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### COMMISSION MADE THE RIGHT DECISION ON RIGHT TO STRIKE

BUSINESSEUROPE welcomes the Commission's decision to withdraw the right to strike regulation proposal it initiated in March 2012.

As rightly recognised by the national parliaments that have triggered the "yellow card" procedure for the first time since it entered into force with the Lisbon Treaty, the right to strike is and should remain an issue to be regulated exclusively at national level. The diversity of national industrial relations systems and practices in this area must be respected. This is the reason why the Treaty excludes the right to strike from EU competences.

There is no need for any EU regulatory initiative in this area. The ECJ rulings in the Viking and Laval cases have set a fair test of proportionality for national courts to assess whether or not the right to strike is used proportionately in a given case.

Philippe de Buck, BUSINESSEUROPE's Director General, stressed that *"ensuring a proportionate use of the right to strike is necessary to prevent situations in which strike actions excessively affect equally important rights and freedoms, such as the single market freedoms, or the fundamental right to property and to conduct a business. This is why the approach proposed by the European Court of Justice is balanced. This is why the withdrawal of this regulation proposal is the right approach."*

#### NOTE TO THE EDITOR

*BUSINESSEUROPE represents more than 20 million small, medium and large companies employing some 120 million people in Europe. Active in European affairs since 1958, BUSINESSEUROPE's members are 41 leading industrial and employers' federations from 35 European countries. For the full list of our members, please visit our website.*

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