

50
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EMERGENCY RESOLUTION - THE RIGHT TO STRIKE IS A DEMOCRATIC AND UNIVERSAL RIGHT

ADOPTED BY THE ETUC 15TH STATUTORY CONGRESS
(BERLIN, 23-26 MAY 2023)



TOGETHER FOR A
FAIR DEAL
FOR WORKERS

EMERGENCY RESOLUTION - THE RIGHT TO STRIKE IS A DEMOCRATIC AND UNIVERSAL RIGHT



The right to strike is a democratic right and intrinsic to the right to organise and collectively bargain. It is a fundamental right of workers that their economic and social interests can be legitimately represented and defended through trade unions. This is essential to ensure meaningful social dialogue.

Without strikes, we would not have many of the social achievements and democratic rights we have today: no weekend, no paid leave and no right to vote. It is these freedoms that have ensured social progress and laws to protect social rights.

But the right to strike is under attack in a growing number of European countries as well as in the rest of the world. We are prevented from exercising this right due to attacks by governments, right-wing and extreme-right wing parties and employers.

In the United Kingdom, draconian legislation would allow government ministers to force workers to attend work during strike action. Those who fail to comply could be sacked and unions forced to pay substantial compensation.

In Belgium, several union members were convicted for exercising the right to strike. There have been recent court rulings against union members and striking workers while police have intervened to remove picket lines in front of companies. This comes on top of employers using intimidation, bailiffs, threats not to reengage strikers and unilateral requests validated by court orders to prohibit picketing to undermine social dialogue.

Similar attacks on unions have been seen elsewhere in Europe: from a failure to undertake consultation, to blacklisting, to criminal convictions of strikers and police action against picket lines.

Unions must robustly defend our democratic rights and freedoms.

Respect for trade union freedoms and protection of trade unionists to take collective action are fundamental human rights.

ETUC and all its affiliates affirm:

- trade union freedoms are democratic rights and we must all defend them together
- trade union actions should be explicitly excluded from the scope of terrorism legislation, municipal administrative sanctions and the entire criminal code. Exercising fundamental rights cannot be a crime!
- civil or criminal sanctions against the exercise of the right to strike constitute an infringement of a fundamental right
- compulsory payments and any possible form of judicial intervention have no place in a collective labour dispute
- employers must not be able to sack workers for exercising the right to strike
- unions should never be instructed to compel members to work during a strike
- unilateral procedures with no possibility for a trade union to present its own arguments are unfair and violate the European Charter of Social Rights
- only social partners themselves can determine how collective conflicts can be prevented and how they can be managed
- it is illegitimate to seek compensation for trade union action from trade unions or their members

The ETUC pledges to:

- support affiliates whose right to collective bargain and strike is under attack
- set up a Solidarity Network for trade union action to rapidly support trade unions under attack due to employer hostility in collective bargaining or industrial disputes
- Support ETUC affiliates in their efforts to defend against attacks aimed at weakening ILO supervisory bodies' role in general, and on collective bargaining and the right to strike in particular.