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*Plenary sitting*

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**A9-0040/2024**

16.2.2024

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## **RECOMMENDATION**

on the draft Council decision inviting Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization  
(13106/2023 – C9-0396/2023 – 2020/0011(NLE))

Committee on Employment and Social Affairs  
Committee on Women's Rights and Gender Equality

(Joint committee procedure – Rule 58 of the Rules of Procedure)

Rapporteurs: Kira Marie Peter-Hansen, Cindy Franssen

***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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## **DRAFT EUROPEAN PARLIAMENT 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 (13106/2023 – C9-0396/2023 – 2020/0011(NLE))**

### **(Consent)**

*The European Parliament,*

- having regard to the draft Council decision (13106/2023),
  - having regard to the Violence and Harassment Convention, 2019 (No 190) of the International Labour Organization,
  - having regard to the request for consent submitted by the Council in accordance with Article 153(2) and Article 153(1), point (a), Article 157(3) and Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C9-0396/2023),
  - having regard to Rule 105(1) and (4) and Rule 114(7) of its Rules of Procedure,
  - having regard to the joint deliberations of the Committee on Employment and Social Affairs and the Committee on Women's Rights and Gender Equality under Rule 58 of the Rules of Procedure,
  - having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
  - having regard to the recommendation of the Committee on Employment and Social Affairs and the Committee on Women's Rights and Gender Equality (A9-0040/2024),
1. Gives its consent to the draft Council decision;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States.

## **EXPLANATORY STATEMENT**

### **Introduction**

Across the world, more than one in five persons in employment have experienced at least one form of violence and harassment at work during their working life, whether physical, psychological, or sexual<sup>1</sup>.

Women are disproportionately affected with 1 in 3 women in the EU having experienced a form of physical and/or sexual violence. About a third of women, who have faced sexual harassment in the EU, experience it at work, which constitutes an important obstacle to entering and remaining in the workforce undermining gender equality and fuelling the gender pay gap.

Too many people continue to be subjected to violence and harassment despite the enormous consequences for the exercise of their fundamental rights, access to equal opportunities, and decent work. Moreover, the consequences of violence and harassment extend to society at large with significant harm to public and private services and the exacerbation of inequalities in the labour market and beyond.

Violence and harassment in the world of work must be eradicated and ILO Convention No.190 on Violence and Harassment offers an excellent framework to achieve that.

### **The Convention**

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.

Article 1 provides the first international definition of violence and harassment in the world of work.

Article 2 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.

Articles 4 to 6 set 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.

Articles 7 to 9 require 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

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<sup>1</sup> [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_863095.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_863095.pdf)

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.

Article 10 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.

Article 11 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.

### **Consistency with EU policies and objectives**

The objective of a world of work free from violence and harassment is embodied in the Treaty on the Functioning of the European Union as well as in the Charter of the Fundamental Social Rights of Workers and the Council of Europe's European Social Charter.

Given that, violence and harassment at work are capable of affecting working conditions, and in particular, a healthy working environment, as well as equality and non-discrimination, the EU needs to take steps to define and prohibit such conduct.

The EU should promote the ratification of international labour conventions by the International Labour Organization to promote decent work for all, health and safety at work, and gender equality as well as to combat discrimination.

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<sup>2</sup>.

### **Co-Rapporteurs views**

We welcome the adoption of the ILO Convention No. 190 as a crucial step towards shaping a European world of work based on equality, dignity, and respect.

Violence and harassment in the world of work can be driven by factors related to the work environment, working conditions, and interactions with third parties such as customers and clients. Wider societal issues beyond the world of work can also contribute to the root causes of violence and harassment. Such issues include power relations, gender norms, cultural and social norms as well as discrimination and stigmatisation.

Moreover, how violence and harassment manifest itself in the world of work is also many-faceted. It can include both physical and psychological as well as sexual violence and

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<sup>2</sup> 15/01/2024

harassment. Indeed, the most common form of violence and harassment is psychological and has been experienced by nearly one in five people at work in their working life<sup>3</sup>.

The co-rapporteurs therefore welcome that the Convention takes all these aspects into account and therefore require the adoption of a comprehensive strategy in order to implement measures that address the multitude of causes and manifestations of violence and harassment.

