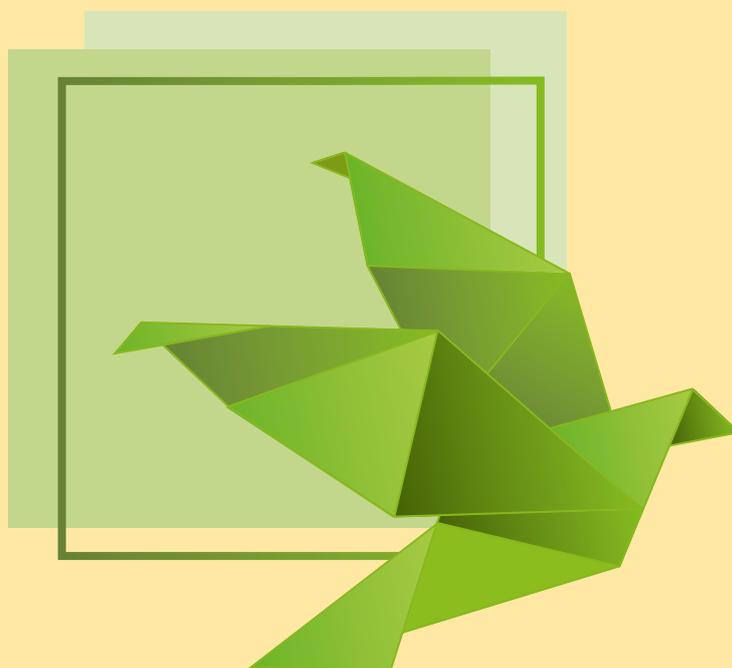




International  
Labour  
Office  
Geneva

**Report V (2)**

# Ending violence and harassment in the world of work



**International  
Labour  
Conference**

**107th Session, 2018**

**International Labour Conference, 107th Session, 2018**

**Report V(2)**

# **Ending violence and harassment in the world of work**

**Fifth item on the agenda**

**International Labour Office, Geneva**

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## LIST OF ABBREVIATIONS

### Employers' and workers' organizations

	BWI	Building and Wood Workers International
	IDWF	International Domestic Workers Federation
	IFJ	International Federation of Journalists
	IndustriALL	IndustriALL Global Union
	IOE	International Organisation of Employers
	ITF	International Transport Workers' Federation
	ITUC	International Trade Union Confederation
	IUF	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations
	PSI	Public Services International
Albania	BSPSH	United Independent Trade Unions of Albania
Angola	UNTA	National Union of Angolan Workers
Antigua and Barbuda	ABPSA	Antigua and Barbuda Public Service Association
Argentina	APOC	Asociación del Personal de los Organismos de Control
	AEFIP	Asociación de Empleados Fiscales e Ingresos Públicos
	CTAA	Central de Trabajadores de la Argentina Autónoma
	CGT-RA	General Confederation of Labour of the Argentine Republic
	UEJN	Union of Employees of the National Judiciary
Australia	ACCI	Australian Chamber of Commerce and Industry
	ACTU	Australian Council of Trade Unions
Austria	BAK	Federal Chamber of Labour
	IV	Federation of Austrian Industries
	WKÖ	Austrian Federal Economic Chamber
Bahrain	GFBTU	General Federation of Bahrain Trade Unions
Bangladesh	BJSD	Bangladesh Jatyatabadi Sramik Dal
	BJSL	Bangladesh Jatiya Sramik League
	BLF	Bangladesh Labour Federation

Barbados	NUPW	National Union of Public Workers
Belarus	BKDP	Belarusian Congress of Democratic Trade Unions
Belgium	CGSLB	General Confederation of Liberal Trade Unions of Belgium
	CSC	Confederation of Christian Trade Unions
	FGTB	General Federation of Labour of Belgium
Brazil	CONTRATUH	National Confederation of Tourism and Hospitality Workers
	CUT	Single Confederation of Workers
	UGT	General Union of Workers
Bulgaria	CITUB	Confederation of Independent Trade Unions of Bulgaria
Burkina Faso	CNTB	National Confederation of Workers of Burkina Faso
	CSB	Trade Union Confederation of Burkina Faso
Burundi	CSB	Confederation of Trade Unions of Burundi
Cameroon	CCT	Cameroon Confederation of Labour
	CSAC	Confederation of Autonomous Trade Unions of Cameroon
Canada	CLC	Canadian Labour Congress
Chad	UST	Union of Trade Unions of Chad
Chile	CUT	Single Confederation of Trade Unions of Chile
Colombia	CGT	General Confederation of Labour
	CTC	Confederation of Workers of Colombia
	CUT	Single Confederation of Workers of Colombia
Comoros	CTTC	Confédération des Travailleuses et Travailleurs des Comores
Cook Islands	CIWA	Cook Islands Workers' Association
Costa Rica	CSJMP	Juanito Mora Porras Social Confederation
	CTRN	Confederation of Workers Rerum Novarum
	CUT	Unitary Confederation of Workers
	FENATSEA	National Federation of Autonomous Sector Workers
	FEREPRODIS	Federación Red Pro-Personas con Discapacidad
Côte d'Ivoire	UGTCI	General Union of Workers of Côte d'Ivoire
Cyprus	OEB	Cyprus Employers and Industrialists Federation
	PEO	Pancyprian Federation of Labour
Czech Republic	CMKOS	Czech and Moravian Confederation of Trade Unions
Democratic Republic of the Congo	CSC	Congolese Trade Union Confederation

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Denmark	DA	Confederation of Danish Employers
	LO	Danish Confederation of Trade Unions
Dominican Republic	CASC	Autonomous Confederation of Workers' Unions
	CNTD	National Confederation of Dominican Workers
	CNUS	National Confederation of Trade Union Unity
	FENAMUTRA	Federación Nacional de Mujeres Trabajadoras
Ecuador	CEDOCUT	Ecuadorian Confederation of Unitary Class Organizations of Workers
El Salvador	CATS	Autonomous Confederation of Workers of El Salvador
	CNTS	National Confederation of Workers of El Salvador
Estonia	ETK	Estonian Employers' Confederation
Fiji	FTUC	Fiji Trades Union Congress
France	CGT	General Confederation of Labour
	CGT-FO	General Confederation of Labour-Force Ouvrière
Gabon	COSYGA	Trade Union Confederation of Gabon
	FLETAIG	Fédération Libre des Entreprises des Travailleurs(euses) de l'Agro-Industrie du Gabon
	USYTZPOG	Union des Syndicats et des Travailleurs des Zones Portuaires du Gabon
Georgia	GEA	Georgian Employers' Association
	GTUC	Georgian Trade Union Confederation
Germany	BDA	Confederation of German Employers' Associations
	DGB	German Trade Union Confederation
	NGG	Food and Allied Workers' Union
Ghana	GTPCWU	General Transport, Petroleum and Chemical Workers' Union
	TUC	Trades Union Congress of Ghana
Greece	GSEE	Greek General Confederation of Labour
Guatemala	CGTG	General Confederation of Workers of Guatemala
	CUSG	United Trade Union Confederation of Guatemala
	FESTRAS	Trade Union Federation of Food, Agricultural and Allied Workers
	UNSITRAGUA Histórica	Trade Union Confederation of Workers of Guatemala Histórica
Guinea	CNTG	National Confederation of Workers of Guinea
Haiti	CTH	Confederation of Workers of Haiti
Hong Kong, China	HKCTU	Hong Kong Confederation of Trade Unions

India	HMS	Hind Mazdoor Sabha
	INTUC	Indian National Trade Union Congress
	SEWA	Self-Employed Women's Association
Indonesia	KSBSI	Confederation of Indonesian Prosperity Trade Union
	KSPI	Indonesian Trade Union Confederation
Iraq	GFITU	General Federation of Iraqi Trade Unions
Israel	Histadrut	General Federation of Labour in Israel
Italy	CGIL	Italian General Confederation of Labour
	Confcommercio	Italian General Confederation of Enterprises, Professions and Self-Employment
	UIL	Italian Union of Labour
Japan	JTUC-RENGO	Japanese Trade Union Confederation
	Keidanren	Japan Business Federation
Jordan	FITU-J	Federation of Independent Trade Unions of Jordan
Kazakhstan	FPRK	Federation of Trade Unions of the Republic of Kazakhstan
Kenya	COTU	Central Organization of Trade Unions
	KUCFAW	Kenya Union of Commercial Food and Allied Workers
	KUSPAW	Kenya Union of Sugar Plantations and Allied Workers
	KUDHEIHA	Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers
Kyrgyzstan	FTU	Federation of Trade Unions
	NCEKR	National Confederation of Employers of the Kyrgyz Republic
Latvia	LBAS	Free Trade Union Confederation of Latvia
Lebanon	ALI	Association of Lebanese Industrialists
Lithuania	LPSK	Lithuanian Trade Union Confederation
Luxembourg	FEDIL	Federation of Industry of Luxembourg
	LCGB	Luxembourg Confederation of Christian Trade Unions
	OGBL	Confederation of Independent Trade Unions of Luxembourg
Malawi	CIAWU	Commercial, Industrial and Allied Workers Union
	HFPCWU	Hotel, Food Processing and Catering Workers Union
	MCTU	Malawi Congress of Trade Unions
Malaysia	MTUC	Malaysian Trades Union Congress

