



Council of the
European Union

Brussels, 6 October 2023
(OR. en)

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**Interinstitutional File:
2020/0011 (NLE)**

**SOC 613
EMPL 439
SAN 523
GENDER 180
ANTIDISCRIM 162
FREMP 245
ILO 9**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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

COUNCIL DECISION (EU) 2023/...

of...

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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 153(2) in conjunction with Article 153(1), point (a), Article 157(3) and Article 218(6),
point (a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) 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 ‘Convention’).
- (2) 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.
- (3) The Convention falls within the shared competence of the Union. Both the existing relevant Union rules and the provisions of the Convention set minimum requirements. The Convention does not risk affecting existing Union rules or alter their scope.
- (4) 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.
- (5) The Union cannot ratify the Convention, as only States can be parties thereto.

- (6) In this situation, the Union's external competence may be exercised through the Member States acting as intermediaries.
- (7) All EU Member States supported the objectives of the Convention and played a key role for its adoption. In the tripartite body proposing the Convention for adoption, no Member State voted against or abstained.
- (8) Member States should be invited to ratify 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, in accordance with the applicable national and constitutional procedures and practices and Article 19(5) of the ILO Constitution,

HAS ADOPTED THIS DECISION:

Article 1

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 under Article 153(1), point (a), Article 153(2), and Article 157(3) of the Treaty on the Functioning of the European Union, the Violence and Harassment Convention, 2019, of the International Labour Organization.

Article 2

This Decision is addressed to the Member States.

Done at ...,

For the Council

The President
