



Geneva, 1 September 2014

**Committee of Experts on the Application
of Conventions and Recommendations (CEACR)**

International Labour Office (ILO)

4, Route de Morillons

1211 Geneva 22

IOE comments under Article 23.2 of the ILO Constitution concerning the application by Albania, Algeria, Angola, Argentina, Aruba, Australia, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Plurinational State of Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Caribbean part of the Netherlands, Central African Republic, Chad, Chile, China-Macau, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Curacao, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, French Southern and Antarctic Territories, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libya, Lithuania, Luxemburg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Mongolia, Montenegro, Mozambique, Myanmar, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, San Marino, Saint Marteen, Sao Tome and Principe, Solomon Island, Swaziland, Tajikistan, Uganda and Vanuatu of ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 N. 87

A. Introduction

These are the International Organization of Employers comments and observations on the application of Convention 87 by Albania, Algeria, Angola, Argentina, Aruba, Australia, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Plurinational State of Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Caribbean part of the Netherlands, Central African Republic, Chad, Chile, China-Macau, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Curacao, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, French Southern and Antarctic Territories, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libya, Lithuania, Luxemburg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Mongolia, Montenegro, Mozambique, Myanmar, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, San Marino, Saint Marteen, Sao Tome and Principe, Solomon Island, Swaziland, Tajikistan, Uganda and Vanuatu.

B. Comments: The non-recognition of a right to strike in Convention 87

A right to strike is not provided for in either ILO Conventions 87 or 98 and was not intended to be by the tripartite constituents at the time of its creation and adoption. The



legislative history of Convention No. 87 is indisputably clear. The preparatory ILO report of 1948 states that *“the proposed convention relates only to freedom of association and not to the right to strike”*.¹ Moreover, in the discussions on C. 87 at the Conferences in 1947 and 1948, no amendments relating to a right to strike were adopted or even submitted.² Furthermore, when the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), was adopted the following year, this subject was again examined *expressis verbis*. In the course of the subsequent discussions the Chairman considered not receivable amendments tabled by two Workers and one Government delegate aimed at having a right to strike guaranteed in the Convention on the ground that *“the question of the right to strike was not covered by the proposed text, and that its consideration should therefore be deferred until the Conference took up item V of its agenda relating, inter alia, to the question of conciliation and arbitration.”*³ This question was not pursued the year after. Paragraph 4 of the Voluntary Conciliation and Arbitration Recommendation No. 92 adopted in 1951 refers to strikes and lockouts in neutral language and does not attempt to regulate them.⁴ Moreover paragraph 7 of the Voluntary Conciliation and Arbitration Recommendation No. 92 of 1951 states that *“No provision of this Recommendation may be interpreted as limiting, in any way whatsoever, the right to strike.”*⁵

The Employers do not dispute that references to strike action have been inserted in subsequent ILO resolutions and other ILO conventions and recommendations. However, this does not alter the fact that there is no regulation of strike action in C. 87 or any other ILO instrument. Neither can the CEACR's views on a “right to strike” and its limits be based on C. 87 or any other ILO instrument.

Convention No. 105 contains a reference to “strikes”, but not to a “right to strike”. The referred Recommendation No. 92 contains the sentence: “7. No provision of this Recommendation may be interpreted as limiting, in any way whatsoever, the right to strike.” However, in addition to the fact that it is not binding, it does not itself recognise or regulate the right to strike.

The ILO “Resolution concerning trade union rights and their relation to civil liberties”, adopted in 1970, invited the ILO Governing Body to undertake a study on the right to strike. It is curious to note that workers and government members of the drafting committee stated that: *“while the right to strike was provided for in certain instruments adopted by other international organisations, no ILO instrument dealt with this right and the adoption of standards on this subject should be considered by the ILO”*.⁶

Despite this background, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) maintains that the right to strike is based on Art. 3 of Convention No. 87, which states that *“Workers’ and employers’ organizations shall have the right... to organize their administration and activities and to formulate their programmes”*, taken with Art. 10 of the Convention which defines “organization” within the meaning of the Convention as any organization *“for furthering and defending the interests of workers or of employers”*.⁷

¹ ILC: 31st Session, 1948, Report VII, p. 87.

² ILC, 81st session, 1994, Report III (Part 4B), para. 142

³ ILC, 32nd Session, Record of Proceedings, 1949, p. 468.

⁴ See text of Recommendation 92 of 1951

⁵ See text of Recommendation 92 of 1951

⁶ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312430:NO

⁷ ILC record of Proceedings, 54th Session, 1970, Seventh Item on the Agenda, paragraph 12 and 25

⁸ See in detail CEACR General Survey 1994 paras 136-179 and CEACR General Survey 2012 para 117



The CEACR mentioned a right to strike for the first time in its third General Survey on the subject in 1959, in only one paragraph and only with respect to the public service. In the following surveys, the CEACR gradually expanded its views on the matter to seven paragraphs in 1973, then 25 in 1983 and with a separate chapter of no fewer than 44 paragraphs in 1994 and 2012, including a number of new subjects. Worryingly, the CEACR in its 1994 General Survey paragraph 145 stated that: “ in the absence of an express provision on the right to strike in the basic text, the ILO supervisory bodies have had to determine the exact scope and meaning of the Conventions on this subject”. Such an assumption of prerogative has never been approved of by either the Governing Body or the ILC.

On the basis of this interpretation, every year, the CEACR looks into numerous cases involving specific national provisions or practices restricting strike action. In approximately 90 to 98 per cent of all these cases, the experts conclude that restrictions on strike action, be they *de facto* or *de jure*, are not compatible with the Convention⁸. Thus they have formulated a comprehensive corpus of a minutely-detailed strike law which amounts to a far-reaching, almost unrestricted freedom to strike⁹.