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Mauritania	CGTM	General Confederation of Workers of Mauritania
	CLTM	Free Confederation of Workers of Mauritania
	SNTIA	National Trade Union of Agro-Food Industry Workers
Mexico	CAT	Authentic Confederation of Workers
	CONCAMIN	Confederation of Chambers of Industry of Mexico
	COPARMEX	Employers' Confederation of the Mexican Republic
	CROC	Revolutionary Confederation of Workers and Peasants
	CROM	Regional Confederation of Mexican Workers
	CTM	Confederation of Mexican Workers
	UNT	National Union of Workers
Republic of Moldova	MOLDSIND- COOPCOMERT	Federation of Trade Unions in the Field of Consumer Cooperation, Trade and Business
	CNSM	National Trade Union Confederation of Moldova
	SindLUCAS	Trade Union of Workers of Trade, Public Catering, Consumers' Cooperative Society, Restaurant and Hotel Service
Mongolia	CMTU	Confederation of Mongolian Trade Unions
Montenegro	CTUM	Confederation of Trade Unions of Montenegro
	MEF	Montenegrin Employers' Federation
	UFTUM	Union of Free Trade Unions of Montenegro
Morocco	UGTM	General Union of Workers of Morocco
Nepal	ANTUF	All Nepal Trade Union Federation
	NTUC	Nepal Trade Union Congress
Netherlands	CNV	National Federation of Christian Trade Unions
	FNV	Netherlands Trade Union Confederation
	VCP	Trade Union Federation for Professionals
New Zealand	BusinessNZ	Business New Zealand
	NZCTU	New Zealand Council of Trade Unions
Nicaragua	FESITUN	Federación de Sindicatos de Trabajadores Universitarios de Nicaragua
Niger	CNT	Confederation of Labour of the Niger
	SNTIN	Syndicat National des Travailleurs de l'Industrie du Niger
Nigeria	NLC	Nigeria Labour Congress
Oman	GFOTU	General Federation of Oman Trade Unions
Pakistan	EFP	Employers' Federation of Pakistan
	PWF	Pakistan Workers' Federation

Panama	CONATO	National Council of Organized Workers
	CONUSI	Confederación Nacional de Unidad Sindical Independiente
	CTRP	Confederation of Workers of the Republic of Panama
Paraguay	CUT-A	Central Unitaria de Trabajadores – Auténtica
Peru	CATP	Central Autónoma de Trabajadores del Perú
	CGTP	Confederación General de Trabajadores del Perú
	CUT	Central Unitaria de Trabajadores
Philippines	FFW	Federation of Free Workers
	TUCP	Trade Union Congress of the Philippines
Poland	NSZZ Solidarność	Independent and Self-Governing Trade Union “Solidarność”
Republic of Korea	FKTU	Federation of Korean Trade Unions
	KEF	Korean Employers’ Federation
Romania	BNS	National Trade Union Bloc
Rwanda	COTRAF	Congress of Labour and Brotherhood of Workers
Saint Lucia	SLEF	Saint Lucia Employers’ Federation
Senegal	CNP	National Council of Employers
	CNTS	National Confederation of Workers of Senegal
	SYGAS	Syndicat National des Gargotiers et Associés du Sénégal
	UDTS	Democratic Union of Workers of Senegal
Sierra Leone	SLLC	Sierra Leone Labour Congress
Singapore	SNEF	Singapore National Employers’ Federation
	SNTUC	Singapore National Trades Union Congress
South Africa	BUSA	Business Unity South Africa
	COSATU	Congress of South African Trade Unions
	SACCAWU	South African Commercial, Catering and Allied Workers Union
Spain	CCOO	Trade Union Confederation of Workers’ Commissions
	CEOE	Spanish Confederation of Employers’ Organizations
	UGT	General Union of Workers
Sri Lanka	CWC	Ceylon Workers’ Congress
	JSS	Jathika Sevaka Sangamaya
	SLNSS	Sri Lanka Nidahas Sewaka Sangamaya
Suriname	Ravaksur	Council of Trade Union Confederations of Suriname
Sweden	HRF	Hotel and Restaurant Workers’ Union
Switzerland	USS	Swiss Federation of Trade Unions

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United Republic of Tanzania	TUCTA	Trade Union Congress of Tanzania
Tunisia	UGTT	Tunisian General Union of Labour
Turkey	HAK-IS	Confederation of Turkish Real Trade Unions
	KESK	Confederation of Public Employees' Trade Unions
	TISK	Turkish Confederation of Employers' Associations
Uganda	NOTU	National Organisation of Trade Unions
Ukraine	FPPMSPU	Federation of Trade Unions of Small and Medium Enterprises of Ukraine
United Kingdom	TUC	Trades Union Congress
United States	AFL-CIO	American Federation of Labor and Congress of Industrial Organizations
	USCIB	United States Council for International Business
United States and Canada	SEIU	Service Employees International Union
	UFCW	United Food and Commercial Workers International Union
	USW	United Steelworkers
Uruguay	CNCS	National Chamber of Commerce and Services of Uruguay
	PIT-CNT	Inter-Union Assembly of Workers – Workers' National Convention
Bolivarian Republic of Venezuela	CTASI	Independent Trade Union Alliance Confederation of Workers
	CTV	Confederation of Workers of Venezuela
Zimbabwe	EMCOZ	Employers' Confederation of Zimbabwe
	FFAWUZ	Federation of Food and Allied Workers Unions of Zimbabwe
	ZCTU	Zimbabwe Congress of Trade Unions
	ZDAWU	Zimbabwe Domestic and Allied Workers Union

### Other abbreviations

CEACR	Committee of Experts on the Application of Conventions and Recommendations
ILC	International Labour Conference
ILO	International Labour Office/Organization
LGBTI	lesbian, gay, bisexual, transgender and intersex
UN	United Nations



## INTRODUCTION

At its 325th Session (October–November 2015), the Governing Body of the International Labour Office decided to place a standard-setting item on “Violence against women and men in the world of work” on the agenda of the 107th Session (June 2018) of the International Labour Conference (ILC).<sup>1</sup>

In accordance with article 39(1) of the Standing Orders of the Conference, the Office prepared a preliminary report (Report V(1)) setting out the law and practice in different countries, together with a questionnaire, which was transmitted to member States in May 2017.<sup>2</sup> Member States were invited to submit their views by 22 September 2017 after consultation with the most representative organizations of employers and workers. This consultation is obligatory for Members that have ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

A total of 85 governments sent their replies to the Office, with 50 of them indicating that the most representative organizations of employers and workers had been consulted. The governments of several member States sent the replies of employers’ and workers’ organizations either separately or together with their own replies; in some cases, the replies were received directly by the Office from these organizations. Replies were also received directly from the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC) as well as Public Services International (PSI), the International Domestic Workers Federation (IDWF), IndustriALL, the International Federation of Journalists (IFJ), the International Transport Workers’ Federation (ITF), the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and the United Food and Commercial Workers International Union (UFCW). Overall, at the time of preparing this report, the Office had received replies from 85 governments, 179 workers’ organizations and 29 employers’ organizations. Replies were also received from the Dattopant Thengadi National Board for Workers’ Education and Development (DTMBWED) and from other stakeholders, including civil society organizations such as CARE International, Oxfam International, the International Women’s Rights Action Watch (IWRAW), the International Committee on the Rights of Sex Workers in Europe (ICRSE), the Global Network of Sex Work Projects (NSWP) and the European Network for the Promotion of Rights and Health among Migrant Sex Workers (TAMPEP). Their replies have been noted but have not been included in the present report.

At its 325th Session (October–November 2015), the Governing Body also agreed to the holding of a tripartite Meeting of Experts on Violence against Women and Men in the World of Work, to provide guidance on the basis of which the Governing Body would consider, at its 328th Session (October–November 2016), the preparations for the first discussion of a possible instrument or instruments by the Conference.<sup>3</sup>

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<sup>1</sup> ILO: *Minutes of the 325th Session of the Governing Body of the International Labour Office*, GB.325/PV, para. 33(a).

