

Report of the EI/ETUCE Mission to Ankara

27-28 February 2017



Background

After the failed Coup d'Etat on July 15th 2016 Turkey, the situation had been very difficult with basic human and Trade Unions rights constantly violated. That is the main conclusion of the Mission that ETUCE and EI organized to Ankara last February 27-28th 2017.

This mission took place only a year after the previous one (February 15-16, 2017) which concluded that “*The right to education for tens of thousands of students and the labour and professional rights of thousands of teachers are constantly violated through compulsory transfers from one region to another and to remote areas; teachers suffer threats because of their union membership or their family and parental relations. Many teachers cannot teach in these conditions due to the stress that the war situation creates on students. Students, because of school being closed or destroyed, are being denied their right to learn.*”

Since then, and also because of the Coup d'Etat, the right to exercise both rights has worsened considerably. Reports spoke of thousands of civil servants, judges, military men and women and teachers at all levels being dismissed or suspended.

Egitim Sen kept ETUCE/EI informed about the situation and, in November, asked for the possibility of having a High Level Solidarity Mission to Turkey to assess the situation, express solidarity and meet with Government Ministers, Intergovernmental Organizations and teachers affected by the Emergency Decrees and Administrative Orders. It also called for Solidarity Action in order to support and help teachers who, as a result of these extreme measures, had lost their salaries and basic livelihood.

A High Level Solidarity Mission led by EI General Secretary Fred Van Leeuwen, ETUCE President Christine Blower and ETUCE Director Susan Flocken was agreed. The objectives of the Mission were:

- Show solidarity and meet with teachers and academics affected by the Emergency Decrees who were either dismissed or suspended;
- Assess the situation of the rights of teachers, academics and education support personnel affected and build up a sustainable solidarity plan;
- To meet with the Turkish authorities in order to express EI/ETUCE concerns regarding the rights of teachers and the right to a quality education for all
- To meet with other relevant stakeholders and International Bodies, including European Embassies, to have a better assessment of the current situation and the future possibilities of solutions.

The decision was to have the Mission on February 27-28, 2017. This decision was taken by both the EI General Secretary and the ETUCE President.

Meetings were requested with the Prime Minister, Minister of National Education and Minister of Labour and Social Security. There was no response to these requests. Under these circumstances it was decided that the Mission would be headed by ETUCE President Christine Blower and ETUCE Director Susan Flocken. There was a series of meetings but none with any official or politician from the Turkish government. Even the Turkish Embassy in Brussels cancelled a meeting, after it had been previously agreed.

Mission

Meeting on Solidarity Fund

Susan Flocken and Nicolás Richards met with the President of Egitim Sen, Mr. Karaca and with the General Secretary, Mr. Firat to continue the discussion on a EI/ETUCE Solidarity Fund to support teachers who have been either suspended or dismissed. During the meeting we heard for the first time that aside from the suspension of M. Firat, 16 branch secretaries (out of 103 total branches) had been dismissed and 120 executive board members both in branches and at the national level were also suspended. In total, around 1.500 Egitim Sen members had been dismissed, together with 172 academics. Egitim Sen is clearly a government target and since the Coup d'Etat 12.000 teachers left Egitim Sen due to the fear of losing their jobs if they continued as members.

Egitim Sen is assisting the dismissed teachers by paying one third of their normal salaries. This is done with their own funds from the membership dues and the Egitim Sen Solidarity Fund. Nevertheless the fund and the possibilities of assisting dismissed teachers are not sustainable. In September Egitim Sen will have to reduce significantly this assistance.

All accounts regarding the Solidarity Fund and their support activities were shared with EI/ETUCE.

It was agreed that EI/ETUCE will assist them, and start another Solidarity Fund. EI/ETUCE will send an Urgent Action Appeal asking its members not send money directly to Egitim Sen due to some bank regulations but to send contributions EI. Egitim Sen should receive funds only from EI to comply with legal procedures and avoid confiscation

For the transfer procedures it was agreed to open a special account.

Meeting with Egitim Sen and Kesk

After this meeting all the Mission met with Egitim Sen Board, chaired by its President, and with one of the Co-Presidents of Kesk. Egitim Sen informed us that:

- The suspended/dismissed members had lost all social rights, insurance benefits pension schemes, medical cover, etc. Many were also banned from travelling outside the country.
- In total, around the country and in the public sector around 100.000 workers had been dismissed/suspended. These dismissals were without concrete reason and couldn't, according to the Presidential Decrees, be appealed.
- An Administrative Commission was created after the request of the Council of Europe. It's an "independent" commission composed by 7 members who have to review case by case all the 100.000 dismissals/suspensions. Only after that each dismissed/suspended worker may be able to appeal to court. Naturally this will take years. Nevertheless it was approved by the European High Court of Justice.
- The dismissed/suspended teachers were replaced mostly with contract teachers. This is having a negative impact on the quality of education. Overall the system is short of 130.000 teachers.
- Society is afraid of openly supporting teachers. Such support could make individuals targets.
- There is a campaign to liberalize public services, together with more conservative measures throughout the administration. These actions include Curricula Reforms that will introduce religion as a compulsory subject.
- Egitim Sen and Kesk fear that on April 16th Referendum the YES side will win. This will worsen the situation.

Meeting with the European Union

Part of the Mission, together with Kesk and Egitim Sen main officers was received by the Head of the EU Delegation of the European Union to Turkey, Ambassador Christian Berger and his team. He expressed the view that: the events of July 15th caused a great shock in the population because of the events but overall because of the consequences; there are perceived threats to Turkey from outside and inside including Turkey's involvement in Syria and the refugees situation.

Although The EU has no position regarding the Referendum, the new laws may cause problems given the power which will rest with the President.