The occasional, theoretical restrictions are regarded as being hardly ever applicable to the actual situations reviewed. Therefore strikes are not regulated in Convention No. 87. This conclusion is confirmed by the preparatory work of the Convention and the circumstances of its conclusion. It is rightly pointed out by the Experts in the 1994 General Survey that the right to strike was referred to several times during the preparatory work, but no explicit proposal on that subject was put forward during the debate in Conferences¹⁰. However, the Experts' comments on the genesis of the Convention are incomplete, as the Office's preparatory report on the planned Convention on freedom of association excluded regulation of the right to strike after analysing governments' answers¹¹. “*Several governments, while giving their approval to the formula, have nevertheless emphasised, justifiably it would appear, that the proposed Convention relates only to the freedom of association and not to the right to strike, a question which will be considered in connection with item VIII (conciliation and arbitration) on the agenda of the Conference. In these circumstances it has appeared to the Office to be preferable not to include a provision on this point in the proposed Convention concerning freedom of association*”¹². This was again confirmed during debates in plenary. “*The Chairman stated that the Convention was not intended to be a ‘code of regulations’ for the right to organise, but rather a concise statement of certain fundamental principles.*”¹³

As stated above, when the Right to Organise and Collective Bargaining Convention No. 98 was adopted in 1949, this subject was again examined *expressis verbis*. In the course of the subsequent discussions, two Workers' delegates and one Government delegate tabled proposals to have the right to strike guaranteed in the Convention. Both proposals were rejected. The record of proceedings noted: “*The Chairman ruled that this amendment was not receivable, on the ground that the question of the right to strike was not covered by the proposed text, and that its consideration should therefore be deferred until the Conference took up item V of its agenda relating, inter alia, to the question of conciliation and arbitration.*”¹⁴ This question was not pursued the year after. Paragraph 4 of

⁸ Wisskirchen, The standard-setting and monitoring activity of the ILO, *International Labour Review*, Vol 144 (2005), No. 3. p. 283; see also Wisskirchen/Hess, *Employers' handbook on ILO standards-related activities*, Geneva 2001, p. 35.

⁹ The 2012 and 1994 CEACR General Surveys devote 44 paragraphs to strikes. By contrast, in their 1959 report the experts referred to the possibility of a right to strike in only one paragraph, ILC, 43rd Session, 1959, Report III (Part IV), para 68.

¹⁰ General Survey 1994, para 142.

¹¹ Wisskirchen, The standard-setting and monitoring activity of the ILO, *International Labour Review*, Vol 144 (2005), No. 3. p. 284.

¹² Report VII, 31st Session of the International Labour Conference, 1948, p. 87.

¹³ ILC: 31st Session, 1948, Record of Proceedings, Appendix X, p. 477.

¹⁴ ILC: 32nd Session, Record of proceedings, 1949, p. 468.



the Voluntary Conciliation and Arbitration Recommendation No. 92 of 1951 refers to strikes and lockouts in neutral language and does not attempt to regulate them¹⁵. Moreover paragraph 7 of the Voluntary Conciliation and Arbitration Recommendation No. 92 of 1951 states that “*No provision of this Recommendation may be interpreted as limiting, in any way whatsoever, the right to strike.*”¹⁶ It is also worth noting that the CEACR in its General Survey published in 2013 entitled “Collective bargaining in the public service: a way forward” covering the Labour Relations (Public Service) Convention, 1978 (No. 151) recalled that in preparatory work for Convention No. 151 it was established that the Convention does not cover the right to strike.¹⁷ The CEACR also recalled that concerning the question of the right to strike and Convention No. 154, during the preparatory work for that Convention, in 1980, an amendment was proposed by the Worker members and subamended by the Government member of Italy, adding the following: “The right to strike should not be affected by any measure taken by the public authorities with a view promoting collective bargaining.” However, it was rejected following a record vote requested by the Employers’ members.¹⁸ At the time of the discussion of the General Survey in the ILC Committee on Application of Standards in 2014 the Employers Group highlighted that it was positive to see that the CEACR considers the preparatory works in its explanations on the scope of the Convention. However, **Employers made it clear that they fail to understand why the CEACR did not consider the preparatory works on the same issue for C. 87 according to which it was also established that C. 87 would not deal with the right to strike.**

Other international instruments

In 1994 the CEACR made a very vague allusion to the fact that strikes are mentioned in other international instruments¹⁹. In this respect, the Universal Declaration of Human Rights of 1948 is not relevant. Although it sets out many fundamental rights in general terms, these are only recommendations and compliance with them is not obligatory²⁰. Art. 22, para 1, of the International Covenant on Civil and Political Rights²¹ and Art. 8, para 1 (d), of the International Covenant on Economic, Social and Cultural Rights²² are more apposite. For several years, the texts of the two Covenants formed the subject of negotiations aimed at drafting a single United Nations Human Rights Covenant. A motion to introduce a right to strike alongside freedom of association was, however, rejected. After the text was split into the two above-mentioned Covenants, Art. 8 was given the wording quoted in footnote 15. On the whole, these rules have less binding force and the monitoring machinery is weaker than

¹⁵ Wisskirchen, The standard-setting and monitoring activity of the ILO, *International Labour Review*, Vol 144 (2005), No. 3. p. 285.

¹⁶ See text of Recommendation 92 of 1951 http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312430:NO

¹⁷ International Labour Conference (ILC), 64th Session, 1978, Record of Proceedings, p. 25/9, report of the Committee on the Public Service, para. 62. See also the text of the CEACR General Survey 2013 ILC.102/III/1B, Para. 88 308 and 406

¹⁸ See ILC, 66th Session, 1980, Record of Proceedings p. 41/9, Report of the Committee on Collective Bargaining, para. 66) . See also the text of the CEACR General Survey 2013 ILC.102/III/1B, Para. 88 308 and 406

¹⁹ General Survey, 1994, para 143: Art. 8 (1) of the International Covenant on Economic, Social and Cultural Rights refers to “...the right to strike, provided that it is exercised in conformity with the laws of the particular country”.

