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Sent Via Electronic Mail

December 11, 2023

Committee of Ministers
Council of Europe
cm@coe.int

Re: Complaint from Sindacato Autonomo Europeo Scuola ed Ecologia (“SAESE”)

Dear Committee of Ministers,

This firm has been retained by Sindacato Autonomo Europeo Scuola ed Ecologia (hereinafter, “SAESE”) to consult in this matter. Accordingly, please direct all further correspondence to this office – to the attention of the undersigned.

Please see the attached letter from President and Treasurer of SAESE, Francesco Orbitello. We ask your due consideration of SAESE’s complaint and accompanying concerns. Thank you for your time and attention to this matter.

CC: info@saese.eu

Best Regards,

Matthew W. Wallace, MPA, Esq.
Partner | McDaniel Wallace, LLP



SAESE

Sindacato Autonomo Europeo Scuola ed Ecologia

Committee of Ministers of the Council of Europe
Strasbourg - France

Object: Exposed

WHEREAS, on 04/09/2020 we notified the European Committee of Social Rights¹ (CEDS) of a Collective Complaint against Italy, specifically against the Ministry of Education², the Department of Public Function and the Strike Guarantee Commission³, for alleged violation of Article 6.4 of the European Social Charter. Given that the CEDS on 11/12/2020 declared our Collective Complaint inadmissible due to a formal defect, we proceeded to supplement the missing information through two separate and distinct written requests to allow the CEDS to enter the merits of our case. We received two written responses from CEDS, specifically the first on 03/02/2021 (Ref 18/2021 LV/KOG) in English, and the second on 21/05/2021 (Ref 72/2021/LV/IE) in French. In essence, due to a procedural issue, Collective Complaint No. 194/2020 containing the new additions cannot be reopened, nor can it be considered as a new Collective Complaint with a different role number.

In addition, having taken note of the decision made by the same CEDS regarding a Collective Complaint against Italy that recalls our case, No. 140/2016 submitted by CGIL and concerning the protection of Guardia di Finanza workers, the Committee found that there is a violation of Article 6.4 of the Charter, thus creating an important precedent in EU International Law. In addition, the decision was sent to the SS.VV. Ill.me who are overseeing its execution and considering that the Strike Guarantee Commission has once again limited our planned national strike on 01/12/2023.

DEMAND

to this Most Illustrious Committee of Ministers, by virtue of the provisions of your Regulations/Statute on the control of the execution of decisions, that you wish to examine the data provided regarding the situation in which freedom to strike and trade union freedom exist in Italy, including in the School Sector, and consequently to take the appropriate measures.

Date: 07 December 2023

Best regards

**Signed by the Professor Francesco Orbitello
President and Treasurer SAESE**

¹ Comitato Europeo dei Diritti Sociali

² Ministero dell'Istruzione

³ Dipartimento della Funzione Pubblica e Commissione Garanzia Sciopero
