



# Newsletter

June 2007

## Executive Committee

Mr. O'Connor	ICPRA Chairman (New Zealand Police Association)
Mr. Kinnear	General Secretary (Canadian Police Association)
Mr. Burgess	Police Federation of Australia
Mr. Grant	Scottish Police Federation
Mr. Canterbury	Fraternal Order of Police (USA)
Mr. Ibsen	Police Union in Denmark

Since the 2006 meeting in San Antonio, Texas the Executive Committee has been active over e-mail and international telephone conference calls in December 2006, March 2007 and June 2007. The Committee would like to thank the NZPA for hosting and facilitating these international calls.

What follows is a brief report on activity since the San Antonio meeting. The primary activities are issues arising from the 2006 meeting and several new items directed to the Committee by ICPRA affiliates and other friends of police labour. As we discussed in San Antonio, bringing more structure to ICPRA has increased activity and participation between meetings and as expected, resulted in the need to develop policy or protocol to deal with ICPRA business.

The following items are from Executive Committee conference call agendas.

## ICPRA and the United Nations

At the 2006 meeting in San Antonio, ICPRA delegates discussed United Nations domestic police deployments and agreed the issue should be the immediate focus of ICPRA interaction with the United Nations. We also discussed investigating opportunities for participation in other UN activities.

Since San Antonio the Executive Committee has discussed consultative status as a non-governmental organization (NGO) with the United Nations' Economic and Social Council (ECOSOC). The application process required a letter of intent received before June 2007 to be considered for acceptance in 2008. Additional information was circulated after the December discussion and the letter of intent was sent to ECOSOC in January 2007. We received the ECOSOC application package in late April. A cursory review of online material indicates ICPRA may not meet membership criteria. Applicants must submit their constitution and financial statements; which ICPRA would not be able to provide.



Chairman O'Connor is pursuing the ECOSOC application process and other possible opportunities for UN involvement. The New Zealand Police Service has assigned a member to the United Nations who may be able to assist with information. The Chairman will ascertain if ICPRA meets criteria and submit application if Executive Committee agrees. The Committee will consider inviting UN personnel to the 2008 meeting to discuss consultative status on domestic police deployment and other relevant issues.

While in attendance at the Scottish Police Federation conference the ICPRA General Secretary spoke to Jan Velleman, Head of Office for EuroCop, concerning an ECOSOC application. Mr. Velleman advises that EuroCop has consultative status with ECOSOC and there may be opportunities for mutual assistance without ICPRA pursuing separate status. This requires further discussion with EuroCop.

### **South African Police Union (SAPU)**

While attending a police reform conference in Berkeley, California immediately following ICPRA 2006, the Chairman and the Secretary had the opportunity to meet President Mpho Kwinika of the South African Police Union (SAPU).

You will recall that expanding ICPRA membership is one of the ICPRA Objects confirmed by the members in San Antonio. President Kwinika was approached and invited to consider SAPU affiliation with ICPRA. The approach was reported to the Executive Committee and circulated to all affiliates via e-mail correspondence. It was the consensus of the group that as a courtesy to POPCRU, ICPRA should to seek POPCRU input on formalizing membership with SAPU. POPCRU welcomed SAPU membership and they were invited to join ICPRA. The Secretary received the SAPU letter of acceptance in March. SAPU will be invited to the 2008 meeting and they will be included in all affiliate correspondence prior to the 2008 meeting.

### **ICPRA Website**

The Canadian Police Association is updating the ICPRA website. The Executive Committee hopes to circulate the finished product very soon.

The new design will include a secure site with password protected capability.

### **International Labour Organization and Other Affiliations**

As follow up to discussions at the 2006 meeting in San Antonio, the Executive Committee discussed ICPRA affiliation with UN, ILO and other international labour associations.

It was agreed to investigate all options and discuss affiliation after more information was received. The Executive Committee was advised that some European police



federations have restrictions on affiliation with national and international trade unions and federations. To avoid potential conflict, Mr. Grant agreed to investigate other international groups and report.

Following the 2006 meeting the Secretary contacted an international group based in Geneva, Global-Unions. The International Trade Union Confederation (ITUC) responded in February 2007, indicating that international affiliations are usually sector based and referred ICPRA to Public Service International (PSI) as a logical global union federation for ICPRA. A cursory review of the PSI website reveals a significant subscription fee.