²⁰ See Brupbacher, *Fundamentale Arbeitsnormen der Internationalen Arbeitsorganisation, Eine Grundlage der sozialen Dimension der Globalisierung*, Bern 2002, p. 10.

²¹ United Nations: Human rights: A compilation of international instruments, Vol. I (First Part), Universal Instruments, Centre for Human Rights, ST/HR/Rev. 5 (Vol. I/Part 1), Geneva, 1994, p. 28. Art. 22, para 1, reads “*Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.*”

²² United Nations: Human rights: A compilation of international instruments, Vol. I (First Part), Universal Instruments, Centre for Human Rights, ST/HR/Rev. 5 (Vol. I/Part 1), Geneva, 1994, p. 11. Art. 8, para 1 (d) reads: “*The States Parties to the present Covenant undertake to ensure: ... (d) The right to strike, provided that it is exercised in conformity with the laws of the particular countries.*”



those of ILO Conventions²³. The United Nations Human Rights Committee, in its decision of 18 July 1986²⁴, which expressly relied on the interpretation rules of the Vienna Convention on the Law of Treaties, concluded that the right of freedom of association embodied in Art. 22 of the International Covenant on Civil and Political Rights did not necessarily imply the right to strike and the authors of the Covenant did not have the intention of guaranteeing the right to strike. A comparative analysis of Art. 8, para 1 (d), confirmed that the right to strike could not be regarded as an implicit element of the right to form and join trade unions. And the right to strike under Art. 8, para 1, was clearly and expressly subordinated to the law of the country²⁵.

In these proceedings before the United Nations Human Rights Committee, the complainants asserted that ILO organs had arrived at the conclusion that, in the light of ILO Convention No. 87, the right of freedom of association necessarily presupposed the right to strike. The United Nations Human Rights Committee replied that every international treaty had a life of its own and must be interpreted by the body entrusted with the monitoring of its provisions. In addition to these clearly accurate observations, the Committee stated that *“it has no qualms about accepting as correct and just the interpretation of those treaties by the organs concerned”*. Coming after the correct allusions of the United Nations Human Rights Committee to the separate lives of international treaties and to the fact that they must be interpreted by the competent body, this remark about ILO standards can only be described as an amicable diplomatic statement without any binding force²⁶. It was an *obiter dictum* from a committee which was, by its own avowal, not competent to deal with this matter. This is all the more true given that, according to Art. 37 of the ILO Constitution, the International Court of Justice can alone give binding interpretation of ILO standards.

In para 35 of the 2012 General Survey the CEACR stated *“it is also interest to note that the right to strike is recognized in the Charter of the Organization of American States (Article 45(c)) and the Charter of Fundamental Rights of the European Union (Article 28), as well as in Article 27 of the Inter-American Charter of Social Guarantees, Article 6(4) of both the European Social Charter and the European Social Charter (Revised), Article 8(1)(b) of the Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights (“Protocol of San Salvador”, 1988) and Article 35(3) of the Arab Charter on Human Rights”*. **Without exception these instruments state that the right to strike is to be regulated by national laws and regulations, thus none of them constitute a source of authority** for the recognition internationally of a right to strike let alone one inhabiting C 87.

- **Charter of the Organisation of American States** Article 45 - The Member States, convinced that man can only achieve the full realization of his aspirations within a just social order, along with economic development and true peace, agree to dedicate every effort to the application of the following principles and mechanisms:... c) Employers and workers, both rural and urban, have the right to associate themselves freely for the defence and promotion of their interests, including the right to collective bargaining and the workers' right to strike, and recognition of the juridical personality of associations and the protection of their freedom and independence, all in accordance with applicable laws [emphasis added];

²³Wisskirchen, The standard-setting and monitoring activity of the ILO, International Labour Review, Vol 144 (2005), No. 3. p. 286.

²⁴ United Nations Human Rights Committee: Report of the Human Rights Committee, General Assembly, 41st Session, Document A41/40, New York, 1986.

²⁵ Wisskirchen, The standard-setting and monitoring activity of the ILO, International Labour Review, Vol 144 (2005), No. 3. p. 286.

²⁶ Wisskirchen, The standard-setting and monitoring activity of the ILO, International Labour Review, Vol 144 (2005), No. 3. p. 286.



- **Charter of Fundamental Rights of the European Union** Article 28 - Right of collective bargaining and action - Workers and employers, or their respective organisations, have, in accordance with Community law and national laws and practices [emphasis added], the right to negotiate and conclude collective agreements at the appropriate levels and, in cases of conflicts of interest, to take collective action to defend their interests, including strike action.
- **Inter-American Charter of Social Guarantees** Article 27 - Workers have the right to strike. The law shall regulate the conditions and exercise of that right [emphasis added].
- **European Social Charter and European Social Charter (Revised)** Article 6 – The right to bargain collectively - With a view to ensuring the effective exercise of the right to bargain collectively, the Parties undertake: ...3. to promote the establishment and use of appropriate machinery for conciliation and voluntary arbitration for the settlement of labour disputes; and recognise: 4. the right of workers and employers to collective action in cases of conflicts of interest, including the right to strike, subject to obligations that might arise out of collective agreements previously entered into [emphasis added].
- **Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights** Article 8 - Trade Union Rights - 1. The States Parties shall ensure: ...b. The right to strike. 2. The exercise of the rights set forth above may be subject only to restrictions established by law, provided that such restrictions are characteristic of a democratic society and necessary for safeguarding public order or for protecting public health or morals or the rights and freedoms of others. Members of the armed forces and the police and of other essential public services shall be subject to limitations and restrictions established by law [emphasis added].
- **Arab Charter on Human Rights** Article 35 - 3. Each State Party shall ensure the right to strike provided that it is exercised in conformity with its laws [emphasis added].

