



European
Social
Charter

Charte
sociale
européenne



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

15 November 2022

Case Document No.2

**European Organisation of Military Associations and Trade Unions (EUROMIL)
v. Ireland**
Complaint No. 212/2022

**OBSERVATIONS BY THE GOVERNMENT
ON ADMISSIBILITY**

Registered at the Secretariat on 28 October 2022



Henrik Kristensen
Deputy Head of Department
Deputy Executive Secretary
European Committee of Social Rights
Council of Europe
F-67075 Strasbourg Cedex
France

By email only: DGI-ESC-Collective-Complaints@coe.int

28 October 2022

**Re: European Organisation of Military Associations and Trade Unions (EUROMIL) v
Ireland
Complaint no. 212/2022**

Dear Mr Kristensen,

I refer to your correspondence dated 15 September 2022 transmitting the above entitled collective complaint and inviting the Government to submit written observations on admissibility.

I am obliged to the Committee for extending the time limit for the making of any such observations.

I confirm that the Government does not wish to submit any written observations as to the admissibility of this collective complaint.

To the extent that the complaint refers to Directive 2003/88/EC concerning certain aspects of the organisation of working time, we simply recall at this juncture that the Committee has made clear that "it is neither competent to assess the conformity of national situations with a directive of the European Union nor to assess compliance of a directive with the European Social Charter" (*Confédération générale du travail (CGT) v. France*, Complaint No. 55/2009, para. 33).

Yours sincerely,

[sent by electronic transmission only and accordingly unsigned]

Barra Lysaght

*Agent for the Government of Ireland
before the European Committee of Social Rights*

An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs