

French soldiers have the right to form and join a union, says the European Court of human rights

(Press Communication – 29 October 2014) The European Court of Human Rights (ECHR) recently ruled that the blanket ban on trade unions in the French army violates article 11 of the European convention on human rights that protects the right to freedom of assembly and association, including the right to form trade unions.

The European ruling confirms that whilst certain restrictions can apply to military personnel, in terms of expression and action, a blanket ban on trade union membership violates the fundamental human right to freedom of assembly.

“ It is a very important ruling, the first of its kind. It brings alive the notion that soldiers are citizens in uniform which EPSU promotes. It means soldiers should have the same rights as any other citizens” says EPSU General Secretary, **Jan Willem Goudriaan**.

“It is good news for soldiers and other workers in uniform in other European countries where the right to join trade unions is a distant dream. And it is good news for those soldiers and civilians working in the army who are affiliated to EPSU and who already enjoy trade union rights as they are proven to be right unanimously by European judges ” says Mr Goudriaan.

The court further notes that the special procedures and bodies put in place in the French army to address concerns of military personnel cannot replace the right to freedom of association which includes the right to form and join trade unions.

The French government has 3 months to appeal against the ruling, after which it will be of direct application.

According to press reports, the French government took note of the ruling and is to reflect on how to modernise military consultation.

The ruling comes on the heels of media exposure of sexual harassment and rape

cases in the French army. It is a useful reminder that the right to join a trade union is part of the solution to combat and prevent sexual crimes at the workplace.

To read the press release (2 October 2014) issued by the European Court of Human Rights, [click here](#)

Pour télécharger le communiqué de presse de la Cour européenne des Droits de l'homme en français, [cliquez ici](#) (2 octobre 2014).

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