In 2002, the European Court of Human Rights (ECHR) deemed inadmissible a court case launched by the (Norwegian) Federation of Offshore Workers' Trade Unions against a negative decision by the Norwegian Supreme Court. The Norwegian Supreme Court in its decision determined that, neither Convention No. 87 nor the International Covenant on Civil and Political Rights contained detailed standards limiting State restrictions on the right to strike.²⁷

The fact is that, when it came to setting standards in the ILO, a clear distinction was made between “freedom of association” on the one hand, and the “right to strike” on the other, to quote just the preparatory Office report regarding standard-setting on Convention 87: “... Several Governments, while giving their approval to the formula, have nevertheless emphasised, justifiably it would appear, that the proposed Convention relates only to the freedom of association and not to the right to strike, a question which will be considered in connection with Item VIII (conciliation and arbitration) on the agenda of the Conference. In these circumstances, it has appeared to the Office to be preferable not to include a provision on this point in the proposed Convention concerning freedom of association.”²⁸

²⁷ Federation of Offshore Workers' Trade Unions v. Norway, Case No. 38190/97

²⁸ International Labour Conference, Record of Proceedings, 1948, Report VII, page 67



Nevertheless, the CEACR assumes that there is a general principle allowing an extensive right to strike and regulates it extensively. In its opinion, limitations require special justification which must be interpreted restrictively²⁹. Two examples can be recalled in this connection: limitation of the right to strike by “*essential services*” is regarded as permissible **only** when the interruption of these services endangers the personal safety or health of the whole population or sections of the population. Thus, the national legislator is denied the right, in respect of the consequences of strikes, to fulfill a wider duty to protect and provide for the welfare of its citizens extending beyond their life and health. While the CEACR basically considers the right to all forms of strikes to be guaranteed, it believes that an exception might be possible in the case of purely political strikes³⁰. This wording is, however, virtually meaningless in findings concerning actual cases. The CEACR contends that strikes against government policy should always be permissible and that in practice this right to strike also encompasses strikes against a law on the day it is discussed in parliament³¹. The Experts are silent about the questionable nature of strikes against a freely elected parliament in a State governed by the rule of law.

By applying this assumed right of interpretation the CEACR is putting itself in the role of the constituents in determining the content of an international labour standard.

CEACR and the Committee on Freedom of Association

The CEACR relies on statements from the Committee on Freedom of Association (CFA) to underpin its views.³² This tripartite body was set up in 1951 by the Governing Body of the ILO. Its official duties are more or less identical to those of the Fact-Finding and Conciliation Commission on Freedom of Association, which was established in 1950. The latter consists of independent experts, but as it can act only with the consent of the government concerned, it has not gained particular importance³³. Its job is to ascertain facts and to try to act as mediator and conciliator. The Committee also concerns itself with questions of freedom of association in member States which have not ratified the relevant Conventions, i.e. Nos 87 and 98. For this reason, its recommendation cannot be deemed to be “*case law*” in the sense of an interpretation of the standards laid down in Conventions. The work of the CFA is based on the call in the ILO Constitution to recognize the principle of freedom of association³⁴. Even the representative of the World Federation of Trade Union, Mr. Fischer, during the discussion prior to the creation of the CFA in 1950, stated that “*the proposed commission should have no connection, either as regards its terms of reference or as regards its activity, with the Convention concerning freedom of association adopted by the ILC. The World Federation of Trade Unions had persistently drawn attention to the inadequacy of these Conventions, which had in fact been ratified by only a very small number of countries. The Commission should carry out its work quite apart from these Conventions in such a manner as to afford an effective guarantee for the observance of trade union rights*”³⁵.

²⁹ General Survey 2012 para 127 and General Survey 1994, para 159.

³⁰ In paragraph 165 of the 1994 General Survey the CEACR stated: “ The Committee has always considered that strikes that are purely political in character do not fall within the scope of freedom of association. However, the difficulty arises from the fact that it is often impossible to distinguish in practice between the political and occupational aspects of a strike, since a policy adopted by a government frequently has immediate repercussions for workers or employers;.....”

³¹ See Wisskirchen, The standard-setting and monitoring activity of the ILO, International Labour Review, Vol 144 (2005), No. 3. p. 287.

³² See 2014 CEACR Report III (Part 1A) para 92 and 2012 General Survey para 117

³³ Minutes of the 110th Session of the Governing Body, 3-7 Jan. 1950, Appendix VI, para 4; ILC: 33rd Session, Record of Proceedings, 1950, pp 172 and 254-255.

³⁴ See Wisskirchen, The standard-setting and monitoring activity of the ILO, International Labour Review, Vol 144 (2005), No. 3. p. 288.

³⁵ See Mr. Fischer intervention in Minutes of the 110th session of the GB, 3-7 January 1950, p. 75



In short, the CFA has a broader political brief and can in no sense be seen to be either legislating or restricting itself to the disciplines of interpretation that would establish jurisprudence (which it can't and nor can the CEACR) or a true application of the Convention as enacted.

The Employers in the CFA protested unambiguously at an early stage against incipient deviations³⁶. To provide only two examples, in 1953, Pierre Waline, Employer member of the Governing Body Committee on Freedom of Association (CFA) stated the following: "(...) *Thirdly, the Committee had also had to deal with cases which, while they appeared to involve events of a social complexion, did not relate directly to freedom of association but rather to the right to strike, and whereas there were existing Conventions in the field of freedom of association, even though they could serve only for guidance and not as absolute rules, there were no provisions concerning the right to strike either in the Constitution or in any of the Conventions adopted by the International Labour Conference. In many cases the right to strike was the basic justification of the demands made by the worker. Personally he did not oppose it, but it was legitimate to take the view, which had in fact been taken by those responsible for drafting the French Constitution, that the right to strike should be subject to regulation. There was, however, no international instrument regulating the right to strike which would authorise bodies related to the ILO to pass judgment on the national regulations in force in any given country (emphasis added). That being so, he was bound to oppose any attempt by the Committee of Freedom of Association to depart from the field of freedom of association proper and to encroach on that of the right to strike, which in his view should be considered only in so far as it affected freedom of association.*"³⁷. Also in 1953, in a case regarding Turkey (No. 59), the Committee on Freedom of Association considered: "..., admittedly, Convention No. 87 does not deal with the right to strike, ..." ³⁸

