International Labour Organisation (ILO) Convention of 1990 concerning Safety in the Use of Chemicals at Work (Convention No 170): authorisation for Member States to ratify

2012/0320(NLE) - 12/07/2013 - Legislative proposal

PURPOSE : to authorise Member States to ratify, in the interests of the European Union, the Convention concerning Safety in the Use of Chemicals at Work, 1990, of the International Labour Organization (Convention No 170).

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT : Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND : the European Parliament, the Council and the Commission are promoting the ratification of international labour conventions that have been classified by the International Labour Organisation as up-to-date, as a contribution to the European Union's effort to promote decent work for all both inside and outside the Union, of which the protection and improvement of workers' health and safety is an important aspect.

The rules under part III of Convention No 170 concerning Safety in the Use of Chemicals at Work, 1990 of the International Labour Organisation (ILO), are covered to a large extent by Union acquis on the approximation of laws, regulations and administrative practices in the area of classification, packaging and labelling that has been developed since 1967 and further consolidated.

The Chemicals Convention No.170 was adopted at the 77th Session of the International Labour Conference on 25 June 1990 and entered into force on 4 November 1993. The purpose of the Convention is the **prevention and reduction of chemically induced illnesses and injuries at work, and the Convention shall also enhance the protection of the general public and the environment**.

As a consequence, parts of the Convention fall within the competence of the Union, and Member States may not enter into commitments outside the framework of the Union's institutions in relation to these parts.

The EU cannot ratify the Convention, as only States can be parties thereto. In this situation, Member States and the Union's institutions must cooperate in regard to the ratification of the Convention.

The Council should therefore authorise the Member States that are bound by Union law on the approximation of laws, regulations and administrative practices in the area of classification, packaging and labelling to ratify the Convention in the interests of the Union.

CONTENT: under this proposed Decision, the Member States are hereby authorised to ratify, for the parts falling under the competence conferred upon the Union by the Treaties, the Convention concerning Safety in the Use of Chemicals at Work, 1990, of the International Labour Organization (Convention No 170).

To recall, the Convention concerns :

- the establishment of evaluation of chemicals,
- the obtaining of information by employers from their suppliers,
- the provision of information to workers, the need for appropriate preventive measures,
- the establishment of protective programmes for workers.

For information as regards the main provisions of the Convention and its implications on EU law, in terms of shared competence, *please refer to the summary of the Commission initial legislative proposal dated 20 /11/2012*.