

JAMHUURIYADDA FEDERAALKA
SOOMAALIYA
Wasaaradda Shaqada iyo Arrimaha Bulshada
Xafiiska Wasiirka



جمهورية الصومال الفدرالية
وزارة العمل والشؤون الإجتماعية
مكتب الوزير

SOMALI FEDERAL REPUBLIC
Ministry of Labor and Social Affairs
Office of the Minister

Ref: MOLSA/OM/110/2023

Date: 27/09/2023

Mr. Gilbert F. Hougbo

Director-General

International Labour Organization

4 route des Morillons

CH-1211 Geneva 22

Switzerland

Sent via Office of the Legal Advisor

Subject: Interpretation of the Right to Strike - Referral to the International Court of Justice

Dear Director General Hougbo:

I am writing to you on behalf of the Ministry of Labour and Social Affairs of the Federal Republic of Somalia regarding the important matter of the right to strike.

We wish to categorically assert that the right to strike is a fundamental constitutional right in Somalia, expressly enshrined in Article 24 on Labour Relations of the Constitution of the Federal Republic of Somalia. Specifically, Clause 3 of the said Article reads, "Every worker has the right to strike".

Recognizing the significance and implications of the right to strike, the Federal Republic of Somalia fully supports the referral of the current dispute concerning the interpretation of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No 87) in relation to the right to strike, to the International Court of Justice. This course of action is in accordance with Article 37(1) of the International Labour Organization (ILO) Constitution.

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Considering the significant impact of the right to strike for both workers and employers, it is imperative to establish a definitive and authoritative interpretation of this right. By seeking the involvement of the International Court of Justice, we aim to ensure the utmost protection of internationally agreed workers' rights and unequivocally safeguard their ability to exercise the right to strike in Somalia.

Thank you for transmitting our position to the relevant bodies in the ILO, and we look forward to fruitful collaboration in resolving this important matter.

Yours sincerely,

Dr. Mohamed Elmi Ibrahim
H.E. Dr. Mohamed Elmi Ibrahim.
Minister of Labour and Social Affairs



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