



International Labour Organization
Director General

October 31, 2023

Subject: The right to strike dossier

Dear Director General,

Serbian Association of Employers (SAE) would like to thank you for your letter to all ILO Member States dated October 23, 2023 that was brought to our attention. In this letter you informed Member States that the Office has prepared the background report that provides information for placing a standard-setting item on the Conference agenda and that it has been web-posted on the dedicated webpage.

As participant in social dialogue SAE closely follows the work of the International Labour Organization and development and implementation of the international labour standards. Our attention was particularly drawn to the ongoing discussion on the right to strike and its alleged relationship to the Convention No 87. With this regard, we would like to underline that we firmly believe that the issue should be solved internally, through tripartite negotiations and social dialogue.

We are strongly convinced that standard setting is the most obvious, appropriate and logical step towards defining authoritative ILO rules on the right to strike, and thus resolving the dispute over interpretation. Standard-setting is linked to the ILO's core mandate and reflects the ILO's core values of tripartism and social dialogue. Only standard-setting will ensure that all ILO constituents can actively engage in the process, that any solution achieved is based on consensus or at least a broad majority, and that any outcome adopted is universally relevant and accepted. Adoption of a legally binding instrument such as a Protocol to Convention 87 on the right to strike or more broadly on industrial action would determine the scope and limits of the right to strike at the international level, as far as is possible, and fill the regulatory gap that currently exists in the ILO body of standards. In doing so, the Protocol would make it clear once and for all that rules on the right to strike that have the support of ILO's tripartite constituents are only contained in the Protocol, and not in Convention 87.

Yours sincerely,

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Milos Nenezic
President

