

European Trade Union Confederation (ETUC), *Centrale générale des syndicats libéraux de Belgique* (CGSLB), *Confédération des syndicats chrétiens de Belgique* (CSC) and *Fédération générale du travail de Belgique* (FGTB) v. Belgium, complaint No. 59/2009, decision on the merits of 13 September 2011

1. Decision of the Committee on the merits of the complaint

The Committee concluded that Article 6§4 of the Charter had been violated on the ground that the restrictions on the right to strike did not fall within the scope of Article G as they were neither prescribed by law nor in keeping with what was necessary to pursue one of the aims set out in Article G.

2. Information provided by the Government

The Government indicates in the [information](#) registered on 4 November 2014 that the Minister of Justice on 30 November 2012 asked the Board of State Prosecutors (*Collège des Procureurs Généraux*) to bring to the attention of the judicial authorities the European Committee of Social Rights' decision on the merits and the resulting Committee of Ministers' resolution. This communication was also brought to the attention of the Minister of Labour, by letter dated 10 December 2012.

Further to that, two letters were sent by the Chair of the Board of State Prosecutors to the Chair of the Temporary Board of Courts (*Collège provisoire des cours et tribunaux*):

- the first letter, dated 3 January 2013, asked him to notify judges and distribute the Committee of Ministers' resolution to them;
- the second letter, dated 16 September 2014, asked him to distribute the resolution to court first presidents and presidents with a view to obtaining their comments on the text.

The information provided by the Government indicates regarding these letters that no comments have been received to date.

3. Assessment of the follow-up

As the situation remains unchanged, the Committee will assess the implementation of the restrictions on the right to strike on the basis of the information on the follow-up given to decisions that will be submitted in October 2017.

The Committee finds that the situation has not been brought into conformity with the Charter.