<sup>2</sup> ILO: *Ending violence and harassment against women and men in the world of work*, Report V(1), ILC, 107th Session, Geneva, 2018.

<sup>3</sup> GB.325/PV, op. cit., para. 33(b).

The tripartite Meeting of Experts, which was held in Geneva from 3–6 October 2016, produced a set of conclusions, which were subsequently authorized for publication and dissemination by the Governing Body at its 328th Session (October–November 2016), and in which the experts suggested replacing the term “violence” with “violence and harassment” in the title of the item “to ensure the range of unacceptable behaviour is adequately understood and addressed”.<sup>4</sup> In addition to those conclusions, a report of the meeting was prepared by the Office.<sup>5</sup>

The present report and proposed Conclusions were prepared on the basis of the replies received from governments and organizations of employers and workers, the substance of which is given in the following pages. The Office commentary is provided immediately after the replies to each question. The proposed Conclusions are included at the end of the report. In preparing the report and proposed Conclusions, the Office has also taken into consideration the input and views expressed during the aforementioned tripartite Meeting of Experts.

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<sup>4</sup> ILO: *Report of the Director-General: Fifth Supplementary Report: Outcome of the Meeting of Experts on Violence against Women and Men in the World of Work*, GB.328/INS/17/5, para. 12, and Appendix I, para. 33.

<sup>5</sup> ILO: *Report of the Meeting of Experts on Violence against Women and Men in the World of Work (Geneva, 3–6 October 2016)*, GB.329/INS/INF/3 (available in English, French and Spanish).

## REPLIES RECEIVED AND COMMENTS

This section contains the substance of the replies received from governments and organizations of employers and workers to the questionnaire contained in Report V(1). Each question is reproduced as it appeared in the questionnaire and is followed by the number of replies received, grouped in accordance with the nature of the replies (affirmative, negative or other). A reply has been classified as “other” when it was neither clearly affirmative nor negative, or where the idea expressed was different from the one proposed in the question.<sup>6</sup> In cases where a reply was qualified or clarified by comments, the substance of these comments is summarized. Due to space limitations, only a sample of replies has been summarized after each question, and similar responses have been grouped together, where possible. Comments which simply either reaffirmed or responded negatively to the proposition contained in the question, without adding additional points, have not been reproduced. Some replies providing detailed information on specific national contexts have not been reproduced in this report.

In view of the restrictions on the length of Conference reports, instead of reproducing after each question the list of which constituents replied “yes”, “no” or “other”, this is displayed in tabular form in the appendix to the present report. In addition, instead of reproducing for each question the names of the workers’ organizations that replied to it in the same or in a similar way, a summary of the replies is presented as a consolidated reply. The workers’ organizations that collaborated in this way are the following: ACTU, ANTUF, BJSD, BJSL, BKDP, BLF, BNS, BWI, CASC, CATP, CCOO, CGSLB, CGT (France), CGIL, CGTM, CGTP, CIAWU, CITUB, CIWA, CNT (Niger), CNTD, CNTS (Senegal), CNUS, CNV, CONATO, CONUSI, CSAC, CSB (Burkina Faso), CSJMP, CTASI, CTC, CTUM, CTRN, CTRP, CUSG, CUT (Brazil), CUT (Costa Rica), CUT (Peru), CUT-A (Paraguay), CWC, DGB, FENATSEA, FEREPRODIS, FGTB, FLETAIG, FKTU, FNV, GFITU, GSEE, HAK-IS, HFPCWU, Histadrut, HKCTU, HMS, HRF, IDWF, IFJ, IndustriALL, INTUC, ITF, ITUC, IUW, JSS, JTUC-RENGO, KESK, KSPI, LBAS, LCGB, LPSK, MCTU, MTUC, NGG, NLC, NSZZ, NTUC, NZCTU, OGBL, PWF, Ravakur, SACCAWU, SEIU, SEWA, SindLUCAS, SLLC, SNTIA, SNTIN, TUC (United Kingdom), TUCTA, UFCW, UGT (Spain), UGTCL, UGTT, UNTA, USS, UST and VCP.

The structure of the proposed Conclusions has been adjusted in the light of the replies from the tripartite constituents. A number of linguistic and editorial adjustments were made to align the English and French versions of the proposed Conclusions, taking into account the terminology used in relevant ILO Conventions and Recommendations. The replies to the questionnaire and the report of the tripartite Meeting of Experts have also been taken into account in drafting the proposed Conclusions with a view to a Convention and a Recommendation.

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<sup>6</sup> For questions with several subsections, where respondents did not fully agree or disagree with all subsections, the answers were also recorded as “other”.

## 1. GENERAL OBSERVATIONS

In addition to providing comments on specific questions raised in the questionnaire, some respondents provided general observations on a number of issues, such as the importance of an instrument or instruments.

Several governments drew attention to the fact that the proposed title of the instrument(s), “Violence and harassment against women and men in the world of work”, may be problematic, because its scope is not sufficient to cover the gender diversity that exists in member States. They suggested removing the term “against women and men”, so that the title would read “Violence and harassment in the world of work”.

One recurring comment by governments and employers’ and workers’ organizations is that provisions of the proposed instrument or instruments need to be adaptable to, and consistent with, national circumstances, specificities and priorities. They also expressed the view that these provisions need to take into account national capacities and available resources. Likewise, a number of governments and employers’ organizations indicated that the proposed instrument or instruments should be flexible enough to embrace and strengthen relevant domestic mechanisms already in place. Where concerns were expressed in relation to the text of the proposed Convention being too prescriptive, this has been addressed under the Office commentary for the corresponding questions. As to this concern being expressed in relation to the text of the proposed Recommendation, it is noted that a Recommendation carries no substantive obligations and is framed on the basis that States will apply it as appropriate to their own circumstances.

Another recurrent concern expressed by employers’ organizations and some governments related to the lack of control that employers have to prevent violence outside of locations and circumstances under their direct control. It should be noted that, under the proposed Conclusions, the obligations on employers are confined to taking specific steps to prevent violence and harassment. No one person or organization can ensure that violence and harassment is prevented. However, as can be seen in an occupational safety and health approach, steps can be taken to prevent violence and harassment in circumstances related to the world of work, whether it be within the direct control of the employer or not.

While agreeing on a broad definition of violence and harassment, a number of countries questioned how the definition can be applied in the national context, particularly for criminal law claims. It should be recalled that Report V(1) demonstrated the diverse approaches to defining, and protecting against, various forms of violence and harassment in the world of work. Within the proposed Conclusions, key elements of a definition of violence and harassment are identified, and, within those parameters, it is left to national law to define the various forms of violence and harassment, in order to address national specificities. Similarly, the obligations placed on member States under the proposed Conclusions are broad enough to allow for flexibility in how various forms of violence and harassment are addressed, as long as it is done effectively.

Where the questions included lists, some replies stressed that the lists should be considered indicative and not exhaustive. The Office wishes to clarify that the lists are not foreseen to be exhaustive. Pursuant to established practice, international labour Conventions and Recommendations use the verb “include” or the terms “including”, “such as”, or “inter alia” to introduce a non-exhaustive list of items or considerations. Therefore, in the text, the terms “including”, “that includes” or “should include”, wherever they appear in the proposed Conclusions, should be understood as referring to a non-exhaustive list.

A recurring theme among governments and employers’ and workers’ organizations was the need to deal with gender-based violence in particular, and, at the same time, to mainstream gender using an intersectional approach throughout the instrument(s). The Government of Belgium clarified that mainstreaming gender means that for every provision in this instrument there is a need to ask: “What is the impact on women (and men)?”

A number of governments expressed the need to address more specific forms of gender-based violence, including sexual harassment and stalking, as they occur in, or impact on, the world of work. A majority of governments and workers' organizations support the inclusion of a reference to domestic violence in the proposed instrument(s), and numerous respondents, including those endorsing the workers' consolidated reply, specifically proposed its inclusion in both instruments. Many respondents highlighted the impact that domestic violence can have in the world of work and elaborated on the diverse ways in which work can be a preventive and protective factor in the lives of victims, as often the workplace offers a break from the violent situation and can be a place where the violence is identified.

Throughout the questionnaire, some respondents expressed diverse views on whether the instrument(s) should extend their effects beyond the workplace and on the consequential intersection between labour, civil and criminal law that this would entail.