For obvious reasons, no issue was made of the issue of strike action and many other differences during the cold war period by the ideological conflict between the Western democracies and the Communist Eastern bloc which also strongly influenced discussions in the ILO. However, even during this period, the Employers never agreed with the CEACR views on the "right to strike". Workers' claim of the Employers' silence on this question is not only incorrect – silence does not equal consent- but also is arbitrary and inadmissible. Workers also withhold the fact that since 1992, i.e. more than two decades, the Employers have regularly reminded the Committee on the Application of Standards (CAS) - and have provided supporting arguments - that strike action is not regulated in C. 87 or any other ILO instrument. Employers explained their position in very great detail in 1994 when the CEACR General Survey was discussed³⁹. At the time, it was suggested that, after careful preparation, this subject should be removed from the grey-zone of non-binding *extra* or *contra legem* interpretations and officially submitted for discussion by the real legislator of the ILO, in other words, the full International Labour Conference. So far this proposal by the Employers has gone unanswered. It is also astonishing that the Experts have never addressed the numerous Employers' arguments regarding the subject, which have been put forward in ILO bodies and in legal writings. Instead, the Experts persist in reiterating their observations from their earlier reports and General Surveys, which are quoted unchanged as if they were the texts of law⁴⁰.

CEACR and the Committee on the Application of Standards

³⁶ See the statements of Mr. Waline. International Labour Office, Minutes of the 121st Session of the Governing Body, 3-6 Mar. 1953, pp. 37 et seq.

³⁷ International Labour Office, Minutes of the 121st session of the Governing Body, Geneva, 3-6 March 1953

³⁸ Sixth Report of the Committee on Freedom of Association, 1953, para. 864

³⁹ ILC: 81st Session, 1994, Record of Proceedings, pp 25/31-25/37, paras 115-134 and pp. 28/9-28/10.

⁴⁰ Wisskirchen, The standard-setting and monitoring activity of the ILO, International Labour Review, Vol 144 (2005), No. 3. p. 288.



For many years there was an agreement between the Employers and Workers spokespersons of the Committee on the Application of Standards (CAS) not to discuss right to strike CEACR observations or indeed have this issue reflected in the conclusions because there was profound disagreement on this issue. The 2012 CEACR General Survey then destroyed this agreement because the Experts' published such a strong rebuttal to the Employers objection, which led to the Employers publicly confirming their long held objection.

In 2012, CAS witnessed a "deadlock" which arose in relation to strike action" and the way in which this concept has been extensively interpreted by the CEACR on the basis of Convention 87. The 2012 General Survey, which dealt with the eight fundamental Conventions, contained a comprehensive compilation of the Experts' interpretations on a "right to strike" and the specific modalities of its exercise. For many years, Employers have challenged the extension of the mandate of the CEACR to give interpretations to ILO Conventions, and particularly to Convention No. 87 which, in the Employers' view, neither contains, nor implicitly recognizes, a right to strike. Therefore, the 2012 discussion on the General Survey was fundamental for Employers, and the Employers' Group at the 2012 ILC reiterated their longstanding position by strongly rejecting the Experts' views on a "right to strike". The Employers' rejection of the CEACR approach extended to a refusal to cooperate in the supervision of cases that included the Experts' interpretations on right to strike cases, unless a clarification on the Experts' mandate was inserted in the first page of the Experts' General Survey and General Report. Employers and Workers reached a provisional agreement on the following text: *"The General Survey is part of the regular supervisory process and is the result of the Committee of Experts' analysis. It is not an agreed or determinative text of the ILO tripartite constituents"*. However, subsequent negotiations were unsuccessful and no list of individual cases to be discussed during the Conference was agreed.

Despite the 2012 deadlock, the Employers noted that the CEACR indeed continued its interpretation practice on a "right to strike" without any visible change. In its 2013 Report, out of 63 CEACR observations on C. 87, 55 concern the "right to strike" and the related detailed rules that the CEACR has developed over time on its own. This share, was similar to the share of preceding years and showed that a "right to strike", although not contained in C. 87, has become one of the major cornerstones of the CEACR's supervision of C. 87. What is more, the CEACR, in its response in the Introduction to its 2013 Report, did not even seek to address the substance of the Employers' position. The main reason the CEACR gave in para. 31 of its 2013 Report for maintaining its position was that, once it had recognized a "right to strike" in principle as protected by C. 87, it had to determine its limits. This was rejected by the Employer. If this argument was true, the CEACR would upset the consensus inherent in the adoption of a Convention and have far-reaching competences to set international labour regulation, thus by-passing ILO constitutional rules on standard-setting undermining the responsibility of Constituents and their governance role (Art. 19 of the ILO Constitution). The CEACR would just have to consider certain rights as covered in principle by a particular Convention and could then derive from this unjustified step further competence to regulate the matter in detail. It is concerning that the CEACR, rather than distancing itself from an error and trying to correct it, even sought to legitimize it. In fact, it has by this approach inappropriately inserted itself as if it was a constituent.

Their job is to look at the application of the Convention as it is written against law adopted to give it force and practice but not to add obligations that were not explicitly included in the text by the social partners at the time of its adoption.

The Employer trust that the CEACR will reconsider its views on this subject considering the consequences that the CEACR's views on the right to strike have for the discussion in the CAS, in particular the CAS conclusions.



It should be recalled that in the 2013 CAS, the following wording was inserted in the conclusions of all the (discussed) cases in which the right to strike was commented by the Experts (Bangladesh, Canada, Egypt, Fiji, Guatemala and Swaziland): ***“The Committee did not address the right to strike in this case as the Employers do not agree that there is a right to strike recognised in Convention 87”***. Furthermore, in order to stay consistent with their position, the Employers did not support proposals for conclusions which, explicitly or implicitly, call upon governments to bring their law and practice in line with “right to strike” rules of the CEACR. The Employers will no longer accept any ambiguity on this point.

