



European Union

Statement

**Tripartite Meeting on the Freedom of Association and Protection of the
Right to Organise Convention, 1948 (No. 87) in relation to the right to
strike and the modalities and practices of strike action at national level**

(23-25 February 2015)

Geneva, 24 February 2015

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Second EU Statement

Thank you, Chairperson.

I am speaking on behalf of the European Union and its Member States.

We support the statements delivered by the Government Group [and IMEC].

We would like to thank all participants for the fruitful debate we had yesterday.

Yesterday we received a “Joint Statement of Workers and Employers groups”. We are thankful to both groups for their efforts. We are pleased that they have reached a common position on a possible way forward on the standards initiative. We note that the joint statement is related mainly to issues of concern to all Constituents that will be discussed at the next Governing Body. We believe it is a starting point for further tripartite discussions and we would like to engage with them in the near future on the content of the document.

Let us also recall what is the mandate that the Governing Body gave us: this tripartite meeting should provide an outcome and a report so that the Governing Body can decide on the necessity or not for a request to the International Court of Justice to render an urgent advisory opinion concerning the interpretation of Convention 87 in relation to the right to strike.

Yesterday we heard many Governmental Groups and many individual Governments. We believe that the point of view of Governments is encapsulated in the following passages of the Government Group statement:

“The Government Group recognizes that the right to strike is linked to freedom of association which is a fundamental principle and right at work of the ILO. ... It recognizes that without protecting a right to strike, freedom of association, in particular the right to organize activities for the purpose of promoting and protecting workers’ interests cannot be fully realized. However... the right to strike ... is not an absolute right. Its scope and conditions are regulated at national level”. In our view, this consensus that the Government Group has reached should be part of the outcome and report of this tripartite meeting.

The implication of this statement is that the Governments, in their constitutional capacity, have expressed their opinions. We would like to reiterate our point of view that the implementation and application of ILO Conventions is the responsibility of States. If there is a dispute relating to their interpretation the ILO Constitution provides for solutions to be found in its article 37.

We would like to restate that in our view the ILO supervisory system contributes to the promotion of universal human rights. This is important to all of us, since we are strongly committed to the promotion and protection of all human rights whether civil and political, economic, social and cultural. The supervisory system also affects the European Union and its

policies directly. Some of our policy instruments and international agreements make references to the promotion and respect of international labour standards.

We attach great importance to the effective supervision by the ILO, offering clear guidance to States. Having a functioning supervisory system, in particular the Conference Committee on the Application of Standards is important for us, since their conclusions are crucial to assess compliance with international labour standards.

This tripartite meeting can be a useful way forward. We now invite the tripartite constituents to build on yesterday's progress and make the supervisory mechanism work effectively.

Thank you, chairperson.