## 2. REPLIES AND COMMENTS ON THE QUESTIONNAIRE

### I. Form of the international instrument or instruments

**Question 1** *Should the International Labour Conference adopt an instrument or instruments concerning violence and harassment in the world of work?*

#### Governments

*Total number of replies: 83*

*Yes: 79*

*No: 0*

*Other: 4*

#### Comments

*Bulgaria, Czech Republic, Ghana, Jamaica, Slovenia:* There is a lack of a universally agreed definition of violence and harassment at work. The ILO has a number of instruments which are important for combating violence and harassment in the world of work, but it lacks an instrument which is entirely devoted to this problem and contains a definition thereof.

*France:* Human beings are not a commodity and fundamental rights must be protected, the first of which is the right to a world of work free of violence in a safe environment guaranteeing the preservation of dignity, protection of physical safety and maintenance of the capacity to work.

*Germany:* Given the existing ILO and UN legal framework, the problem of violence and harassment is not a lack of legislation but the implementation of existing instruments.

*Netherlands:* The ILO could start an initiative of describing and disseminating the experiences of those countries that already have experience with protection against violence and harassment at work.

*Peru:* It is necessary to adopt instruments on violence and harassment in the world of work, with emphasis on: (i) gender equality and its different manifestations in accessing, remaining in and leaving employment; (ii) domestic violence and its impact on the world of work; (iii) sexual harassment at work; and (iv) mobbing, because violence and harassment must be tackled in an integral way.

*Poland:* Violence at work is a very complex and multifaceted phenomenon that may have various forms. Gender-related violence and harassment at work violates human rights and dignity and is contrary to ensuring fair and safe working conditions. Every manifestation of violence must be eliminated, and equal treatment and access to support measures for employees should be ensured.

*Switzerland:* The establishment of one or more instruments is appropriate to mainstream gender in the field of work, to provide increased protection, particularly considering the increasing proportion of women in the labour market, and to raise awareness of risks of harassment stemming from new technologies.

*Tunisia:* This phenomenon has become more common, affects both sexes and has repercussions on society and the lives of victims and their families.

*United Kingdom:* Violence against women and girls is one of the most endemic human rights abuses worldwide.

## Employers

*Total number of replies: 26*

*Yes: 13*

*No: 10*

*Other: 3*

## Comments

IOE: The problem of persisting violence at work is because existing standards and regulations are not duly enforced or implemented and may require updating. The ILO's expertise can also be effectively used to raise awareness, promote better understanding of the issue and change, which will have a far-reaching impact rather than standards. There is a need to reflect on the value added of ILO action in addressing violence at work solely through standards.

## Workers

*Total number of replies: 178*

*Yes: 177*

*No: 0*

*Other: 1*

## OFFICE COMMENTARY

Almost all governments and workers' organizations and a simple majority of employers' organizations are in favour of the Conference adopting an instrument or instruments. Among those respondents counted as "no" or "other", a majority indicate that they could consider or support the adoption of an instrument or instruments if the Conference so decides. They provided their respective replies to the questionnaire based on this premise.

A number of governments agree that, while several ILO international labour standards refer to various forms of violence and harassment, none defines any of its forms, and no international instrument addresses violence and harassment in the world of work in a comprehensive way. Multiple governments also highlight that the creation of a holistic instrument or instruments is necessary to protect against human rights abuses.

*In the light of the replies received, the Office proposes that the International Labour Conference adopt an instrument or instruments concerning violence and harassment in the world of work.*

- Question 2** *If so, should the instrument or instruments take the form of:*
- (a) *a Convention?*
  - (b) *a Recommendation?*
  - (c) *a Convention supplemented by a Recommendation, as two separate instruments or a single instrument comprising binding and non-binding provisions?*

## Governments

*Total number of replies: 85*

- (a) *a Convention*

*Yes: 2*

- (b) *a Recommendation*

*Yes: 30*

## Comments

*Australia:* If there is a need for both binding and non-binding clauses in the instrument, Australia would recommend the development of two separate instruments: a Convention and an accompanying Recommendation.

*Austria:* A Recommendation gives member States some leeway in their implementation. The points raised in the questionnaire concerning a possible Convention should be combined in a Recommendation.

*Bahrain:* Starting with a Recommendation will set the baseline and enable member States to further understand how to deal with this phenomenon. Later on, we can look towards adopting a binding instrument.

*Bulgaria:* In contrast to a Convention, which will be binding only for the parties that have ratified it, a Recommendation will contain a call to all Members of the ILO.

*Bulgaria, Estonia:* A Recommendation can be more specific and offer better guidance to member States.

*Denmark:* At this stage, Denmark has a preference for a Recommendation which stands alone, since this questionnaire indicates that the content of a Convention would be too detailed and not ratifiable. The Danish answer should be read in this light.

*Denmark, Iceland, Norway:* The level of protection and the obligations should be kept at a more realistic level to avoid ending up with a low level of ratification. That would not only be a missed opportunity but also counterproductive for the ILO and its standard-setting function.

*Spain:* A Recommendation is flexible and allows for the necessary clarification of concepts and areas of action.

- (c) *a Convention supplemented by a Recommendation, as two separate instruments or a single instrument comprising binding and non-binding provisions?*

*Yes: 48*

## Comments

*Argentina, Belgium, Oman, Peru, South Africa, Trinidad and Tobago:* It should be a single instrument with binding and non-binding provisions.

*Belgium:* A Convention seems necessary to encourage member States to effectively combat violence and harassment at work.

*Canada, Costa Rica, Ecuador, India, Indonesia, Mexico, Namibia, Paraguay, Portugal, Romania, Senegal, Uruguay, Zimbabwe:* Two separate instruments: a framework Convention, supplemented by a Recommendation which gives more detailed guidelines for developing the legislation, policies and strategies and addresses interpretative and operational aspects for the effective implementation of the Convention.

*Chile:* Adopting both types of instruments ensures the possibility that the non-ratifying States of a Convention have a Recommendation that serves as a basis for the required normative changes and for the design of public policies and good practices.

*Israel:* A Recommendation only is not sufficient to raise awareness of the severity of the phenomenon. A Convention is necessary, with a Recommendation to provide general guidelines.

*Jamaica:* Binding provisions are essential to allow States to implement these principles in their domestic laws and policy framework.

*Mexico:* There should be a Convention to establish a legal framework, supplemented by a Recommendation with guidelines on member States' policy, legislation and practice, and on implementation of the Convention.

*Belgium, Cameroon, Chad, Guatemala, Hungary, Peru, Suriname:* A framework Convention supplemented by a Recommendation which gives more detailed guidelines for developing the legislation, policies and strategies and could address interpretative and operational aspects for the effective implementation of the Convention.

*Other:* 5

## Comments

*Netherlands:* At a later stage a Recommendation could be considered.

*New Zealand:* If there is to be an instrument or instruments, a non-binding Recommendation would be preferable to provide a framework for governments to apply guidance in a manner best suited to their specific legal and employment relations systems.

*Switzerland:* At this stage, Switzerland does not comment on the shape of the instrument. The final position of the Government will depend on the proposals made for the first discussion at the 2018 session of the ILC.

## Employers

*Total number of replies:* 26

### (a) a Convention

*Yes:* 1

### (b) a Recommendation

*Yes:* 11

## Comments

OEB: The matter is too technical to be handled by a Convention.

### (c) a Convention supplemented by a Recommendation, as two separate instruments or a single instrument comprising binding and non-binding provisions?

*Yes:* 4

*Other:* 10

## Comments

ACCI, BusinessNZ, KEF, Keidanren, WKÖ: There is a preference for no instrument, but if it is decided to develop an international instrument, a Recommendation is preferable.

IOE: A Convention tends to be very limited in scope and risks excluding various inappropriate behaviours in its response to violence at work. A standard which covers too wide a range also risks becoming legally unclear and, by consequence, unratifiable. A Recommendation has the advantage of being flexible and could provide guidance on additional aspects of “unacceptable” behaviour at work (such as bullying and harassment).

## Workers

*Total number of replies: 178*

(a) *a Convention*

*Yes: 9*

(b) *a Recommendation*

*Yes: 5*

(c) *a Convention supplemented by a Recommendation, as two separate instruments or a single instrument comprising binding and non-binding provisions?*

*Yes: 164*

## Comments

Consolidated response: A Convention, supplemented by a Recommendation, is essential to signal without ambiguity that violence and harassment is unacceptable, is the antithesis of decent work and demands serious and urgent attention. There is no internationally agreed definition of the term or scope of “violence and harassment in the world of work”. While several ILO instruments refer to violence and/or harassment, none of these instruments address violence and harassment as their primary aim, none define what is meant by violence and harassment, nor do they indicate the steps that governments, employers and workers’ organizations should take to prevent, address and redress violence and harassment in the world of work. Further, these instruments tend to refer to only certain forms of violence or harassment and only cover specific groups or categories of workers. The approach to dealing with violence and harassment in the world of work is often fragmented. The development of international standards is therefore meant to fill important gaps at international and domestic level in relation to occupations, sectors and forms of violence and harassment, by taking a comprehensive and integrated approach.

