Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1442 (2005)[1]

The right to strike in essential services: economic implications

Parliamentary Assembly

1. As Europe undergoes rapid political, economic, social and cultural integration – within the European Union and in the wider Council of Europe area – the vulnerability of each country to disruptions in others is becoming increasingly pronounced. This holds also for strike actions in essential services, whether in public or private ownership, such as in the transport sector (especially air transport), or in public health, at a time of intensified international contacts and labour mobility. The wide differences in national legislation and practices between European countries are, against this background, increasingly at variance with the overall state of European integration and prejudicial to it.

2. Of further concern is the lack of balance in many countries between, on the one hand, the right to strike, including in essential services, as enshrined in various treaties from the Council of Europe's revised European Social Charter (ETS No. 163) to the European Union's Charter of Fundamental Rights, and, on the other hand, the fundamental right of citizens to pursue their lives unhindered, preserve their health and well-being, and the right of society to function and to maintain its overall ability to function as well as protect the health and welfare of its citizens. In certain European countries, this balance is seriously tilted against citizens and society.

3. The Parliamentary Assembly, against this background, calls on the governments of the member states of the Council of Europe :

to carry out studies on the cost of strikes in essential public services to the national economy, companies and citizens, both directly in the form of lost output and indirectly such as through impaired social relations and harm done to a country's international reputation, and to collate and compare the results at the level of the Council of Europe ;

to intensify research and the exchange of information on laws and regulations in force in diffeent Council of Europe member states as regards the right to strike in essential services or limitations thereto ;

to harmonise as far as possible national legislation governing strikes in essential services so that citizens throughout the Council of Europe area can be protected adequately and in a homogeneous manner ;

to make the fullest possible use toward this end of the provisions of the revised European Social Charter governing the right to strike and the protection of other social rights of citizens, including in the Charter's enforcement mechanism ;

to encourage similar efforts within the more limited membership of the European Union, via EU legislation capable of subsequently being applied, with the necessary adaptations, in the Council of Europe area as a whole.

1. Text adopted by the Standing Committee acting on behalf of the Assembly on 6 June 2005 (see Doc. 10546, report of the Committee on Economic Affairs and Development, rapporteur : Mr Crema).