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In reply please quote:  
Circular N° 7(2015)

**To all affiliated organisations**  
**To all Global Union Federations and TUAC**

GS/km

25 February 2015

## **SOCIAL DIALOGUE WORKS**

Dear Colleagues,

Thank you for the incredible solidarity on February 18 in defence of the right to strike. With more than 100 actions in over 60 countries, this made a real impression on governments and employers and I have no doubt contributed to the success of the special tri-partite meeting convened in Geneva this week by the ILO.

The issues are clear for us. Without the right to strike, freedom of association and the right to organise and bargain collectively cannot be defended. Attacking the right to strike puts democracy itself at risk.

The employers' attempt to challenge more than 60 years of case law of the ILO supervisory system, and deny an international right to strike, precipitated a crisis in 2012.

The failure to resolve the dispute and the lack of support from enough governments to refer the matter to the International Court of Justice, left workers without the protection of a functioning ILO system.

This week, social dialogue has proved its worth, and the Government Group recognized in their statement:

*...that the right to strike is linked to freedom of association which is a fundamental principle and right at work of the ILO. The Government Group specifically 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.*

In addition, workers and employers were able to agree to a framework for resuming the functioning of the supervisory mechanisms. This will now go to the ILO Governing Body in March for decision.

As a precautionary measure, should the agreement fail to hold, there is an option to activate constitutional remedies – including to re-open the debate on having recourse to

the International Court of Justice for an advisory opinion based on article 37.1 of the ILO constitution.

The ITUC commitment to the fight for the right to strike as protected by Convention 87 remains absolute and your solidarity shows we will always fight for this right.

At this point the role of social dialogue has again proven its worth and we are committed to pursue justice for workers who are denied the respect of decent work based on the international law that ILO standards represent.

We will keep you informed but again let me reiterate my congratulations and my appreciation for your solidarity on February 18.

In solidarity,

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. B.', written in a cursive style.

General Secretary

Enclosure: Poster 18 February 2015