In addition, the rapporteurs firmly believe that further legislative steps must also be taken at the EU level to complement the existing legislative framework. They particularly call for the swift adoption of the directive on combating violence against women and domestic violence, as well as for a proposal for a legislative instrument to address psycho-social risks in the world of work.

The enhanced use of online digital technologies in the world of work has also exacerbated the risk of violence and harassment, as these provide a new platform for them to take place. If the right policies are not put in place, digital technologies are likely to create the conditions for the emergence of antisocial behaviors, including third-party physical violence and workplace bullying or harassment.

It is therefore important that the Convention respond to the reality that acts of violence and harassment do not necessarily have to occur exclusively in a traditional physical workplace.

The rapporteurs also believe that the EU must do more to ensure the protection of workers in all settings, including digital ones, and recall the demand of the European Parliament for a new legislative proposal on algorithmic management in the world of work.

All persons in all their diversity have the right to a world of work free from violence and harassment, and as a society, we have the obligation to ensure that this principle is adhered to.

Yet, the risk of experiencing violence and harassment is not equally distributed. Certain population groups and workers in certain sectors, such as domestic workers and workers in the informal economy, continue to be disproportionately targeted by violence and harassment in the world of work with multiple and intersecting forms of discrimination making some individuals more vulnerable to risks than others. For example, LGBTI workers tend to face a higher risk of exposure than non-LGBTI workers do. Similarly, persons with disabilities are reported to be more likely to experience work-related harassment and all types of violence in the world than persons without disabilities<sup>4</sup>.

The risk of exposure may even be further enhanced if the same worker faces discrimination on other grounds, such as ethnic origin.

The call of the Convention for the need to identify, and take into account, the specific needs and circumstances of members of such groups who may experience violence more frequently, or in unique ways is vital. The rapporteurs would like to emphasise the need to fully transpose this aspect in the implementation of the Convention by the EU Member States.

However, we cannot change what we cannot see. In this regard, research and systematic data

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<sup>3</sup> [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_863095.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_863095.pdf)

<sup>4</sup> [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms\\_738118.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms_738118.pdf)



collection are key for developing evidence-based policies and interventions to end violence and harassment at work. In order to ensure administrative data comparability across the Union, the rapporteurs strongly encourage the Commission to take action in order to close this data gap, by complementing the existing common guidelines with collection of data focussing on at-risk groups.

While the #Metoo movement has made ground-breaking strides, not least as a catalyst for the adoption of Convention No.190, much remains to be done. The rapporteurs are concerned about the backlash to progress on equality and the fight against violence and harassment and believe this issue needs the highest political prioritisation and attention.

In this context, the rapporteurs also welcome that Convention No.190 recognises that violence and harassment disproportionately affect women. Therefore we need a holistic and gender-responsive approach to combat violence and harassment. This means tackling underlying causes and risk factors such as gender stereotypes and gender-based power relations. The rapporteurs firmly believe that additional measures should be taken to prevent the cultivation of harmful gender stereotypes. Taking into account that from a very young age, children are exposed to gender roles, it is crucial to address gender stereotypes through early childhood education and care.

Social partners also play a critical role in addressing violence and harassment through social dialogue. Therefore, the rapporteurs encourage social partners to address the issue through for example awareness-raising campaigns and training, at the workplace. The Convention makes it clear that the denial of the right to freedom of association and collective bargaining is a significant factor in increasing the risk of experiencing violence and harassment.

The European labor market should be a place for fostering progress. Therefore, the EU must push forward and advocate for the ILO Convention No. 190 to be ratified globally. The right to a healthy and safe working environment is a fundamental principle, and therefore violence and harassment at work should not be tolerated anywhere.

The EU must use all possible means, including considering introducing conditionalities for the ratification and implementation of ILO Convention No.190 in its trade policy with third countries.

Consequently, the rapporteurs propose that Parliament give its consent to the Council's proposal for a decision.

**ANNEX: ENTITIES OR PERSONS  
FROM WHOM THE RAPPORTEURS HAVE RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteurs declare that they have received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

<b>Entity and/or person</b>
ILO Office for the European Union and the Benelux countries
ACV-CSC
ETUC

The list above is drawn up under the exclusive responsibility of the rapporteurs.

