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[Press release](#) | 11.09.2012

## Right to strike

### Greens welcome Commission's withdrawal of flawed 'Monti II' legislative proposal

The European Commission today announced it would be withdrawing a draft legislative proposal on the relationship of economic freedoms and the right to collective actions - the so-called Monti II proposal - following a challenge by national parliaments in the EU (1). The Greens welcomed the 'yellow card' initiative by the national parliaments - the first time this procedure has been used - and the withdrawal of the Monti II proposal, which the group opposed from the outset. Commenting after the announcement, Green MEP and vice-chair of the EP employment and social affairs committee **Elisabeth Schroedter** (Germany) said:

*"Today's withdrawal of the draft Monti II legislation on the right strike is a welcome development. These proposals were flawed from the outset and national parliaments were right to deliver a slap-down to the Commission.*

*"The right to strike is an inviolable fundamental right that should be upheld and defended by the EU, but the Monti II proposals did the reverse, limiting this right. This not only interfered with the constitutional prerogatives of member states, it reneged on a commitment made by Commission president Barroso at the time of his re-election. Thankfully, after months of hesitation, the Commission has finally admitted defeat and decided to withdraw the draft."*

Green employment and social affairs spokesperson **Emilie Turunen** (MEP. Denmark) added:

*"The proposal by the Commission would interfere with national labour market models and threatened the fundamental right to strike, which is totally unacceptable. This is the wrong way to solve the problems which the ECJ created with its Laval and Viking decisions. In order to prevent social dumping and ensure that employees can benefit from the fundamental right to strike without restrictions within the EU, the Commission should not be setting obstacles to that right. Today's withdrawal is hopefully a sign that the Commission has become aware that they have turned down the wrong road."*

(1) Under the Lisbon Treaty, a third of national parliaments can call on the Commission to review a draft legislative act if they deem it does not comply with the subsidiarity principle. The Commission may then decide to maintain, amend or withdraw it. This is commonly referred to as the 'yellow card' procedure.

The parliaments of Belgium, Denmark, Finland, France, Latvia, Luxembourg, Malta, the Netherlands,

Poland, Portugal, Sweden and the United Kingdom - representing more than one-third - all issued a 'yellow card' to the Monti II proposals. The first time this new procedure has been successfully employed.

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