**JOINT STATEMENT**

**ON THE OCCASION OF THE WORLD DAY**

**IN DEFENCE OF THE RIGHT TO STRIKE**

The Italian Government, represented by the Ministry of Labour, in the person of the State Secretary Mrs. Teresa Bellanova, and the union organizations CGIL - CISL - UIL met at the Labour Ministry on February 18, 2015, to discuss the very severe crisis of the International Labour Organisation (ILO) and identify a positive solution.

The Parties think it is urgent to resume the activity of the Committee on the Application of Standards (CAS), which oversees the system of supervision and monitoring of standards. CAS is known as one of the most important forum for the protection of human, labour and union rights in the international system, as it enables States to call for consistency between what is provided for and ratified in terms of law and its practical implementation. Through the analysis of the most severe cases of infringement of Conventions, as jointly identified by social partners, on the basis of the yearly report drawn up by the Committee of Experts, the work of this Committee has always been a valuable and exemplary legal reference for developing the notion of fundamental rights both at international and European levels.

The Parties reiterate the need for reaffirming the right to strike in all national and international fora in which the fundamental rights of people and workers are protected, as key elements of democracy. The Treaty of Lisbon recognizes this right as one of the E.U. fundamental rights and defines a sort of joint European notion of this right, in addition to the national ones, by considering it a universal right. The Committee of Experts, entrusted with the task of analyzing national reports and detecting the infringements of Convention 87 of 1948 relating to the Freedom of Association and Protection of the Right to Organize, signed by all Member States, has operated along these same lines. Said Convention, together with the other seven, is the basis of the ILO Declaration on Fundamental Principles and Rights at Work and contributes to define the minimum level of protection to be ensured to the rights recognized by the E.U. Charter of Fundamental Rights.

The need for an urgent decision by the Board of Directors for the protection of stability, certainty and transparency in the ILO operation will emerge again in the short term, with the possible referring of the issue regarding the interpretation of the right to strike to the International Court of Justice or to an *ad hoc* tribunal, as provided for by the ILO Constitution. The ILO - the only United Nations’ agency having a tripartite structure - was founded in 1919 following the Treaty of Versailles, which put an end to the First World War, with the aim of pursuing social justice and universally recognizing human rights at work, through the promotion of labour standards, subsequently defined as *decent work* in the Agenda for Decent Work, under conditions of freedom, equality, safety and security for all men and women.

Being fully aware of the still topical nature of these goals, the Italian Government and the trade union organisations CGIL-CISL-UIL will endeavour in the relevant national and international fora to define a tripartite consensual solution, starting from the meeting to be held in Geneva on February 23-25, 2015.

To this end, they reaffirm their strong commitment and support to the most appropriate procedure on the merits, capable of properly restoring the ILO operation and activity as soon as possible, in accordance with tripartite dialogue and Article 37 of the ILO Constitution, including recourse to the International Court of Justice.

For the Ministry of Labour and Social Affairs Workers'trade unions

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