Consolidated response: CEDOCUT, CLC, CNTB, CNTG, CROC, FFAWUZ, FPRK, KSBSI, MOLDSINDCOOPCOMERT, KUSPAW, KUCFAW, KUDHEIHA, MTUC, CGT-RA ZCTU, ZDAWU: Two separate instruments.

CAT, CGT (Colombia), CNTS (El Salvador), CROM, CSC (Democratic Republic of the Congo), CTM, FTU, PSI: A single instrument with binding and non-binding provisions.

## OFFICE COMMENTARY

A majority of governments and workers’ organizations are in favour of a Convention supplemented by a Recommendation, while a majority of employers’ organizations favour a Recommendation.

For the respondents that indicated a preference for a Convention supplemented by a Recommendation, the majority preferred two separate instruments. They highlight that a framework Convention supplemented by a Recommendation that gives more detailed guidelines for developing the legislation, policies and strategies could address interpretative and operational issues for the effective implementation of the Convention. Moreover, having two separate instruments would provide those States that have not ratified the Convention with a

Recommendation to serve as a foundation for the normative changes, as well as for the design of public policies and dissemination of good practices.

For the respondents that preferred a Recommendation, the reasoning was varied and included the view that the questionnaire for a proposed Convention was too detailed and would better suit a Recommendation, and that a Recommendation would be more flexible, apply generally and not just to ratifying Members, and allow for more detailed guidance.

*Taking into account the replies received, the Office proposes to develop a Convention supplemented by a Recommendation as two separate instruments. Furthermore, the Office recognizes the need, mentioned by a number of respondents, to take a coherent approach in the development of the instruments, and will work to ensure the consistency of the proposed Conclusions with other relevant international labour standards.*

## II. Preamble

**Question 3** *Should the Preamble of the instrument or instruments recall that the Declaration of Philadelphia affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity?*

### Governments

*Total number of replies: 85*

*Yes: 80*

*No: 1*

*Other: 4*

### Comments

*Chile:* The historical context and the rights of individuals must be included in order to facilitate understanding and reinforce the long-term commitments assumed by the member States.

*Ghana, Peru, Russian Federation, Tunisia, United Kingdom:* Violence and harassment in the world of work is a human rights violation.

*Netherlands:* Answer to questions 3 to 7: Elements as mentioned are worthwhile to be discussed in the context of formulating or amending a preamble to a Recommendation. This could best be done by incorporating them in the Preamble of the Occupational Safety and Health Recommendation, 1981 (No. 164).

### Employers

*Total number of replies: 23*

*Yes: 16*

*No: 4*

*Other: 3*

### Comments

*ACCI:* The instrument should commence by capturing a shared global commitment to people being able to work free from violence.

*BusinessNZ:* “Economic security” is not something for which there can be an absolute guarantee.

## Workers

*Total number of replies: 179*

*Yes: 177*

*No: 1*

*Other: 1*

## Comments

Consolidated response: Violence and harassment in the world of work is a human rights violation and a threat to the dignity, health and security of individuals. It strikes at the heart of the efforts of the ILO to promote the right of all human beings to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity. It is unacceptable and incompatible with decent work.

CTV, FESTRAS, Travail.Suisse, UGT (Brazil): The anti-discrimination component of the Declaration of Philadelphia, which is fundamentally linked to the objective of the instrument, should be highlighted.

### OFFICE COMMENTARY

The overwhelming majority of governments and employers' and workers' organizations agree with this statement. Two governments recognized the usefulness of referring to the Declaration of Philadelphia to provide a better understanding of the context of the instrument(s), and the responses of some governments and the majority of workers' organizations reaffirmed its relevance in reinforcing the fundamental human right to be free from violence. Some governments and workers' organizations highlighted the anti-discrimination component of the Declaration as fundamental for the instrument.

While some respondents stressed the importance of brevity in the Preamble, some governments and workers' organizations proposed referencing ILO instruments and other relevant international and regional instruments, with special attention to women workers.

*In the light of the replies received, the Office proposes no changes to point 6(a) of the proposed Conclusions; however, it proposes to add an additional clause in the Preamble, point 6(c) of the proposed Conclusions, recalling other relevant international instruments (see the Office commentary on question 8).*

**Question 4**      *Should the Preamble of the instrument or instruments reaffirm the relevance of the fundamental Conventions of the International Labour Organization?*

## Governments

*Total number of replies: 84*

*Yes: 74*

*No: 3*

*Other: 7*

## Comments

*Bahrain, Colombia, Mexico, Peru, Suriname:* Reference in particular should be made to instruments regarding discrimination in employment and occupation.

*Bulgaria:* Also include other instruments which are relevant to eliminating and preventing violence and harassment in the world of work, such as the Labour Inspection Convention, 1947 (No. 81); the Labour Inspection (Agriculture) Convention, 1969 (No. 129); the Domestic Workers Convention, 2011 (No. 189); and the Maritime Labour Convention, 2006 (MLC, 2006).

*Finland:* Include reference to occupational safety and health Conventions of the ILO and the relevant United Nations human rights conventions.

*Peru:* It is important to note the special relevance of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

*Senegal:* Not unless the proposed instrument integrates the list of fundamental ILO Conventions.

*Seychelles:* This may be useful if the target is to make a ninth fundamental Convention.

*Zimbabwe:* Yes, to place the instrument in context given the synergies of the principles contained in those Conventions.

## Employers

*Total number of replies: 23*

*Yes: 16*

*No: 7*

*Other: 0*

## Comments

ACCI: The more operative and clearer provisions in question 15 are preferable.

## Workers

*Total number of replies: 179*

*Yes: 176*

*No: 1*

*Other: 2*

## Comments

ANTUF, BLF, CTC (Colombia), CUT (Colombia), CMTU, CWC, HAK-IS, Histadrut, HMS, INTUC, NTUC, SEWA: Include the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Declaration on Social Justice for a Fair Globalization.

CAT, CATP, CGTP, CTC (Colombia), CUT (Colombia): Reference specifically each Convention.

FESITUN: Highlight the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

UNT: Include the Equal Remuneration Recommendation, 1951 (No. 90), the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111), the Human Resources Development Recommendation, 2004 (No. 195), and the Workers with Family Responsibilities Convention, 1981 (No. 156).

## OFFICE COMMENTARY

Almost all governments and workers' organizations and the majority of employers' organizations support the inclusion of this statement, with a number of them citing the relevance of fundamental Conventions to the phenomenon of violence and harassment.

A number of governments and workers' organizations propose making specific reference to ILO instruments, of which five governments suggest referencing instruments related to discrimination in employment and occupation.

In response to concerns expressed about the lack of ratification of fundamental Conventions by some member States, the Office would like to clarify that paragraph 2 of the ILO Declaration on Fundamental Principles and Rights at Work declares that "all Members, even if they have not ratified the Conventions in question, have an obligation ... to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions".

*The Office suggests no changes to point 6(b) of the proposed Conclusions.*

**Question 5**      *Should the Preamble of the instrument or instruments state the right of everyone to a world of work free from violence and harassment, including gender-based violence?*

### Governments

*Total number of replies: 85*

*Yes: 82*

*No: 1*

*Other: 2*

### Comments

*Belgium:* The Preamble should state the right to a world of work free from violence, including gender-based violence and domestic violence.

*Belgium, Bulgaria, Canada, France, Italy, Panama, Peru, Spain:* The specific reference to gender-based violence is strongly supported.

*Cameroon, Kuwait:* This wording should be limited to violence and harassment generally.

*Colombia:* Yes, particularly in relation to article 11 of the Convention on the Elimination of All Forms of Discrimination against Women.

*Ecuador:* Yes, in accordance with the Universal Declaration of Human Rights and other international instruments that promote non-discrimination.

*France:* The Preamble should specify that violence cannot be tolerated inside or outside the workplace and affirm that workplaces must enable women to emancipate themselves and to gain autonomy and independence and should promote women in hierarchy positions.

*Jamaica:* Sexual harassment as a form of gender-based violence must be addressed as a matter of urgency.

