Basic information

2020/0011(NLE) NLE - Non-legislative enactments	Awaiting final decision
Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO): inviting Member States to ratify it **Subject** 4.10.09 Women condition and rights 4.15.12 Workers protection and rights, labour law 4.15.15 Health and safety at work, occupational medicine 6.40.13 Relations with/in the context of international organisations: UN, OSCE, OECD, Council of Europe, EBRD	

Key players

European Parliament

Joint committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	PETER-HANSEN Kira Marie (Greens/EFA)	17/01/2024
FEMM Women's Rights and Gender Equality	FRANSSEN Cindy (EPP)	17/01/2024
	Shadow rapporteur SKYTTEDAL Sara (EPP) ANGEL Marc (S&D) BRUNET Sylvie (Renew) DE LA PISA CARRIÓN Margarita (ECR) REIL Guido (ID)	

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Civil Liberties, Justice and Home Affairs	FEST Nicolaus (ID)	12/05/2020

Council of the European Union

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	SCHMIT Nicolas

Key events

Date	Event	Reference	Summary
22/01/2020	Preparatory document	COM(2020)0024	Summary
25/10/2023	Legislative proposal published	13106/2023	Summary
18/01/2024	Committee referral announced in Parliament		
18/01/2024	Referral to joint committee announced in Parliament		
15/02/2024	Vote in committee		
16/02/2024	Committee report tabled for plenary, 1st reading/single reading	A9-0040/2024	Summary
12/03/2024	Decision by Parliament	T9-0135/2024	Summary
12/03/2024	Results of vote in Parliament		
12/03/2024	Debate in Parliament		

Technical information

Procedure reference	2020/0011(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Rules of Procedure EP 59 Treaty on the Functioning of the European Union TFEU 153-p2 Treaty on the Functioning of the European Union TFEU 153-p1 Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 157-p3
Stage reached in procedure	Awaiting final decision
Committee dossier	CJ21/9/13997

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE758.175	19/01/2024	
Amendments tabled in committee		PE758.778	30/01/2024	
Committee opinion	LIBE	PE758.114	14/02/2024	
Committee report tabled for plenary, 1st reading/single reading		A9-0040/2024	16/02/2024	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0135/2024	12/03/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	13106/2023	25/10/2023	Summary

European Commission			
Document type	**Reference**	**Date**	**Summary**
Preparatory document	COM(2020)0024	22/01/2020	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Other Members

Transparency		
Name	**Date**	**Interest representatives**
FRANSSEN Cindy	11/04/2022	ACV

Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO): inviting Member States to ratify it

2020/0011(NLE) - 25/10/2023 - Legislative proposal

PURPOSE: to invite Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization.

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: in 2019, at its 108th session, the International Labour Conference adopted Convention No. 190 of the International Labour Organization (ILO) concerning the elimination of violence and harassment in the world of work, 2019, which may be cited as the Violence and Harassment Convention, 2019.

The Union promotes the ratification of international labour conventions that have been classified by the ILO as up to date in order to promote decent work for all, health and safety at work and gender equality, as well as to combat discrimination.

The Convention falls within the shared competence of the Union. It is considered appropriate for the Union to exercise its competence regarding those parts of the Convention that specifically concern the improvement of the working environment to protect workers' health and safety and equality between men and women in matters of employment and occupation, to the extent that the Union has adopted rules thereof.

The Union cannot ratify the Convention, as only States can be parties thereto. However, the Union's external competence may be exercised through the Member States acting as intermediaries. All EU Member States supported the objectives of the Convention and played a key role for its adoption.

CONTENT: under this draft Council Decision, Member States are hereby invited to ratify, for the parts that specifically concern the improvement of the working environment to protect workers' health and safety and equality between men and women in matters of employment and occupation, the Violence and Harassment Convention, 2019, of the International Labour Organization.

Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO): inviting Member States to ratify it

2020/0011(NLE) - 12/03/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 517 votes to 59, with 26 abstentions, a legislative resolution on the draft Council decision inviting Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization.

The European Parliament gave its consent to draft Council decision.

As a reminder, the ILO Convention No. 190 (C190) is the first international treaty to recognise the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment. It sets the obligation to respect, promote and realise this right, as well as minimum standards for tackling harassment and violence to promote a healthy, safe, and equal work environment for all.

The Convention:

- provides the first international definition of violence and harassment in the world of work;

- lays out the scope of the convention, which protects workers and other persons in the world of work including employees, workers irrespective of their contractual status, persons in training, workers whose employment has been terminated, volunteers, job seekers, and job applicants as well as supervisors and employers. The convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas;

- sets out the core principles of the convention, which promotes an inclusive, integrated, and gender-responsive approach to prevent and eliminate violence and harassment in the world of work;

- requires Member States to define and prohibit violence and harassment in the world of work in laws and regulations and to adopt appropriate measures to prevent it;

- requires Member States to monitor and enforce laws and regulations laid out by the convention and to ensure easy access to safe, fair, and effective reporting and dispute resolution mechanisms and procedures. Measures are to be taken to protect complainants, victims, witnesses, and whistle-blowers against victimisation or retaliation. Sanctions for cases of violence and harassment are to be provided for where appropriate. The Convention requires Members to ensure easy access to appropriate and effective remedies, as well as to legal, social, medical, and administrative support measures for complainants and victims;

- requires that Member States, in consultation with social partners, shall seek to ensure that relevant national policies address violence and harassment in the world of work.

Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO): inviting Member States to ratify it

2020/0011(NLE) - 16/02/2024 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Employment and Social Affairs and the Committee on Women's Rights and Gender Equality jointly adopted the report by Kira Marie PETER-HANSEN (Greens/EFA, DK) and Cindy FRANSSEN (EPP, BE) on the draft Council decision inviting Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization.

The committees responsible recommended that the European Parliament **give its consent** to draft Council decision.

The ILO Convention No. 190 (C190) is the first international treaty to recognise the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment. It sets the obligation to respect, promote and realise this right, as well as minimum standards for tackling harassment and violence to promote a healthy, safe, and equal work environment for all.

The Convention:

- provides the first international definition of violence and harassment in the world of work;

- lays out the scope of the convention, which protects workers and other persons in the world of work including employees, workers irrespective of their contractual status, persons in training, workers whose employment has been terminated, volunteers, job seekers, and job applicants as well as supervisors and employers. The convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas;

- sets out the core principles of the convention, which promotes an inclusive, integrated, and gender-responsive approach to prevent and eliminate violence and harassment in the world of work;

- requires Member States to define and prohibit violence and harassment in the world of work in laws and regulations and to adopt appropriate measures to prevent it. This shall include the identification of the sectors or occupations and work arrangements in which persons in work are more exposed to violence and harassment. Member states are also required to adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work;

- requires Member States to monitor and enforce laws and regulations laid out by the convention and to ensure easy access to safe, fair, and effective reporting and dispute resolution mechanisms and procedures. Measures are to be taken to protect complainants, victims, witnesses, and whistle-

blowers against victimisation or retaliation. Sanctions for cases of violence and harassment are to be provided for where appropriate. The Convention requires Members to ensure easy access to appropriate and effective remedies, as well as to legal, social, medical, and administrative support measures for complainants and victims;

- requires that Member States, in consultation with social partners, shall seek to ensure that relevant national policies address violence and harassment in the world of work and calls for Members to ensure that guidance, resources, training, or other tools are provided to employers, workers and the social partners, as well as to other relevant authorities, in accessible formats.

All EU Member States supported the objectives of this Convention and played a key role in its adoption. In the tripartite body proposing the Convention for ratification, no Member State voted against or abstained. So far, seven Member States have ratified Convention No. 190.

Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO): inviting Member States to ratify it

2020/0011(NLE) - 22/01/2020 - Preparatory document

PURPOSE: to authorise Member States to ratify, in the interest of the European Union, the Violence and Harassment Convention, 2019 (No 190) of the International Labour Organisation (ILO).

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 Union promotes the ratification of international labour conventions classified by the ILO as up to date with a view to promoting decent work for all, health and safety at work and equality between men and women, and combating discrimination.

The #metoo campaign and other similar movements have highlighted the need to strengthen prevention efforts and to protect victims of violence and harassment in the world of work, including gender-based violence and harassment. With this in mind, the International Labour Conference at its 108th Session in 2019 adopted the ILO Convention concerning the Elimination of Violence and Harassment in the World of Work, known as the "Violence and Harassment Convention, 2019 (No. 190)".

Some provisions of the Convention are covered by the Union acquis in the areas of social policy in accordance with Article 153(2), Article 153 (1)(a) and (i) and Article 157(3) of TFEU as regards health and safety at work and equality between men and women in employment and occupation. Some provisions of the Convention are covered by the Union acquis in the field of non-discrimination.

It is in the interest of the EU to promote the implementation of an international instrument to fight violence and harassment in the world of work in line with its internal framework, because the Convention addresses certain areas of Union law and the European Union is not in a position to ratify an ILO Convention, as only States can become parties to such Conventions.

Member States should therefore be allowed, acting jointly in the interests of the Union, to ratify those parts of the Convention which fall within the competence of the Union.

CONTENT: the Commission proposes that the Council should decide to authorise Member States to ratify, as regards the parts falling within the areas of EU competence pursuant to Articles 153(2), 153(1)(a) and (i) and 157(3) TFEU, the Violence and Harassment Convention, 2019 (No 190) of the International Labour Organisation.

The Convention is the first international instrument that sets specific and globally applicable standards to tackle work-related harassment and violence and specifies the measures to be taken by States and other relevant actors.

The Convention:

- recognises the right of everyone to a world of work free from violence and harassment and recognises that violence and harassment in the world of work can constitute a human rights violation or abuse, and that violence and harassment is a threat to equal opportunities, unacceptable and incompatible with decent work;

- sets a single definition for ‘violence and harassment’, covering a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm;

- protects workers and other persons in the world of work, a term that goes beyond the workplace and includes work-related facilities, communications, travel and social activities, as well as employer-provided accommodation and commuting to and from work.

Ratifying States shall, inter alia:

- adopt an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work, that includes prohibiting in law violence and harassment (Article 4.2);

- ensure that relevant policies address violence and harassment;

- adopt a comprehensive strategy to combat violence and harassment, and ensure access to remedies and support for victims;

- adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment, including for vulnerable groups and groups in situations of vulnerability;

- adopt appropriate measures to prevent violence and harassment in work contexts;

- adopt laws and regulations requiring employers to prevent violence and harassment by, inter alia, assessing the risks of violence and harassment.

The Convention addresses certain areas of Union law, such as health and safety at work, equality and non-discrimination, where the degree of regulation has reached an advanced stage. In addition, certain aspects of the Convention are further related to areas covered by Union law in the fields of judicial cooperation and victims' rights, migration, asylum and freedom of movement.

The proposed Council Decision shall therefore authorise Member States to ratify, in the interest of the EU, those parts of the Convention that fall within EU competence and shall recommend that Member States make efforts to do so by the end of 2022.