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Research subjects: EU Labour law, Right to strike and collective conflict regulation, Enterprise transformation, Labour arbitration. Publications:

~ Hard Times for Hard Bans: Fixed-Term Work and So Called Non-Regression Clauses in the Era of Flexicurity, *European Law Journal*, Vol. 17, No. 3, May 2011, pp. 385–402.

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NON-JUDICIAL LABOUR DISPUTE RESOLUTION AND THE INTERNATIONAL RECOGNITION OF THE RIGHT TO STRIKE



ABSTRACT

The idea at the basis of this paper is that the international recognition of the right to strike as a fundamental right had an impact not only within countries where the right to strike is not recognized as a fundamental right, but also within countries that do recognize the right to strike as a fundamental right. In the latter, the international recognition of the right to strike contributed to the development of disputes resolution methods which are non-judiciary, but regulated by collective agreements.

KEY WORDS : Strike, Collective agreements, Fundamental rights, Arbitration, Mediation.

RÉSUMÉ

L'idée à la base de la présente contribution est que la reconnaissance du droit de grève comme droit fondamental au niveau international a eu un impact, non seulement dans les pays où la grève n'est pas reconnue comme un droit fondamental, mais aussi dans les pays qui reconnaissent le droit de grève comme un droit constitutionnel. Dans ces derniers, la reconnaissance au niveau international du droit de grève a contribué au développement de méthodes de résolution des conflits collectifs non pas judiciaires, mais régies par la négociation collective.

MOTS CLÉS : Grève, Convention collective, Droits fondamentaux, Arbitrage, Médiation.