*Mexico:* Yes, as indicated in the ILO Resolution concerning gender equality at the heart of decent work (2009).

*Slovenia:* Specifically emphasize that violence, sexual harassment and harassment must be seen from a gender perspective, as their root causes, forms and consequences are different for women and men.

## Employers

*Total number of replies: 23*

*Yes: 17*

*No: 2*

*Other: 4*

## Comments

BusinessNZ, DA: This statement should not reference gender-based violence.

IOE: Provided there is a common understanding of what violence is.

## Workers

*Total number of replies: 179*

*Yes: 178*

*No: 0*

*Other: 1*

## Comments

Consolidated response: It is particularly important that reference is made in the Preamble to gender-based violence. While violence and harassment in the world of work affects everyone, women and those who do not conform to societal perceptions of gender roles and norms are at greater risk. For this reason, the ILO tripartite Meeting of Experts underscored that the gender dimensions of violence and harassment need to be addressed specifically in the instrument(s).

CROC, CCOO: Include a reference to sexual orientation, gender identity and gender-nonconforming people.

## OFFICE COMMENTARY

The vast majority of governments and almost all workers' organizations agree with this statement. Twelve governments and the workers' organizations' consolidated reply highlight the importance of mentioning gender-based violence specifically, while two governments and four employers' organizations express their opposition to such a reference.

Some governments and workers' organizations proposed to expand the wording to include specific forms of gender-based violence and violence based on other characteristics, circumstances or statuses.

*In the light of the replies received, the Office proposes no changes to point 6(d) of the proposed Conclusions. The Office would like to clarify that an explicit reference to "gender-based violence" does not limit the scope of the provision, which continues to protect all workers. Such mention is aimed at ensuring that this form of violence is not overlooked in law and policy.*

**Question 6**

*Should the Preamble of the instrument or instruments recall that violence and harassment in the world of work:*

- (a) is a human rights violation, is unacceptable and is incompatible with decent work; and*
- (b) affects workplace relations, worker engagement, health, productivity, quality of public and private services and enterprise reputation, and may prevent access to, and remaining and advancing in, the labour market, particularly for women?*

**Governments**

*Total number of replies: 83*

*Yes: 79*

*No: 0*

*Other: 4*

**Comments**

*Austria, Zimbabwe:* The Preamble should also mention other groups that are affected by violence and harassment in the workplace.

*Austria:* The wording “access to ... the labour market” requires clarification on whether this could apply to recruitment procedures or to certain sectors or occupations.

*Belgium:* Harm to health should be mentioned first; harm to family life and the social climate in the company and the social costs related to diseases and accidents at work could be included.

*Belgium, Canada:* (b) should note that violence and harassment in the world of work affects both psychological and physical health.

*Finland, Guatemala:* It must be remembered that the public sector is an employer.

*Mali:* Add “young workers” to the end of (b).

*Mexico:* Emphasize that special attention should be paid to women and more exposed groups, as well as to their family responsibilities.

*Spain:* Include the threat to dignity, particularly regarding women in the case of gender-based violence.

*Switzerland:* Include “harms equal opportunities between workers” in (b).

**Employers**

*Total number of replies: 24*

*Yes: 15*

*No: 2*

*Other: 7*

**Comments**

*ACCI:* Consider adding “communities” and “worker choices on association with workers’ organizations and whether to participate in industrial action” to (b).

*CNCS:* Include “development of sustainable enterprises” in (a).

## Workers

*Total number of replies: 179*

*Yes: 175*

*No: 0*

*Other: 4*

## Comments

CATP, CGTP, CNUS, CNTD, CASC, CUT (Colombia), FESITUN, UNT: Mention the effects on family and the social environment.

CGT-FO: Avoid highlighting effects on productivity in (b). Work is not a commodity and productivity reasons cannot justify the Convention. Replace (b) with article 3 of the Declaration of Philadelphia.

CTC (Colombia): Include an additional clause: "Affects the construction of democracy at the workplace and participation of all workers in social dialogue".

UNT: Include effects on equality of treatment, opportunity and remuneration in (b).

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations and the majority of employers' organizations agree with the statement.

While wide-ranging support for this language was shown, several edits were suggested, including to better prioritize the effects of violence and harassment within the statement. Several governments noted the importance of mentioning not only physical health, but also psychological and sexual health. Several employers' and workers' organizations made suggestions to expand the list of impacts to include threats to equal opportunities, to dignity, to the development of sustainable enterprises, and to the family and social environment.

*To appreciate fully the harm caused by violence and harassment in the world of work, the Office proposes to restructure and expand the list of impacts of violence and harassment set out in point 6(e), (f), (g) and (h) of the proposed Conclusions.*

Several governments noted that the concept of "enterprise reputation" should be clarified, and should encompass public sector employers as well. The Office notes that the concept of "enterprise reputation" emerges from Report VI to the 96th Session of the ILC (2007), *The promotion of sustainable enterprises*. The concept is envisioned to frame policies for enterprise development and for the development of competitive strategies.

A number of employers' organizations and governments expressed the view that it is not only women who can be subject to violence and harassment and that the instrument needs to be seen as having general applicability. The Office reiterates the point that an explicit reference to "gender-based violence" or the specific mention of women in the instrument(s) does not limit the scope of the provision, which would still cover all workers. Such explicit mention is aimed at ensuring that this widespread form of violence and harassment is not overlooked in law and policy.

*The Office proposes to retain the specific reference to women in the Preamble, so as to ensure their inclusion in law and policy, as their experiences of violence and harassment are frequently excluded or marginalized.*

**Question 7**      *Should the Preamble of the instrument or instruments recognize that an inclusive and integrated approach, tackling underlying causes and risk factors, is essential to ending violence and harassment in the world of work?*

### Governments

*Total number of replies: 83*

*Yes: 79*

*No: 0*

*Other: 4*

### Comments

*Colombia:* Include focus on gender, age, ethnicity and territory.

*France:* It may be appropriate to clarify the meaning of “inclusive and integrated” approach. The measures envisaged must be carried out according to equality between women and men.

*Peru:* Above all, gender-based violence and discrimination in all its dimensions should be highlighted as key concepts to be taken into account in order to guarantee work free from violence.

*Saint Vincent and the Grenadines:* Suggests amending “... is essential to reducing the incidence of violence and harassment in the world of work”.

*Slovenia:* Recognize gender-based stereotypes as an underlying cause and one of the most important obstacles for gender equality.

*Sweden:* Include underlying causes of an organizational or social nature, which are often more important and less obvious causes of violence and harassment.

### Employers

*Total number of replies: 22*

*Yes: 16*

*No: 4*

*Other: 2*

### Comments

ACCI, BusinessNZ, FEDIL: Not all underlying causes originate in the workplace and dealing with them in a workplace context might not be possible; it is unrealistic to ask employers to tackle anything beyond their control.

IOE: The Preamble should highlight that addressing workplace violence calls for an integrated approach which requires joint responsibilities where all actors intervene to prevent and mitigate acts of violence in the workplace. All actors in the world of work should abstain from, prevent and address violence. Prevention of violence and mitigation when it occurs are the basic pillars of an efficient and effective approach.

## Workers

*Total number of replies: 179*

*Yes: 176*

*No: 0*

*Other: 3*

## Comments

Consolidated response: Violence and harassment is highly contextual and is often driven by dynamics operating both in the world of work and in greater society, including, but not limited to, power relations, gender norms, cultural and social norms, discrimination and economic inequalities. While violence and harassment affects every sector and occupation, negative power relations, discrimination based on the intersectionality of various factors (such as gender and race), circumstances and conditions of work and psychosocial hazards can increase the risk of exposure to violence and harassment in the world of work. An integrated approach is necessary not only for prevention, but also for protection, rehabilitation, compensation and other remedial action.

### OFFICE COMMENTARY

Almost all governments and workers' organizations and most employers' organizations agree with the statement.

Several employers' organizations emphasize that it is unrealistic to ask employers to address causes and risk factors beyond their actual control. The Office notes that the proposed language enumerating approaches to addressing the underlying causes of violence and harassment in the world of work is preambular language used to contextualize the instrument(s) and does not, in itself, place direct obligations on employers.

Multiple workers' organizations highlighted the issue of discrimination based on the intersectionality of various factors, including gender, race and cultural and social norms. Several governments expressed a need to include a gender-responsive approach, and there was also reference by workers' organizations and one government to highlighting underlying causes and risk factors, such as gender stereotypes.

