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# ETUCE

## European Trade Union Committee for Education EI European Region

### ETUCE presentation to the stakeholder presentation event at the 8<sup>th</sup> round of TTIP negotiations

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Good morning, my name is Louise Hoj Larsen and I am representing the ETUCE, the European Trade Union Committee for Education, which is the European region of Education International. ETUCE is the teachers' social partner at European level and a defender of teachers' interest. We represent 131 teachers unions spanning the entire field of education from early childhood education to higher education and research. In total, ETUCE represents 11 million members throughout Europe.

ETUCE is strongly committed to quality education for all, and, in the context of TTIP we emphasise the need to safeguard quality education by carving out education from the agreement as have been done for the audio-visual sector based on the public interest in preserving and promoting cultural and linguistic diversity. This is arguable also true in the case of education and would similarly justify a carve-out from TTIP. Otherwise, TTIP could pose potentially serious risks for educational policy, for public schools and other educational institutions, and for teachers, students and communities in both the EU and the US. Education is a human right and a public good, and importantly it is the responsibility of governments.

Education is also so far one of the least-covered sectors in trade agreements because of legitimate concerns about how legally binding trade rules can restrict the ability of governments to ensure access to quality education. The trade rules of TTIP could severely restrict public policy space as well as lock-in and intensify the pressures of privatisation and commercialisation.

Trade rules on market access could restrict the ability of the US and EU member states to limit the entry and regulate the quality of private and for-profit schools and institutions. Any measure to promote high quality standards in licensing and accreditation processes could potentially be interpreted as a "disguised barrier to trade" or "more burdensome than necessary".

ETUCE has specific concerns in respect to ISDS and the education sector. The education sector is a highly regulated sector based on democratic decision-making. Depending upon the coverage of education services in future trade deals, private education investors could use ISDS to challenge quality and accreditation standards if they felt these standards were "disguised barriers to trade" or "more trade burdensome than necessary". The quality and accreditation standards are crucial to ensure the quality of education and therefore ISDS poses very significant risks to the education sector.

We see clear similarities between the TTIP negotiations and the European Service Directive. As with the TTIP negotiations, in the case of the Service Directive ETUCE demanded to entirely exclude education. Public services like education were according to the European Commission protected through the public utilities' exemption – the same now suggested under TTIP. However, under the service directive we have already seen the result of not explicitly excluding education with the European Commission's infringement case against Slovenia's higher education act, which it bases on the freedom to provide

services, despite the fact that in the Services Directive education is excluded as a service of general interest and as having special meaning.

We are currently witnessing a situation of increasing inequality within and between countries, and in this context public services including education are even more important. Education is a human right and access to high quality education must never be based on discrimination of gender, ethnicity, disability, sexuality, religion or the ability to pay. Public services are underpinned by the principles and values of universal access, democratic control, continuity and equality as set out in the Services of General Interest Protocol no. 26 agreed by the Member States of the EU, which is also part of the TTIP mandate.

Free quality education is essential to fostering economic and social development and cohesion, equal opportunities, job creation, as well as the fair distribution of income and wealth. We know the importance of quality education achieved at the previous levels for the achievement at the forthcoming levels. Furthermore, equal access to quality education throughout the lifecycle is increasingly important, in particular lifelong learning and further education and training.

Thank you for your attention!