As recent as June 2014, the CAS disappointedly could not adopt conclusions for 19 cases discussed because of the Workers refusal to insert the 2013 agreed sentence in 3 cases. The Employers also made it clear that while CAS conclusions should reflect consensus recommendations whenever possible, differing views by Employers and Workers in the CAS must be transparent and have also to be reflected in the conclusions. It is important to clarify that the Employers have not proposed a new approach in the 2014 CAS. Rather, given that non recognition of a right to strike in Convention 87 and the extensive CEACR interpretation of this issue remained unresolved before the ILO Governing Body, Employers expected the sentence agreed upon and adopted by the Committee in 2013 to be used again. Employers even made different alternative proposals which were systematically rejected by the Workers (including wording that provides equivalent recognition to the Workers’ position or wording contained in paragraph 91 of the CEACR Report which states that the views of the two groups on the issue “*continue to be diametrically opposed*”).

C. 2014 Report of the CEACR - References to the “right to strike” in observations on Convention 87

Albania

Repetition of previous observation (“... for a number of years ...”):

- Right of strike of public servants: New bill on the civil service provides for the right to strike of public servants
- Bill on review of the Labour Code ensures that workers are able to stage sympathy strikes provided that the initial supported strike is itself lawful.

CEACR requests the Government to provide information in its next report with respect to the adoption of the new bills.

Algeria

Repetition of previous observation (“Government’s report has not responded to the issues previously raised”)

- Prohibition of strikes not only in essential services but also where a strike is “liable to give rise to a serious economic crisis”.

CEACR requests government to provide examples in which recourse to strike action has been prohibited on the grounds of its possible effects.

- Law empowering Minister or competent authority to refer a dispute to the National Arbitration Commission where a strike persists and mediation has failed, or where compelling economic or social needs require.

CEACR hopes that the Government will make every effort to take the necessary action in the near future.

Australia

Repetition of previous observation (“for a number of years”):



- Suspension or termination of protected industrial action in specific circumstances
- Prohibition of secondary boycotts
- Prohibition of industrial action threatening trade or commerce with other countries or among states, and boycotts resulting in the obstruction or hindrance of the performance of services by the Australian Government or the transport of goods or persons in international trade.

CEACR requests the Government to continue its work on reviewing the FW Act, the Competition and Consumer Act and the Crimes Act, including ongoing interpretations of those Acts by the FWC and the courts.

Azerbaijan

Follow-up on previous observation:

CEACR welcomes the following clarifications provided by the Government:

- Labour Code prohibits the right to strike only in the air and railway control services, otherwise, strikes are allowed in these sectors (essential services).
- Criminal Code does not restrict the right of workers to strike but criminalizes violations of the public order during strikes (sanctions).

Bangladesh

Repetition of previous observation (for non-receipt of government reply)

- Excessive restrictions on the right to strike, accompanied by severe penalties

CEACR requests the Government once again to bring the law into conformity with the Convention.

Barbados

Repetition of previous observation (“for numerous years”):

- No penal sanction should be imposed against a worker for having carried out a peaceful strike.

CEACR trusts that the Government will take this principle into account to amend section 4 of the Better Security Act, 1920.

Belarus

Repetition of previous observation:

- Prohibition of “the use of foreign gratuitous aid for (...) strikes”. Violation of this provision leads to imposition of heavy **fines**, as well as the possible termination of an organization’s activities.

CEACR urges the Government to amend Decree No. 24 to bring the legislation in conformity with the Convention. It requests the Government to provide information on all measures taken in this respect.

Belize

Repetition of previous observation:

- Proposed amendment to the Essential Services Act 1939: exclusion of certain services from the list of essential services, such as monetary and financial services, pilots and security services, postal services, the Social Security Scheme, services through which petroleum products are sold, transported loaded or unloaded
- In these cases, the authorities may submit collective disputes to compulsory arbitration and prohibit or bring an end to a strike.

CEACR requests the Government to provide information in its next report on any developments in this respect.

Plurinational State of Bolivia

Repetition of previous observation (“... for many years ...”):



- Requirement of a three-quarters majority of the workers in order to call a strike
 - Illegality of general strikes, subject to penal sanctions;
 - Illegality of strikes in the banking sector (essential service);
 - Possibility of imposing compulsory arbitration by the decision of the executive authorities, including in non-essential services, in order to bring an end to a strike.
- CEACR expresses firm hope that the new General Labour Act will be in full conformity with the provisions of the Convention.

Botswana

Repetition of previous observation:

- Law declares veterinary services, teaching services and diamond sorting, cutting and selling services and all support services in connection therewith to be essential services.
- CEACR notes with interest the decision of the High Court of Botswana which found that this law was unconstitutional and therefore invalid.

Bulgaria

Repetition of previous observation (Government's report has not been received):

- Strike vote requires simple majority of the workers in the enterprise or the unit concerned (strike requirements)
- For strikes in the railway sector the law requires that no less than 50 % of the transport volume that was provided before the strike are maintained (minimum service)
- Strikes by public civil servants other than those engaged in the administration of the State are restricted.

CEACR hopes that the Government will make every effort to take the necessary action in the near future.

Burundi

Repetition of earlier observation (Government's report has not been received):

- Succession of compulsory procedures to be followed before calling a strike appeared to authorize the Minister of Labour to prevent all strikes (strike requirements)

CEACR urges the Government to adopt and provide a copy of the text to be issued under the Labour Code on the modalities for the exercise of the right to strike, taking into account its comments.

- Simple majority of the employees of an enterprise is required for calling a lawful strike, thus rendering the right to strike very difficult in practice (strike requirements).

