate pressures put upon the teachers on strike and the SONK and to sign the previously harmonized collective agreement, I was once again convinced of its importance. The Macedonian government gave in the very next day and made an agreement with SONK. The president of SONK is convinced that without the intervention and the influence of EI this would not have happened. I personally am a firm defender (advocate) of a unified, strong, powerful, efficient and democratic EI and am proud to serve it as a member of its executive committee. However, I find it difficult to understand that there is no political will in an organization as stable as EI to, within itself, articulate and admit autonomy to a group of unions and their members, who are also citizens of this unique state (formation), something the EU without a doubt is. I am certain that we should focus our energy on finding such solutions which would articulate autonomy in a way that would do away with current difficulties and problems arising during the autonomous part and its' whole.

Sincerely,  
Branimir Strukelj, Education, Science and Culture Trade Union of Slovenia,  
general secretary

Dear Charlie,

I am writing on behalf of ESTUS with regard to your response to our comments on the proposal of the president of ETUCE (Consultative Paper). I see your reply as a continuation of the debate on changes that we began in Luxemburg. I sincerely hope that representatives of other EIE members will decide to participate in this debate with the hope of joint reflection of the proposed changes. We should not neglect those who could not join us in Luxemburg for the debate; it would be fair for them to be included in the debate on the future of organisation of European educational unions by means of electronic mail. I am certain that the debate can contribute to the strengthening of democratically structured dialogue in EI. It is quite unusual for us to see you speak in favour of the proposal on changes and polemise on the ESTUS standpoints; you, the Deputy Secretary General of EI and not the president of ETUCE, who is the proposer of changes. In spite the fact that this act does convey a certain message, it is more important that we continue with our political debate on the meaning of recognition of uniqueness and autonomy of one part (ETUCE) within the framework of the whole (EI).

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Sincerely,  
Branimir Strukelj, Education, Science and Culture Trade Union of Slovenia,  
general secretary





To:

Ronnie Smith, President of the Pan-European Structure

Martin Rømer, General Secretary of ETUCE

Charlie Lennon, Chief Coordinator of EIE

Ljubljana, 11<sup>th</sup> September 2009

Dear Colleagues,

Executive Board of the Education, Science and Culture Trade Union of Slovenia (ESTUS) has examined closely all so far received comments to the "New draft By-laws for the European Regional Structure – Consultation with all member organisations in Europe". ESTUS' Executive Board viewpoint supports the views of the Danish Union of Teachers (DLF; dated 8<sup>th</sup> July 2009) regarding the organisation of European Regional Structure.

ESTUS would like to set out the fact that the proposed by-laws simply ignore existence of EU as a unique formation which cannot be compared with any other state or formation in the world. More detailed explanation of our viewpoints can be found in the attached letters we exchanged with Mr. Charlie Lennon (EI Deputy General Secretary, Chief Coordinator of EIE) during the time when new By-laws for the region had still been in their preparation phase. We think the polemics adequately reflect political differences in our views over the question what kind of structure would be suitable for the European region as a part of EI.

With best regards,

Branimir Štrukelj, ESTUS,  
general secretary

CC:

- EI European Member Organisations