

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITÉ EUROPÉEN DES DROITS SOCIAUX**



16 September 2008

Case document no. 2

Confédération Française Démocratique du Travail (CFDT) v. France
Complaint no. 50/2008

**OBSERVATIONS FROM THE GOVERNMENT
ON ADMISSIBILITY**

(TRANSLATION)

registered at the Secretariat on 11 June 2008



**MINISTRY
OF
FOREIGN AND EUROPEAN
AFFAIRS**

Paris, 10 June 2008

**DIRECTORATE
OF LEGAL AFFAIRS**

The Ministry of Foreign and European Affairs

Sub-directorate of human rights

to

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The Executive Secretary of the European
Social Charter

Council of Europe
Directorate General of Human Rights

No. DJ/MM

Subject: Collective complaint no. 50/2008 CFTD v. France

In a letter dated 8 April 2008, the European Committee of Social Rights informed the Government of the complaint that the Confédération Française Démocratique du Travail (CFDT) had submitted on 1 April 2008 and asked for its observations on admissibility by 11 June 2008.

The Government wishes to make the following observations concerning the admissibility of the complaint.

The Government does not dispute that the complainant organisation is included on the list of international non-governmental organisations which have consultative status with the Council of Europe and is therefore authorised, pursuant to Article 1 b of the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints, to submit complaints to the European Social Charter. The Government also observes that the complainant organisation has submitted a complaint in a field in which it is recognised as having particular competence, pursuant to Article 3 of the Protocol.

The complaint also appears to meet all the formal requirements specified in Article 4 of the Protocol and Rule 23 of the Committee's Rules of Procedure.

It would be premature at this admissibility stage to enter into any discussion of the merits of the complainant's arguments concerning the alleged breaches of the Charter articles referred to. The Government reserves the right to present its observations on the merits of the complaint in due course, should it be declared admissible.

In the light of all these factors, the Government relies on the Committee's judgment when it rules on the admissibility of the complaint.

Anne-Françoise Tissier

Sub-director of human rights