The ITUC response referred to other possible UN and ILO affiliations (UNESCO, UNCTAD) to investigate and consider. The Chairman will follow up in conjunction with the ECOSOC inquiry.

In the discussions between the Secretary and EuroCop at the SPF conference, Mr. Velleman reported that EuroCop is a member of the European Trade Union Council, which gives EuroCop membership in ITUC. This may be another opportunity for mutual benefit. The Executive Committee will investigate the possibility of affiliation with ITUC through EuroCop.

### **ICPRA Membership**

Since the October 2006 meeting, the Executive Committee has sought to reaffirm affiliation with all members associations and federations. This was deemed necessary with the ICPRA written interventions in Swaziland and Spain. ICPRA corresponded in the name of unionized police officers from member countries and their national associations and federations, with no expressed consent beyond our individual acceptance of the ICPRA Objects.

The Executive Committee agreed to seek written consent in the form of an affiliation letter from member associations ICPRA purports to represent in any correspondence or activities involving orders of government, police management, non-governmental organizations, other police associations or police employees attempting to achieve labour rights.

The response to date is reassuring, with all but three affiliates submitting an affirmative response or committing to an affirmative response. Three have not responded. The Secretary is following up with those affiliates.

The membership approach to SAPU and the reaffirmation of existing membership resulted in Executive Committee discussions on a formal approach to EuroCop. Peter Ibsen, Police Union in Denmark President, EuroCop First-Vice President and ICPRA Executive Committee member, attended the 2004 meeting in Edinburgh as a EuroCop delegate and in the same capacity at San Antonio. A formal approach to EuroCop

seemed logical. With Mr. Ibsen's encouragement, a letter was forwarded to EuroCop. The Secretary discussed this with Mr. Velleman at the Scottish Police Federation conference. The ICPRA offer will be discussed at their Executive Committee meeting in late August.

The Executive Committee discussed formal membership criteria at past meetings. Mr. Grant presented a draft for the June meeting. Executive Committee members will consider the draft, respond via e-mail and discuss the criteria during the September 2007 conference call. The draft is attached to this newsletter for your consideration. Please respond to the Secretary with your input.

## **Police Association in Gujarat State India**

In November ICPRA was made aware of an issue developing in India's Gujarat state. In 1988, the state government revoked recognition and labour rights of four police associations. The associations sought relief from the High Court. On March 9, 2006 the Court found in favour of the associations. The judgment was not appealed by the state or the police service. In the judgment, the High Court invited the associations to apply for certification or recognition under the state industrial relations process. That High Court direction stipulated the unions must advise the Director General of Police (DGP). The DGP issued an order dictating that it was illegal for police officers in the state to unionize. The police unions filed a petition against the DGP's order with the High Court. The Court served notice on the DGP and the state to appear before the Court in early December to answer why the union petition should not be granted.

Attempts to follow up through the original media source were not answered. The Secretary contacted an international labour media outlet and they are trying to follow up with their contacts in India. No success as of the June meeting.

If any ICPRA affiliates have contacts in that part of the world, please advise the Secretary.

## **American Cop Killer Recognized in France**

In December 2006, Mr. Canterbury reported that the FOP was contacted by a group in France, "Action Police" who were requesting support for a protest against the Paris suburb of St. Denis for naming a street after Mumia Abu-Jamal. Abu-Jamal murdered Philadelphia police officer and FOP member Daniel Faulkner in 1981. The killer was sentenced to death and remains on death row. He has developed somewhat of a cult following that alleges he was wrongfully convicted. Supporters would have him released or the death sentence commuted. No assistance was requested from ICPRA.

In January 2007 Abu-Jamal supporters sought to have a street in Harlem, New York named in the killer's honour. It was rejected by city council.



For more information see [www.danielfaulkner.com](http://www.danielfaulkner.com)

### **Swaziland Police Union (SWAPU)**

Shortly after the 2006 meeting, Monique Marks, one of the academic observers at the San Antonio meeting, brought an emerging police labour issue in the Southern Africa Region to the attention of the Executive Committee.