The EU is concerned about the suspensions and dismissals of teachers and academics. They have clearly a negative impact on the quality of education.

Despite the Council of Europe being tough on the Turkish laws Turkey still wants to be an EU full member, even within the current tension with some states. Turkey simply can't afford to break all contacts with the EU: Sixty per cent of its exports go to the EU.

The Ambassador advised EI/ETUCE to remain engaged with Egitim Sen and the educational question in Turkey, to express its concerns and to remain active. He also expressed that the EU has some role to play in providing dismissed teachers their access to Justice. In this they are willing to work with Egitim Sen.

The Ambassador concluded that it is in the interests of the EU to protect and promote European values in Turkey.

Meeting with ILO

Numan Ozcan, Director of the ILO Office for Turkey, received the Mission in the early afternoon.

First he shared with the Mission a number of facts regarding the labour situation in the public sector:

- The dismissals done under the Emergency Decrees stand at 105.570
- The dismissals done under administrative orders stand at 37.000 of which 20.000 were rehired
- He said that there's little hope for reinstatements
- Education sector, both in public and private schools, shares about 1/3 of the total dismissals (including 4.800 academics)
- Dismissed teachers have no chance to be reemployed in the public sector.
- The educational private sector doesn't employ dismissed teachers either. Jobs are lost for life.
- Because of the decrees ILO did an assessment on how they affect its Conventions, specially on conventions 111, 158, 87, 93, 135. ILO is focusing on Convention 111 and 158 terms of dismissal conditions.
- There are violations of conventions 87 and 98. 19 Unions were closed, leaders and activist detained and 40.000 people are now suffering because they lost the organisations that defended them.
- Despite the serious situation no complaints were received in 2016
- In education: there are 900.000 Syrian refugee children in Turkey. Of them 500.000 are enrolled at school. This has had an tremendous impact on the quality of education and on the need of 50.000 teachers to teach these students.

Aside from asking EI/ETUCE to follow up Turkey's case in the ILO various committees, the Director recommended the Mission to follow very closely the events as he fears that Teacher Union members and Egitim Sen itself were under serious threats: they are a government target and they might be attacked.

Contact with Embassies

The mission was received by the Dutch and German Embassies. At both meetings similar views were expressed about the disproportionality of the measures imposed by the Turkish Government, the constitutional balance (separation of powers) and about the Rule of Law being in jeopardy through the imposition of a State of Emergency. The conflict in the south east of the country with Kurdish activists facing persecution and the situation of large numbers of refugees are also significant issues.

The Dutch Ambassador noted that his Government intended to remain in direct contact with Egitim Sen. There was also a meeting with the Cultural Attaché from the French Embassy at which similar concerns were raised.

The delegation was invited to lunch by the Danish Ambassador at his residence. Again similar issues of concern were raised, with the Danish Ambassador undertaking to remain in contact with teacher unions in Denmark as appropriate to monitor the situation.

Across all of the meetings at Embassies the mission received a consistent message: there is great concern for the Rule of Law, the disproportionate response of the Turkish Government to the July attempted Coup and the plight of workers and their families who have been dismissed. They all stressed that we should continue monitoring, engaging with and supporting Turkish teachers.

Meeting with UNICEF

UNICEF Representative Philippe Duamelle received the Mission in the evening of the first day. He reported that Turkey has one of the largest number of refugees on its territory. He highlighted that 50% of the refugees were children. He provided the Mission with more or less with the same numbers as other organizations had on the refugees only that the number of refugee children out of school was slightly higher: 380.000. There still are 280.000 of them in refugee camps. Turkey is using a system of double shifts in school. He explained UNICEF plans to re-establish some relief to the Syrian children. A plan called NO LOST GENERATION is being launched. There is a system for 1.300 Syrian teachers, paid by UNICEF. Many of them are not trained teachers, but they receive some training. They receive a minimal wage with no social benefits, except sick leave. UNICEF is working with the private sector in education (ETUCE has reservations about this).

The following morning there was a Press conference attended by a number of Journalists. EI/ETUCE stated its concerns about teachers rights, educational rights and quality, denial of legal defence rights, refugees situation and trade union rights. It also stated its commitment to continue to support the Egitim Sen battle on legal rights for all its members, including their leadership. Christine Blower, ETUCE President " *It's important that we bring the solidarity of all teacher unions in Europe and globally to teachers here in Turkey*

EI/ETUCE stand very clearly to defend Human and Trade Union Rights... When teachers and young people are under attack there can be no quality, free, accessible education... Unfortunately what we have learned here is that the situation is much worse than one year ago".

Susan Flocken, ETUCE Director, pointed out that the Turkish authorities had failed to receive our Mission despite the number of letters and communications sent to them: "*we stand by our members and all Turkish teachers fighting for their rights. Exactly as a year ago, the Turkish authorities didn't receive us.*

They have chosen not to meet with us again. We will continue to request meetings and will continue to support our members."

Recommendations

- Establish a Solidarity Fund for Egitim Sen. Recommend to all EI/ETUCE members to contribute to this Solidarity Fund and ask them to collect funds among their affiliates. Send out an Urgent Action Appeal.
- Monitor, engage and follow the on-going situation in Turkey, especially during and after the Referendum Campaign.
- Establish regular communications with the European Union Delegation to Turkey, with the ILO Office for Turkey and with all Embassies in Turkey.
- Ask Egitim Sen to share regular reports on the on-going situation, especially on what has to do with Human and Trade Union rights of their members and of all Turkish Teachers in general. Use this reports to sustain the Solidarity Campaign.
- Engage with PSI and other Global Union Federations in supporting the Turkish workers and their Unions.