14.2.2024

## **OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS**

for the Committee on Employment and Social Affairs and the Committee on Women's Rights and Gender Equality

on the draft Council decision inviting Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (13106/2023 – C9-0396/2023 – 2020/0011(NLE))

Rapporteur for opinion: Nicolaus Fest

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Employment and Social Affairs and the Committee on Women's Rights and Gender Equality, as the committees responsible, to recommend approval of the draft Council decision inviting Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization.

**ANNEX: ENTITIES OR PERSONS  
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The rapporteur declares under his exclusive responsibility that he did not receive input from any entity or person to be mentioned in this Annex pursuant to Article 8 of Annex I to the Rules of Procedure.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Council decision inviting Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization
<b>References</b>	13106/2023 – C9-0396/2023 – 2020/0011(NLE)
<b>Committees responsible</b>	EMPL                      FEMM
<b>Opinion by</b> Date announced in plenary	LIBE 18.1.2024
<b>Rapporteur for the opinion</b> Date appointed	Nicolaus Fest 12.5.2020
<b>Rule 58 – Joint committee procedure</b> Date announced in plenary	18.1.2024
<b>Discussed in committee</b>	29.1.2024
<b>Date adopted</b>	14.2.2024
<b>Result of final vote</b>	+:                      56 –:                      3 0:                      2
<b>Members present for the final vote</b>	Abir Al-Sahlani, Malik Azmani, Pietro Bartolo, Vladimír Bilčík, Malin Björk, Ioan-Rareş Bogdan, Karolin Braunsberger-Reinhold, Saskia Bricmont, Jorge Buxadé Villalba, Damien Carême, Patricia Chagnon, Lena Düpont, Laura Ferrara, Nicolaus Fest, Maria Grapini, Evin Incir, Sophia in 't Veld, Patryk Jaki, Marina Kaljurand, Assita Kanko, Fabienne Keller, Alice Kuhnke, Jeroen Lenaers, Juan Fernando López Aguilar, Erik Marquardt, Nadine Morano, Javier Moreno Sánchez, Emil Radev, Paulo Rangel, Karlo Ressler, Isabel Santos, Birgit Sippel, Sara Skytvedal, Tineke Strik, Ramona Strugariu, Tomas Tobé, Milan Uhrík, Tom Vandendriessche, Elissavet Vozemberg-Vrionidi, Jadwiga Wiśniewska, Elena Yoncheva
<b>Substitutes present for the final vote</b>	Patricia Caro Maya, Romeo Franz, Leopoldo López Gil, Jaak Madison, Matjaž Nemec, Carina Ohlsson, Philippe Olivier, Róza Thun und Hohenstein, Dragoş Tudorache, Juan Ignacio Zoido Álvarez
<b>Substitutes under Rule 209(7) present for the final vote</b>	Mathilde Androuët, Laura Ballarín Cereza, Chiara Gemma, Svenja Hahn, Antonio López-Istúriz White, Gabriel Mato, Francisco José Millán Mon, Javier Nart, Nacho Sánchez Amor, Michal Wiezik

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

56	+
ECR	Chiara Gemma, Assita Kanko
ID	Mathilde Androuët, Patricia Chagnon, Nicolaus Fest, Jaak Madison, Philippe Olivier, Tom Vandendriessche
NI	Laura Ferrara
PPE	Vladimír Bilčík, Ioan-Rareș Bogdan, Karolin Braunsberger-Reinhold, Lena Düpont, Jeroen Lenaers, Leopoldo López Gil, Antonio López-Istúriz White, Gabriel Mato, Francisco José Millán Mon, Nadine Morano, Emil Radev, Paulo Rangel, Karlo Ressler, Sara Skyttedal, Tomas Tobé, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez
Renew	Abir Al-Sahlani, Malik Azmani, Svenja Hahn, Sophia in 't Veld, Javier Nart, Ramona Strugariu, Róza Thun und Hohenstein, Dragoș Tudorache, Michal Wiezik
S&D	Laura Ballarín Cereza, Pietro Bartolo, Maria Grapini, Evin Incir, Marina Kaljurand, Juan Fernando López Aguilar, Javier Moreno Sánchez, Matjaž Nemec, Carina Ohlsson, Nacho Sánchez Amor, Isabel Santos, Birgit Sippel, Elena Yoncheva
The Left	Malin Björk, Patricia Caro Maya
Verts/ALE	Saskia Bricmont, Damien Carême, Romeo Franz, Alice Kuhnke, Erik Marquardt, Tineke Strik

