



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

20 June 2022

Case Document No. 2

Fellesforbundet for Sjøfolk (FFFS) v. Norway
Complaint No. 209/2022

**OBSERVATIONS BY THE GOVERNMENT
ON ADMISSIBILITY**

Registered at the Secretariat on 31 May 2022



ATTORNEY GENERAL FOR CIVIL AFFAIRS

The European Committee
of Social Rights

OSLO, 31 May 2022

Observations on admissibility by the Kingdom of Norway

represented by Ms Henriette Busch, advocate at the Office of the Attorney General for Civil Affairs, as agent, and by Sverre Runde, associate at the same office, in

**Case Fellesforbundet for Sjøfolk (FFFS) v. The Kingdom of Norway
(complaint No. 209/2022)**

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- (1) Reference is made to the Deputy Executive Secretary of the European Committee of Social Rights' letter 20 April 2022, formally communicated by e-mail at the same date, relating to the above-mentioned complaint from Fellesforbundet for Sjøfolk (FFFS). It follows from the letter that the President of the Committee, pursuant to Article 6 of the Additional Protocol to the European Social Charter ("the Charter") providing for a system of collective complaints ("the Protocol"), and Rule 28§2 and 29§1 of the Rules of the European Committee of Social Rights, has set 31 May 2022 as the time limit for the Kingdom of Norway (hereinafter "the Government") to submit its written observations regarding the admissibility of the complaint.
- (2) The Government does not contest that the admissibility conditions in the Protocol are fulfilled.
- (3) In its decisions 23 May 2012 and 18 October 2016, regarding cases between FFFS v. Norway (complaint No. 74/2011 and No. 120/2016), the Committee considered that FFFS should be regarded as a representative trade union in accordance with Article 1§c of the Protocol. The Government is not aware that any changes has taken place in the organisation of FFFS since the Committee's decision in those complaints, and therefore considers that FFFS should be deemed as a representative trade union for the purposes of the collective complaints procedure and this particular complaint.

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- (4) Furthermore, the Government considers that the complaint is in accordance with Article 4 of the Protocol.
- (5) However, the Government notes that neither the Charter nor the Protocol contains provisions mentioning joint procedures of separate complaints. Accordingly, in the view of the Government, FFFS' request that the complaint is dealt with in connection with complaint No. 198/2021 (SMB Norge v. Norway) should be limited to the inclusion of case documents, not joint decisions.

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Oslo, 31 May 2022

OFFICE OF THE ATTORNEY GENERAL
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