*In the light of the responses received, the Office proposes to incorporate "gender-responsive" into the approaches, as well as a specific reference to "gender stereotypes", in point 6(i) of the proposed Conclusions.*

**Question 8**      *Should other considerations be included in the Preamble of the instrument or instruments? If yes, please specify.*

## Governments

*Total number of replies: 84*

*Yes: 44*

*No: 39*

*Other: 1*

## Comments

*Argentina, Chile, Colombia, Ecuador, Germany, Philippines, Russian Federation:* There should be a reference to UN Conventions on human rights and discrimination to maintain political and public policy coherence.

*Argentina:* The American Declaration of the Rights and Duties of Man and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) should be mentioned.

*Austria:* Highlight the importance of awareness-raising and state that people are protected regardless of their sexual orientation or gender identity.

*Belgium:* Domestic violence should be mentioned in the Preamble, as in the conclusions of the Meeting of Experts. The Preamble should also identify the world of work as one of the many actors that can help to combat domestic violence. Points 16, 17 and 20 of the conclusions of the Meeting of Experts should be included in the Preamble. It would be interesting to close the Preamble with a global idea concerning the ultimate aim of the instrument as “the importance of an organizational culture of the enterprise founded on respect and recognition of human beings to promote the well-being of workers and the prosperity of the enterprise”.

*Canada:* We propose changing the title to “Ending violence and harassment in the world of work”, thereby ensuring that the instrument(s) apply regardless of a person’s sex or gender identity. The Preamble could also acknowledge that some instances of domestic or intimate partner violence can affect the workplace and require attention.

*Cyprus:* New forms of harassment such as mobbing/bullying could be mentioned.

*Ecuador:* References should be included to the Inter-American Convention on the Prevention, Punishment and Eradication Violence against Women, the Equality of Treatment (Social Security) Convention, 1962 (No. 118), and the Occupational Safety and Health Convention, 1981 (No. 155).

*France:* Highlight the effects of violence, such as absenteeism, turnover, lack of motivation, loss of creativity, decrease in productivity, deterioration of social climate, difficulties in recruitment, occupational accidents, damage to businesses’ image, disputes and legal proceedings.

*Germany:* The instrument could be guided by the four anti-discrimination directives of the European Union. Reference should be made to groups that are affected by multi-dimensional or intersectional discrimination, especially women and the lesbian, gay, bisexual, transgender and intersex (LGBTI) community.

*Islamic Republic of Iran, Jordan, Mexico, Saudi Arabia:* Cultural specificities of member States should be considered.

*Jamaica:* Emphasize that gender equality and the reduction of gender-based violence contribute to sustainable growth.

*Jordan, Mexico:* Social specificities of member States should be taken into account.

*Malta:* Reference to regional conventions such as the Istanbul Convention would also be relevant.

*Mexico:* The need for attention to persons at greater risk or in a position of vulnerability, such as migrant workers or people with disabilities, should be mentioned.

*Portugal:* Reference should be made to various forms of violence and harassment, such as physical, psychological and sexual, and occurring as isolated incidents or more systematically. Consideration should be given to the World Health Organization’s definition of health, as well as the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).

*Saint Vincent and the Grenadines:* Recognize the workers' and employers' organizations' role in reducing the incidence of violence and harassment in the workplace.

*Spain:* Reference the need to modify business and social culture to effectively prevent violence and harassment. Special mention should be made of the vulnerability of women to violence, the right to equal treatment and opportunities, dignity, physical and moral integrity, inviolability of privacy and honour, and the right to exercise an occupation in dignified and equitable working conditions.

*Tunisia:* Add specific forms of violence and harassment and other causes such as illiteracy and poverty.

*Uruguay:* Include equal opportunities and equal treatment in accessing, remaining in, progressing in and having stability at work.

## Employers

*Total number of replies: 26*

*Yes: 7*

*No: 19*

*Other: 0*

## Comments

ACCI: Reference should be made to employers' right to manage their business in a way that enables them to effectively and practically manage the risk of and deal with the consequences of violence or harassment at the workplace.

IOE: We should aim to keep the Preamble short and focused, instead of referencing other instruments.

## Workers

*Total number of replies: 179*

*Yes: 160*

*No: 17*

*Other: 2*

## Comments

Consolidated response: The Preamble should recall other relevant international instruments, such as the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; and the United Nations Convention on the Rights of Persons with Disabilities.

CAT: Include the Indigenous and Tribal Peoples Convention, 1989 (No. 169); the Domestic Workers Convention, 2011 (No. 189); the Migration for Employment Convention (Revised), 1949 (No. 97); the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); the HIV and AIDS Recommendation, 2010 (No. 200); and the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).

CNUS, CNTD, CASC, IDWF: Reference should be made to the Social Security (Minimum Standards) Convention, 1952 (No. 102); the Maternity Protection Convention, 2000 (No. 183); the Workers with Family Responsibilities Convention, 1981 (No. 156); the Occupational Safety and Health Convention, 1981 (No. 155); the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); the Protocol of 2014 to the Forced Labour Convention, 1930; and the Social Protection Floors Recommendation, 2012 (No. 202).

COTU, CTM: Highlight the disproportionate effect of violence on women.

TUC: Reinforce the status of freedom of association and collective bargaining as enabling rights to achieve the aims of the Convention.

## OFFICE COMMENTARY

A large number of respondents propose additional content. Two governments emphasize that the reference to “men and women” in the title is not inclusive of gender-nonconforming persons, and strongly recommend that it be deleted.

*The Office takes note of the limiting nature of this phrase and proposes to delete “men and women” in the title of the instrument or instruments.*

In their replies to this question, as well as to question 3, many governments and workers’ organizations suggest referencing various ILO instruments and other international instruments. The Office notes the strong support for the inclusion of the United Nations 2030 Agenda for Sustainable Development and the Convention on the Elimination of All Forms of Discrimination against Women. Several other human rights instruments are suggested by multiple governments and workers’ organizations.

*In the light of the replies received, the Office notes that the 2030 Agenda for Sustainable Development is time-specific and may not be a suitable reference for an instrument or instruments projected to have long-lasting effect, such as the ones under discussion. The Office proposes to include references to other relevant international instruments in point 6(c) of the proposed Conclusions.*

Concerning the scope of the instrument, five governments proposed explicit mention of certain groups more exposed to violence and harassment, including women and persons victimized on the basis of their sexual orientation and gender identity, illiteracy, poverty, migration status or disability.

*Due to the lack of consensus on which groups to include, the Office does not propose any additions in this regard. Should an express list of groups and sectors considered more exposed to violence and harassment be supported by the Conference, the Office would propose the inclusion of those mentioned in questions 17, 30, 34 and 46.*

A number of governments and several workers’ organizations indicate their agreement to explicitly mention gender-based violence and discrimination; some also suggest that domestic violence should be explicitly included.

*In this regard, the Office notes the reference to gender-based violence included in point 6(d) and the addition of “gender-responsive” to point 6(i) of the proposed Conclusions. Regarding the suggestion to include a reference to domestic violence in the Preamble, the Office proposes to add an additional clause to point 6 as point 6(j) of the proposed Conclusions, recognizing the relevance of domestic violence to the world of work and that the world of work and its institutions can contribute to ending it. See Office commentary on questions 22 and 29.*

Moreover, many workers’ organizations propose the inclusion of a definition of “world of work”.

*In response to the proposal by a number of workers’ organizations to define “world of work” in the Preamble, the Office notes the situations foreseen under point 4, which are understood as being included within the scope of “the world of work”, and notes the reference to “world of work” in point 6(d), (e), (i) and (j) of the proposed Conclusions related to the Preamble. Consequently, the Office proposes no additions in this regard.*

### III. Definitions and scope

**Question 9** *For the purposes of the instrument or instruments should the expression “violence and harassment” be understood as a continuum of unacceptable behaviours and practices – whether a single occurrence or repeated – having the aim or effect of causing physical, psychological or sexual harm?*

#### Governments

*Total number of replies: 85*

*Yes: 69*

*No: 2*

*Other: 14*

#### Comments

*Australia:* The use of the word “continuum” may imply that some forms of violence or harassment are more acceptable than others.

*Austria:* “Harm” should be further defined and refer to interference in the personal sphere. The term “unacceptable behaviours and practices” should be clarified.

*Belgium:* It would be preferable to use a single generic term, such as “workplace violence”, to designate a continuum of behaviours that are objectively abusive. Enumerating specific behaviours may result in others not being taken into account. On the other hand, it is necessary to analyse whether this is legally sufficient, since the Convention provides means of redress and reparation for the victims and sanctions for the perpetrators. This continuum is also apparent in domestic violence.

*Cuba, Mali, Portugal:* Include the specific acts to clarify the definition.