Police officers of the Royal Swaziland Police Service (RSPS) were trying to organize and seek recognition from the employer. This situation is still unfolding and exemplifies the need and value of ICPRA. The Committee, with the assistance of our POPCRU affiliate, offered assistance and moral support to their cause. The struggle of these Swaziland police officers fits well with our In Principle Agreement of 2004 and our ICPRA Objects accord from the 2006 meeting.

Since this issue was brought to our attention the Executive Committee approved letters of support to Swaziland Police Union (SWAPU) and ICPRA members have supplied information to assist with their court cases. POPCRU is involved in the situation and offering support and some legal assistance.

In a March 5, 2007 decision, the Court ruled in favour of SWAPU members. The Police Commissioner's urgent application to the courts was a bid to stop SWAPU from recruiting members. Commissioner Hillary accused SWAPU of holding meetings without his permission and of disrupting the internal and external communication systems of the RSPS. The Commissioner's application claimed the purpose of the meetings was to mobilize officers and recruit them into the association.

In summing up his decision, Justice Maphalala stated "*...the applicant (government) has failed to show a clear right to stop the exercise of fundamental rights.*"

SWAPU members hoped the judgment would set precedence covering all officers and supersede the now defunct Industrial Relations Act. This judgment opened the door for their application to the High Court on the fundamental issue. The Commissioner of Police responded by dismissing the union leadership. They are seeking relief in the courts.

SWAPU appeared in High Court on May 15, 2007 with the Swaziland Correctional Services Union (SWACU). The government argued against their application. They await the court's decision. The Nederlandse Politie Bond (NPB), the Dutch Police Union, went to Swaziland in June and they are offering financial assistance to SWAPU.

The Executive Committee discussed a monetary contribution to SWAPU. It was agreed a request should be sent to ICPRA affiliates. On May 29, 2007 the Secretary wrote to all ICPRA affiliates asking them to consider making a financial contribution to SWAPU to assist with their legal arguments.



As per Executive Committee instructions, affiliates choosing to make a donation were invited to: 1) forward a donation direct to SWAPU; 2) forward a donation to ICPRA for transfer to SWAPU in the name of the affiliate; 3) forward a donation to ICPRA for transfer to SWAPU in the name of ICPRA.

This issue led to Executive Committee discussion on development of a proper protocol for such financial contributions. A draft of that protocol was distributed to the Executive Committee and is attached to this newsletter for your consideration. Please respond to the Secretary with your input.

SPF raised funds for SWAPU at their April 2007 conference and has delivered the donation to SWAPU with the assistance of POPCRU. Mr. Grant advises that you must establish an international transfer. You must contact your own bank and provide them with the following details, together with the sum you wish to send.

Swift Code: NEDSZAJJ  
Account Holder: POPCRU  
Bank: NEDBANK  
Branch Code: 197805  
Account Number: 1978311753

Address:  
P.O Box 8657  
Johannesburg  
2000  
1 Marie Road  
Auckland Park

It is crucial that you write to and or email Leonard Tshikwela at POPCRU to advise him of the date of transfer and the amount of money transferred, together with any transaction receipt details. Mr. Grant also suggests that you write to Buhle Dlamini (SWAPU) to advise him of the transfer.

Leonard Tshikwela: [leonardt@popcru.org.za](mailto:leonardt@popcru.org.za)  
Buhle Dlamini: [beastblend@yahoo.com](mailto:beastblend@yahoo.com)

### **Mauritius Police Association (MPA)**

Monique Marks brought this issue to our attention in January as well. The Mauritius Police Association approached POPCRU for assistance and support in their efforts to have police included in the *Labour Relations Act*. Although police officers in Mauritius have the right to collective representation, in reality they have very limited rights to freedom of association and collective bargaining and want to be included in the statutory regime. The members seek recognition of police as workers and equal rights



to other public and private sector workers. Monique is trying to determine the status of their efforts.

The Secretary is monitoring this situation with the assistance of Monique Marks.

### **Asociacion Unificada de Guardias Civiles (AUGC) Spain**

The AUGC initiated two public protests in 2006 to pressure government and management to act on outstanding issues from the amalgamation of the Guardia Civil into the domestic police. Some of the protestors appeared in uniform. Police management suspended union leader for allegedly inciting the members to disobey orders. ICPRA prepared a draft letter of support that was circulated to the full ICPRA membership for comment. There were no negative responses and with the full support of EuroCop the ICPRA Chairman wrote to the AUGC president expressing ICPRA support.

The AUGC responded in April 16, 2007 to report that major issues giving rise to the protest were resolved with the introduction of government sponsored legislation. The only outstanding item was pending discipline for the AUGC executive. The AUGC asked ICPRA to write to the Interior Minister encouraging the government not to proceed with discipline against the 19 union leaders charged. The Chairman wrote to the Minister.

### **ICPRA Logo**

The membership affirmation letters raised the issue of ICPRA acknowledgement and a request by affiliates to use the ICPRA logo on affiliate websites, stationary etc. In the Objects document we mention developing some type of membership Charter for distribution. The Secretary is investigating production of a suitable Charter document.

The Executive Committee agrees that affiliates should be allowed to use the ICPRA logo. We ask that you advise the Secretary where the logo will be used or displayed.

### **ICPRA 2008 New Zealand**

New Zealand will host the 2008 meeting. March and October have been proposed. NZPA preference is March due to the more favourable weather in Wellington. Alternatively they propose October; which coincides with the NZPA conference. Unsettled weather is a factor in October.

NZPA will attempt to rearrange dates and we expect to finalize the date during the next conference call.



## PROPOSED PROTOCOL FOR DEALING WITH DONATIONS BY ICPRA

1. The ICPRA executive be authorised to vet, recommend and facilitate donations to organisations or individuals by affiliates through the ICPRA.
2. ICPRA open a bank account with the Secretary of the ICPRA being the sole signatory.
  - a. Until a further protocol is developed for possible affiliation fees or the like to be dealt with, any moneys deposited into the ICPRA account for donations are not to be used for any other purpose.
3. When a situation is identified of an organisation and individual or group of individuals that are in need of financial assistance all details relating to that situation should in the first instance be forwarded to the ICPRA Secretariat. Affiliates are encouraged not to make any donations direct until such time as they have notified the ICPRA Secretariat and this protocol is followed. If the support is of an urgent nature the issue is to be given priority by the ICPRA Secretariat.
4. The Secretariat should make preliminary inquiries to verify the information and if then deemed appropriate by the Secretariat formally notify the ICPRA Chair who would then make a determination as to whether to call a meeting of the ICPRA Executive Committee to discuss any possible support.
5. The Secretariat would make a full report to the Executive Committee and then by way of vote a determination be made as to whether the Executive Committee recommends to affiliates that they make a contribution to the cause. The Committee should also make a recommendation as to the size of the donation, which should be in \$US. It should be noted that the Executive Committee can only make recommendations and the final decision as to whether to contribute is a decision of each affiliate.
6. Where the Executive Committee make a decision to recommend a donation be given by affiliates the Secretariat would draft correspondence to be signed by the ICPRA Chair which would be then forwarded to each affiliate. Such correspondence would contain an explanation as to why the donation is sought, the amount that is recommended to be donated and the bank account details of the ICPRA.
7. Where the Executive Committee make a decision not to recommend to affiliates to make a donation, affiliates who fell so inclined may still make donations direct to the cause.

## DRAFT MEMBERSHIP CRITERIA

### Conditions of Membership

In order to become a member an organisation has to fulfil the following conditions:

- the only or principal purpose of the organisation is the representation of members of civil police forces in respect of their pay, conditions of service and welfare;
- membership is open to all police officers with equal opportunity in the country, and able to demonstrate the absence of discrimination.
- the organisation is legally constituted in its own country as one which represents, and negotiates on behalf of its members
- it is financially, sound and financed by regular subscriptions from its members.

### Associate Member

An organisation restricted, due to national legislation, and not able to fully comply with the conditions of membership can become associate member of the Confederation.

### Observer Status

An organisation, complying with the conditions of membership and in the process of considering membership, or an organisation that is in national competition for members with an already affiliated organisation, can be given observer status to prepare for membership.

### Decision

Decision on membership, associate membership and observer status is the responsibility of the ICPRA Committee on recommendation from the Executive Committee.

Applications for membership require the consensus of the Committee.