CEACR requests the Government to indicate in its next report the measures taken to amend section 213 of the Labour Code in the light of the comments made above.

- Strike ban during the period of elections (legislative decree)

CEACR requests the Government to indicate whether this legislative decree was repealed following the elections.

Canada

Follow-up of previous observation:

- Matters linked to the right to strike in certain provinces.

CEACR will examine these matters in more detail in its direct request. It is raising other points (on the right to strike) in a request addressed directly to the Government.

Chad

Repetition of previous observation:

- Obligation to indicate the "possible" duration of a strike (strike requirements)
- Minister has the discretion to determine the minimum services and the number of staff who will ensure that they are maintained



CEACR requests the Government to take the necessary measures to bring the legislation into conformity with the Convention. It requests the Government to provide information in its next report on any progress achieved in this regard.

Chile

Repetition of previous observation (“For several years”):

- Need to amend various sections of the Labour Code concerned with the right to strike.

CEACR hopes that the Government will take all the necessary measures in the very near future to bring the legislation into conformity with the Convention.

Colombia

Repetition of previous observation (“For a number of years ...”):

- Prohibition of strikes for federations/confederations
- Prohibition of strikes for a wider range of services that are not necessarily essential in the strict sense of the term (essential services)
- Possibility to dismiss workers who have participated/intervened in an unlawful strike even where unlawful nature of the strike is a result of requirements that are contrary to the provisions of the Convention (sanctions)

CEACR and requests government to provide info in its next report on measures taken and offers technical assistance from the Office.

Congo

Repetition of previous observation (Government’s report has not been received):

- Minimum service in the public services should be limited to operations which are strictly necessary to meet the basic needs of the population.

CEACR and requests government to provide info in its next report on progress of the work to revise the Labour Code and offers technical assistance from the Office.

Costa Rica

Repetition of earlier observation (“... comments that are still pending... ”):

- Allegation that procedure to set a strike in motion could last for years.
- Requirement of “60 per cent of persons who work in the enterprise, workplace or establishment concerned” (Strike requirements)
- Prohibition of strikes by “workers engaged in rail, maritime and air transport enterprises” and “workers engaged in loading and unloading on docks and quays” (Essential services)

CEACR advises the Government to introduce further changes in the improved legislation in order to achieve full conformity with the Convention.

- Prohibition of strikes in the public services (Labour Code)
- Majorities required to declare a strike prevent the strike.
- Executive vetoed the Bill to reform labour procedures.

CEACR requests the Government to continue to promote the Bill to reform labour procedures and to provide info in this regard. It offers technical assistance to help to achieve full conformity of the legislation with the Convention, and requests government to provide info in its next report on measures taken.

Cuba

Repetition of earlier observation (“The Committee recalls that it has been referring for years to”):

- Absence of explicit recognition of the right to strike in legislation and prohibition of its exercise in practice

CEACR trusts that within the context of the reform process of the Labour Code, explicit recognition will be given to the right to strike.



Djibouti

Repetition of previous observation (“for many years ...”):

- Law confers upon the President of the Republic broad powers to requisition public servants (striker replacement).

CEACR trusts that the Government will indicate in its next report concrete progress in this regard.

Dominican Republic

Repetition of previous observation (“For a number of years ...”):

- Requirement of a majority of 51 per cent of workers’ votes in the enterprise in order to call a strike (strike requirement)

CEACR trusts that the Government will take into account its comments in the Labour Code reform, and requests to provide info in its next report on any progress made.

Egypt

Repetition of previous observation:

- Allegation of detentions and dismissals of striking workers.

CEACR requests government submit all relevant ITUC allegations to the tripartite committee and, if necessary, to the labour inspectorate for investigation purposes, and to report thereon.

- Law decree provides for sanctions, including imprisonment, against any person who, “during the prevalence of the state of emergency, makes a stand or undertakes an activity that results in the hindering, prevention or obstruction of a State’s institution or a public authority or a public or private enterprise from performing its work or who incites, invites or promotes such activity (sanctions)

CEACR requests government to refrain in the future from unduly impeding the lawful exercise of trade union rights in practice.

Equatorial Guinea

Repetition of previous observation (Government’s report has not been received)::

- Recognition of the right to strike in public utilities
- Determination of essential services and minimum services to be ensured
- Recognition of the right to strike of public servants who do not exercise authority in the name of the State

CEACR urges the Government to take the necessary steps to amend the legislation to bring it into full conformity the Convention and to send info in its next report on measures taken.

Estonia

Repetition of previous observation (“... for a number of years ...”):

- Right to strike of public servants who do not exercise authority in the name of the State.
- Services where the right to strike will be restricted (through a minimum service)

CEACR hopes that the new Collective Bargaining and Collective Labour Dispute Resolution Act (regulating these matters) will be adopted in the near future and requests the Government to provide a copy thereof once it is adopted.

Ethiopia

Repetition of previous observation:

- Country is not economically strong enough to minimize the list of essential services in which strike action is prohibited, e. g. air transport and urban bus services).

CEACR trusts that Government will take the necessary measures to amend the law (Labour Proclamation) so as to bring it into full conformity with the Convention. It requests the government to provide detailed info in its next report on any progress made.



Fiji

Repetition of previous observation:

The following provisions of the Essential National Industries Decree (ENID) No. 35 are not in line with the Convention:

- Compulsory arbitration by the Government of disputes beyond a certain financial threshold (section 26)
- Serious restrictions of the right to strike (section 27).

CEACR urges the Government to take the necessary measures to amend the provisions of the ENID to bring it in line with the Convention.

The following provisions of the Employment Relations Promulgation of 2007 (ER) need to be brought in conformity with the Convention:

- Excessively high strike ballot requirement (section 175(3)(b))
- Responsibility for declaring a strike illegal does not lie with an independent body (section 180)
- Compulsory arbitration (sections 169, 170, 181© and 191(1)(c))
- Penalty of imprisonment in case of staging an unlawful strike (sections 250 and 256(a)).

