

Press Release

Inter-American Court of Human Rights

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OPEN CALL

TO SUBMIT OBSERVATIONS TO THE NEW ADVISORY OPINION REQUEST REGARDING TRADE UNION FREEDOM

San José, Costa Rica, October 15, 2019 – **January 15, 2020**, is the deadline to submit observations to the request for an Advisory Opinion presented by the Inter-American Commission on Human Rights on various aspects related to trade union freedom.

Universities, human rights clinics, non-governmental organizations, professional associations, individuals, state agencies, international organizations, States and every interested individual may submit written observations to the Inter-American Court of Human Rights. The request sent by the Inter-American Commission on Human Rights on July 31, 2019 has to do with the scope of the obligations of the States, under the Inter-American System, on the freedom of association, its relationship with other rights, and the use of a gender perspective. The Request for Advisory Opinion is available [here](#).

Among other aspects, the request aims to clarify the scope and meaning of the obligations regarding the guarantees in the processes of trade union formation and in the election of leaders, and internal government procedures. It also seeks a clarification on the relations between trade union freedom, collective bargaining and freedom of association and between trade union freedom, freedom of expression, the right to strike and the right to assembly. It also asks the Court to clarify which are the specific obligations to guarantee freedom of association in the face of gender-based discrimination or violence at work and to ensure the effective participation of women as trade union members and leaders in compliance with the principle of equality and non-discrimination.

In addition, it seeks an interpretation of the scope of the obligations regarding the effective participation of workers through the exercise of trade union freedom, collective bargaining and strike, in the processes of design, construction and evaluation of norms and public policies related to work in contexts of changes in the labor market through the use of new technologies.

The statement of observations must include the following requirements:

- a) I must indicate the name of the institution or persons that present it.
- b) A copy of the persons ID must be attached.
- c) If the written observations are presented by an organization, it must be signed by, at least, its legal representative, and the pertinent documents proving such representation must be attached.
- d) It must contain the address, email and telephone numbers for notification.
- e) It must state whether there is an intention or not to participate in a possible public hearing.


This request does not refer to any particular case in particular. An Advisory Opinion is an abstract interpretation of the American Convention on Human Rights or any other relevant treaty, requested by the Member States or organs of the OAS. The purpose is, on the one hand, to unravel the meaning, and purpose of international human rights norms, while on the other hand, to contribute to the effective fulfillment of the States' international obligations. Article 64 of the American Convention and 70 to 75 of the Rules of Procedure of the Inter-American Court are the relevant norms for this procedure.

You can learn more about Advisory Opinions of the Inter-American Court [here](#).

This press release was produced by the Secretariat of the Inter-American Court of Human Rights, which has the sole responsibility to do so.

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