3	-
ECR	Jorge Buxadé Villalba, Patryk Jaki, Jadwiga Wiśniewska

2	0
NI	Milan Uhrík
Renew	Fabienne Keller

Key to symbols:

+ : in favour

- : against

0 : abstention

## PROCEDURE – COMMITTEE RESPONSIBLE

<b>Title</b>	Council decision inviting Member States to ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization	
<b>References</b>	13106/2023 – C9-0396/2023 – 2020/0011(NLE)	
<b>Date of consultation or request for consent</b>	25.10.2023	
<b>Committees responsible</b> Date announced in plenary	EMPL 18.1.2024	FEMM 18.1.2024
<b>Committees asked for opinions</b> Date announced in plenary	LIBE 18.1.2024	
<b>Rapporteurs</b> Date appointed	Kira Marie Peter-Hansen 17.1.2024	Cindy Franssen 17.1.2024
<b>Rule 58 – Joint committee procedure</b> Date announced in plenary	18.1.2024	
<b>Discussed in committee</b>	24.1.2024	
<b>Date adopted</b>	15.2.2024	
<b>Result of final vote</b>	+: 48 -: 2 0: 0	
<b>Members present for the final vote</b>	João Albuquerque, Atidzhe Alieva-Veli, Robert Biedroń, Gabriele Bischoff, Milan Brglez, Sylvie Brunet, Maria da Graça Carvalho, David Casa, Leila Chaibi, Ilan De Basso, Margarita de la Pisa Carrión, Gwendoline Delbos-Corfield, Jarosław Duda, Estrella Durá Ferrandis, Frances Fitzgerald, Cindy Franssen, Agnes Jongerius, Arba Kokalari, Alice Kuhnke, Stelios Kympouropoulos, Katrin Langensiepen, Guy Lavocat, Radka Maxová, Karen Melchior, Jozef Mihál, Johan Nissinen, Carina Ohlsson, Max Orville, Kira Marie Peter-Hansen, Dennis Radtke, Evelyn Regner, Diana Riba i Giner, Eugenia Rodríguez Palop, María Soraya Rodríguez Ramos, Maria Veronica Rossi, Mounir Satouri, Monica Semedo, Sylwia Spurek, Eugen Tomac, Marianne Vind, Maria Walsh	
<b>Substitutes present for the final vote</b>	Catherine Amalric, Laura Ballarín Cereza, Elena Kountoura	
<b>Substitutes under Rule 209(7) present for the final vote</b>	Clara Aguilera, Pietro Bartolo, Evin Incir, France Jamet, Petri Sarvamaa, Róza Thun und Hohenstein	
<b>Date tabled</b>	16.2.2024	

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

<b>48</b>	<b>+</b>
ID	France Jamet, Maria Veronica Rossi
PPE	Maria da Graça Carvalho, David Casa, Jarosław Duda, Frances Fitzgerald, Cindy Franssen, Arba Kokalari, Stelios Kypourouopoulos, Dennis Radtke, Petri Sarvamaa, Eugen Tomac, Maria Walsh
Renew	Atidzhe Alieva-Veli, Catherine Amalric, Sylvie Brunet, Guy Lavocat, Karen Melchior, Jozef Mihál, Max Orville, María Soraya Rodríguez Ramos, Monica Semedo, Róza Thun und Hohenstein
S&D	Clara Aguilera, João Albuquerque, Laura Ballarín Cereza, Pietro Bartolo, Robert Biedroń, Gabriele Bischoff, Milan Brglez, Ilan De Basso, Estrella Durá Ferrandis, Evin Incir, Agnes Jongerius, Radka Maxová, Carina Ohlsson, Evelyn Regner, Marianne Vind
The Left	Leila Chaibi, Elena Kountoura, Eugenia Rodríguez Palop
Verts/ALE	Gwendoline Delbos-Corfield, Alice Kuhnke, Katrin Langensiepen, Kira Marie Peter-Hansen, Diana Riba i Giner, Mounir Satouri, Sylwia Spurek

  

<b>2</b>	<b>-</b>
ECR	Johan Nissinen, Margarita de la Pisa Carrión

  

<b>0</b>	<b>0</b>

Key to symbols:

+ : in favour

- : against

0 : abstention