

Government of Ecuador

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Guillermo Lasso, President

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Metropolitan District of Quito, 25 August 2023

Reference: ILO – Position of the Ministry of Labour with respect to the interpretation of Convention No. 87 and the right to strike

Mr Gilbert F. Houngbo
Director-General of the ILO
INTERNATIONAL LABOUR ORGANIZATION

Dear Sir,

I hereby extend a cordial greeting to you. I wish to refer to the letters sent by the International Labour Organization (ILO) regarding the interpretation of Convention No. 87 and the right to strike.

This Ministry has examined and reviewed the information sent by the ILO, workers' representatives, employers' representatives and governments, and considering that in the legislation of Ecuador the principle for settling conflicts is the peaceful resolution of international disputes and conflicts without resorting to threats or the use of force, this Ministry is very much in favour, in line with the requests made by other Member States, of including on the agenda of the 349th Session of the Governing Body an item for debate and decision on submitting to the International Court of Justice (ICJ) the longstanding controversy relating to the interpretation of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), as regards the right to strike, thereby facilitating the debate and corresponding decision-making process in the Governing Body, contributing to legal certainty for all participants, as a fundamental principle of tripartite dialogue and decision-making.

I wish to stress that, in order to facilitate meaningful debate, the Office should prepare and share with members a comprehensive report containing all the information needed for an in-depth examination, and above all to facilitate the associated decision-making, in respect of the request of the Workers' group to the ILO, including the questions to be submitted to the ICJ.

Yours faithfully,