



Head of Department

Mr Božo MARIĆ
President of the Trade Union of Administration
of Republika Srpska/Bosnia and Herzegovina
Ulica Mladena Stojanovića 43
78000 Banja Luka

Strasbourg, 27 April 2020

Dear Mr Marić,

Thank you for your letter which I read with great interest and which I have shared with colleagues. I will also bring your letter to the attention of the European Committee of Social Rights for information.

Trade unions are a cornerstone of the social rights system in a democratic society. This stems from international labour and human rights law, not least from the European Social Charter and the European Convention on Human Rights, and also from the monitoring activities conducted under those treaties.

The work trade unions carry out is fundamental during normal times, and remain equally—if not more—important during crisis situations. This includes the crises brought about by the Covid-19 pandemic. The role of trade unions will also be crucially important once the worst of the crisis is over. The European Social Charter should be relied on at all stages. And the case law of the European Committee of Social Rights also offers valuable guidance that can be relied upon during the crisis. In this connection, I would draw your attention to a statement of interpretation issued by the European Committee of Social Rights on 21 April 2020 on the right to protection of health (Article 11 of the European Social Charter) in times of pandemic. The statement can be downloaded at <https://rm.coe.int/statement-of-interpretation-on-the-right-to-protection-of-health-in-ti/16809e3640>.

You will note that, while the statement of interpretation focuses on the right to protection of health, the Committee points out that the risks posed by the Covid-19 pandemic to rights under the European Social Charter—both individual and collective—are much wider. The European Committee of Social Rights indicated that a further statement of interpretation will address other issues in greater detail and that the Committee will monitor the situation and the measures taken by the States Parties in response to the Covid-19 pandemic within the framework of the Charter's procedures.

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As usual, trade unions will have the opportunity to provide comments and reactions to the reports submitted by states parties to the European Social Charter within the framework of the reporting procedure. Moreover, trade unions from States bound by the collective complaints procedure have the possibility of lodging complaints with the Committee.

I take this opportunity to wish you and those close to you health and safety.

Yours sincerely,

A handwritten signature in blue ink, reading "J. Malinowski". The signature is written in a cursive style with a prominent initial "J" and a long horizontal stroke extending to the left.

Jan Malinowski