

**Question for written answer E-005348/2016  
to the Commission**  
Rule 130  
**Sergio Gaetano Cofferati (S&D)**

Subject: The right for military personnel to form trade unions

In October 2014, the European Court of Human Rights in Strasbourg handed down judgments on two cases, 'Matelly vs France' and 'ADEFDROMIL vs France', regarding the blanket ban on forming trade unions within the French armed forces, ruling that Article 11 (freedom of assembly and association) of the European Convention on Human Rights had been violated.

In particular, the Court ruled that, while the exercise by military personnel of their right to freedom of association may be subject to legitimate restrictions, a blanket ban on forming and joining a trade union undermines the very essence of this freedom and is therefore prohibited under the Convention.

Italian legislation also imposes a blanket ban on forming and joining trade unions for military personnel.

Whereas Article 12 of the Charter of Fundamental Rights of the European Union establishes the right to freedom of assembly and association for EU citizens, and in particular the right for all citizens to form and join trade unions, can the Commission say whether it believes that Italian and French legislation on military personnel is in-line with the Charter of Fundamental Rights of the European Union, with particular regard to ensuring that trade union rights are upheld?

What measures will the Commission take to ensure that military personnel in the Member States are not denied the right to form and join trade unions?