*Finland:* The definition should be clarified and have more flexibility and a wider scope.

*Finland, Russian Federation, Sweden:* The threat of violence should be considered. A proposal would be to add the phrase “or threatening to inflict”.

*France:* The concept of “unacceptable practices” implies moral judgement and may not be legally effective. The concept of “sexual harm” is vague, and it may encompass both physical and moral damage, such as that which results from sexual harassment.

*France, Israel, Trinidad and Tobago:* Harassment should be understood as repeated behaviour.

*Germany:* We support a broad definition of violence and harassment in the world of work with regard to civil law claims. However, in relation to criminal law, the definition does not distinguish between violence and harassment, and the two terms involve different degrees of intensity. The definition of harassment could be guided by the anti-discrimination directives of the European Union.

*Colombia, Jordan, Malta, Poland, Tunisia:* Include economic harm.

*Finland, Islamic Republic of Iran:* “Continuum” needs to be further clarified.

*Iraq:* There must be a definition for violence and another for harassment.

*Mexico:* It is advisable to define the scope and limits of the concepts of “violence” and “harassment”. A focus on conduct happening in the labour context must be conserved.

*Senegal:* Add moral and social harm.

*Spain:* The definition should state that such behaviour includes verbal abuse, intimidation and the use of aggressive gestures, words or acts by any means.

*United Kingdom:* Further exploration is needed to understand how “violence” and “harassment” could be defined in national law if joined together, since the definitions and scope for harassment and violence are different.

## Employers

*Total number of replies: 25*

*Yes: 14*

*No: 4*

*Other: 7*

## Comments

ACCI: “Violence” and “harassment” should be given their ordinary meaning. If the Conference wishes to address sexual harassment, it should do so through a targeted standard.

BusinessNZ, DA: Unacceptable behaviour must have a harming effect.

CONCAMIN, IOE: Violence and harassment should be treated as separate behaviours.

IOE: We could consider the World Health Organization’s definition of violence: “the intentional use of physical force or power, threatened or actual, against oneself, another person or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation”.

OEB: The definition should be aligned with the Framework Agreement on Harassment and Violence at Work signed by the European social partners.

## Workers

*Total number of replies: 179*

*Yes: 173*

*No: 2*

*Other: 4*

## Comments

Consolidated response: Violence and harassment in the world of work can take several forms, such as physical abuse, including assault, battery, attempted murder and murder; sexual violence, including rape and sexual assault; verbal abuse; bullying; psychological abuse and intimidation; sexual harassment; threats of violence; and stalking. While there are extreme forms of violence that are easily recognized, other seemingly less extreme forms of intimidation and harassment, sometimes taking place over extensive periods, can have equally devastating effects but are not always recognized in measures to address violence in the world of work. This includes domestic violence, the impacts of which can follow workers to the workplace, significantly impacting upon a workers’ well-being, workplace relationships, productivity and full participation in the labour force, and risks absenteeism from work. Practices and behaviours that give rise to psychosocial hazards and risks should be understood as included in this definition, particularly where they affect the dignity, security, health and well-being of the worker(s).

CGT (France), CGT-FO, CTV: “Unacceptable” is too subjective; specific conducts or forms of violence should be enumerated (physical and verbal abuse, sexual violence and harassment, intimidation). Include the aim to compromise professional development.

CGT, CTC (Colombia), CTM, CTRP, CUT (Colombia), FESITUN, SEWA: Include the concept of economic harm.

FFAWUZ, ZDAWU, ZCTU, PSI. Threatening behaviour should be included.

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations and the majority of employers' organizations agree with the statement. However, a number of governments and employers' and workers' organizations suggest amendments and clarifications to the text.

*In the light of the suggestions of five governments and nine workers' organizations, the Office proposes to include "economic harm" as a possible aim or effect of violence and harassment in point 3(a) of the proposed Conclusions.*

In response to the numerous suggestions to specify conduct that constitutes violence and harassment in the world of work, the Office emphasizes that an exhaustive list risks being limiting, as the understanding of what constitutes violence and harassment is continually evolving. The Office notes from the Conclusions of the Meeting of Experts on Violence against Women and Men in the World of Work that the instrument needs to be "flexible enough to be able to address ... different forms of violence and harassment ... [and] should also be able to respond to the new challenges and risks which might lead to violence and harassment in the world of work, such as those arising from changing forms of work and technology".<sup>7</sup>

*The Office would propose no changes in this regard; however, should the Conference agree to specify particular behaviours and practices that constitute violence and harassment, the Office would propose a non-exhaustive list of behaviours and practices that amount to violence and harassment relevant to the world of work, including the following: sexual violence, including rape and sexual assault; physical abuse, such as assault, battery, attempted murder and murder; verbal abuse; psychological abuse and intimidation, bullying and mobbing; sexual harassment; threats; stalking; and domestic violence, including coercive control, where it impacts the world of work.*

In response to the suggestion from three governments and one employers' organization that harassment should be understood as repeated behaviour, the Office notes the Conclusions from the Meeting of Experts on Violence against Women and Men in the World of Work which state that "[v]iolence and harassment can be a one-off occurrence or repeated, and the nature and the effect of such conduct are key criteria to establishing whether it qualifies as violence and harassment".<sup>8</sup>

Three governments agree in principle to the broad definition, particularly for workplace or civil law claims, but are concerned how such a definition could be legally actionable in practice, particularly in criminal law claims, if the terms "violence" and "harassment" are grouped together. This concern of the grouping of various conducts together, and how it can be applied in practice, was raised in several responses under various questions. As such, the Office has also addressed this issue in the general observations. The Office clarifies that the survey of law and practice around the world undertaken for Report V(1) demonstrated there are varied approaches to defining, and protecting against, the various forms of violence and harassment in the world of work. The Office notes that, within the proposed Conclusions, key elements of a definition of violence and harassment are identified; within those parameters, it is left to national law and practice to define the various forms of violence and harassment considering national specificities. Similarly, the obligations placed on member States under the proposed Conclusions are broad enough to allow for flexibility in how various forms of violence and harassment are addressed, as long as this is effective. In this regard, the Office clarifies that which forms of violence and harassment will be dealt with under discrimination law, labour law, criminal law and other laws, ensuring coherence among them, is determined at the national level.

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<sup>7</sup> GB.328/INS/17/5, op. cit., Appendix I, point 18.

<sup>8</sup> *ibid.*, point 7.

*In the light of the responses from three governments, the Office proposes to change the wording of point 3(a) of the proposed Conclusions to take into account the threat of violence and harassment.*

*Given the focus of many comments in response to a number of questions regarding the importance of recognizing and addressing gender-based violence, the Office proposes to add at the end of point 3(a) the words “and includes gender-based violence”, to ensure that there is no confusion as to whether it is included in the term “violence and harassment”.*

*In addition, a definition of the term “gender-based violence” as raised in a number of responses, including in the context of question 13, is proposed as point 3(b). The Office notes that gender-based violence has only been defined in international law specifically in relation to women, as: “violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.”<sup>9</sup>*

*In the interest of avoiding a narrow understanding of gender-based violence, and recognizing that many countries’ understanding of gender-based violence goes beyond defining it synonymously with violence against women, the Office would propose to describe it as “violence and harassment that is directed at persons because of their sex or gender, or that affects persons of a particular sex or gender disproportionately”. As a result of these additions, many of the specific references to gender-based violence have been deleted elsewhere in the proposed Conclusions, and are noted in the relevant Office commentary.*

- Question 10** *For the purposes of the instrument or instruments should violence and harassment in the world of work cover situations occurring:*
- (a) in the physical workplace, including public and domestic spaces where they are a place of work;*
  - (b) in places where the worker is paid or takes meals;*
  - (c) when commuting to and from work;*
  - (d) during work-related trips or travel, at work-related events or social activities, and during work-related training; and*
  - (e) through work-related communications enabled by information and communication technologies?*

## Governments

*Total number of replies: 85*

*Yes: 55*

*No: 1*

*Other: 29*

## Comments

*Austria, Belgium, Bulgaria, Chad, Cuba, Estonia, Jamaica, Republic of Korea, Russian Federation, Singapore, Suriname: (c) needs to be qualified by reflecting modes of transport connected to or provided by the employer.*

<sup>9</sup> Office of the United Nations High Commissioner for Human Rights, Committee on the Elimination of Discrimination Against Women, Eleventh session (1992), General recommendation No. 19: Violence against women, para. 6.

*Canada:* (b), (c) and (d) need to be nuanced, as some circumstances may not fall under the control of an employer.

*Colombia:* