

Press Release

Council of Europe Press Division

Ref: 136a07

Tel: +33 (0)3 88 41 25 60

Fax: +33 (0)3 88 41 39 11

pressunit@coe.int

internet: www.coe.int/press



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Denmark: Speedy execution of judgment on freedom of association

Strasbourg, 28.02.2007 – Following its February meeting devoted to the supervision of the execution of judgments of the European Court of Human Rights, the Committee of Ministers has decided to close its examination of the case of [Sørensen and Rasmussen against Denmark](#). The case concerned a violation of the freedom of association of the two applicants due to the obligation imposed on them by their employer at the moment of their recruitment to join a particular trade union which had concluded a "closed-shop" agreement with the employer. The Court found that Denmark had failed in its positive obligation to protect the applicant's right not to be a member of a trade union.

Less than a month after the Court's judgment, on 2 February 2006, the government tabled a bill amending the Act on protection against dismissal due to association membership. According to this bill, a person's affiliation to a union or non-membership of a union must not be taken into account in a recruitment situation or in connection with dismissal. The bill also extends the right not to be a member of a union. As a consequence of the bill, any closed-shop agreements contained in collective agreements will be null and void and may not be concluded in the future. The bill was enacted by the Danish Parliament and entered into force on 29 April 2006.

The Committee of Ministers found that this Act prevents new similar violations of the Convention and that Denmark has thus complied with its obligations under Article 46, paragraph 1, of the Convention in this case.

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