CEACR requests the government to bring the legislation into full conformity with the Convention in the very near future. It requests government to provide info in its next report on measures taken.

Guatemala

Repetition of previous observation (“for many years ...”):

- Strikes are not called by the majority of those casting votes, but by a majority of the workers (strike requirements)
- Compulsory arbitration in non-essential services, and other obstacles to the right to strike.
- Labour, civil and penal sanctions applicable in the event of strikes involving public officials and workers in certain enterprises

CEACR hopes that the necessary measures will be taken to bring the legislation into conformity with the Convention. It offers technical assistance and request the Government to provide info in its next report.

Sao Tome and Principe

Repetition of previous observation (“... for several years ...”):

- Various obstacles concerning the exercise of the right to strike

CEACR requests the Government to take measures to revise the legislative provisions, offering technical assistance, and to provide information in its next report on any measures adopted in this respect.

Swaziland

Repetition of previous observation (“... the Committee`s long-standing requests ...”):

- Public Order Act 1963 may be used to repress lawful and peaceful strikes (Government indicates that Attorney-General will review the Act and submit a progress report to the SD Committee).
- Code of good practice for protest and industrial action (technical assistance has been requested in 2013 to finalize the Code)

CEACR firmly trusts that the government will report in the near future on concrete progress made concerning amendments and modifications of the legal texts in question.

Uganda

Repetition of previous observation:



- Referral of non-resolved disputes to compulsory arbitration by or at the request of any party
- Responsibility for declaring a strike illegal lies with the Government.

CEACR requests the Government to take steps to amend these provisions of the 2006 Labour Disputes (Arbitration and Settlement) Act (LDASA).

- Harmonization of the list of essential services in the LDASA

CEACR requests the Government to provide info in its next report on any developments in this respect.

D. FINAL REMARKS

A right to strike is not provided for in the text of Convention No. 87 and according to all applicable methods of interpretation stated in the Vienna Convention on the Law of Treaties it cannot be read in implicitly or as customary law. Employers have consistently reminded the CEACR of this fact. The Employers' objections have been accompanied by various requests for clarification. For instance, the Employers requested the CEACR to explain in detail how it arrived at its interpretations of a right to strike in its 2012 General Survey using the applicable methods of interpretation; and to review the circumstances which create such sustained and profound inconsistency between the views of the Experts and the practice of governments and legislatures.

So far, these requests have been ignored to the complete dissatisfaction of the Employers' Group. Moreover, in the face of this absolute Employers' opposition the CEACR has persisted in reading a right to strike as a fundamental right of workers and their organisations into C. 87. At the same time, the CEACR has repeatedly and rigidly applied its broad interpretation of a right to strike regardless of varying national law, economic or political circumstances and widely divergent industrial relations systems. This view has been incorporated within ILO training materials and advice to Governments on labor law. It impacts legal thinking across jurisdictions. The CEACR has created confusion between obligations arising from a ratified Convention *vis a vis* legal developments of strike action at national level. This confusion also impacts non ratifying ILO Member States obligations to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights at work and undermines the role of the constituents of the Organization to set international labour standards.

Employers recognize that strike action is a real issue in the world of work. Strike action is recognized in many countries and is based on national legislation as developed thoroughly by democratic parliamentary processes, jurisdictions and practices. The difficulty stems from reconciling this action with the conflicting interests of others and the public interest. ILO Member States are confronted with this question and have to find adequate solutions in line with their respective situations. Whether and to which extent a need and a justification for rules on strike action exist at international level is yet to be determined by the ILO's own constituents. Failing which the CEACR has no right to read in such entitlements. In the process of elaborating C. 87 and a number of subsequent ILO Conventions and Recommendations, such a need has been expressly rejected. In this regard, it is to be recalled that the report No. 25 (provisional record) of the 81st ILC session 1994 in par. 115 to 134 it is documented that the Employers group proposed to discuss the question if a right to strike should be implemented in an ILO-Instrument in the Conference. The Employers never received an answer to this proposal

In paragraph 92 of its 2014 Report, the CEACR accepts that the diversity of views on strike action requires a more flexible approach, when it states: "*The committee recognizes that*



these observations [on strike action] can be questioned by the tripartite constituents or recourse may be made to article 37 of the ILO Constitution". The Employers will indeed continue to refuse to accept that a mandate exist for the Experts to make detailed observations relating to strike action in the context of Convention No. 87.

The Employers also wish to express once more their concern as regards the split of opinion between the CAS and the CEACR on this matter which is compromising the authority of the ILO supervisory system as a whole. In this context, Employers disagree with the CEACR that the sentence included in most of the C. 87 conclusions adopted by the CAS in 2013 (*"The Committee did not address the right to strike in this case as the Employers do not agree that there is a right to strike in Convention No. 87"*) just *"contains a statement of the position of the Employers"*. The sentences makes it explicitly clear that "right to strike" issues have been excluded from the CAS conclusions which are traditionally adopted in tripartite consensus. The Employers find it untenable in the long run if the CEACR continued its detailed "right to strike" interpretations in isolation, without the support of the tripartite CAS.

Employers call on the CEACR to be part of the solution and trust that CEACR will refrain from making references and concrete request for amendments of laws with regards to strike action in observations on Convention 87 concerning Albania, Algeria, Angola, Argentina, Aruba, Australia, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Plurinational State of Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Caribbean part of the Netherlands, Central African Republic, Chad, Chile, China-Macau, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Curacao, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, French Southern and Antarctic Territories, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libya, Lithuania, Luxemburg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Mongolia, Montenegro, Mozambique, Myanmar, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, San Marino, Saint Marteen, Sao Tome and Principe, Solomon Island, Swaziland, Tajikistan, Uganda and Vanautu any other Member States which has ratified Convention 87 at its forthcoming meeting pending a resolution by the ILO constituents to this fundamental issue.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Brent Wilton'.

Brent Wilton

Secretary General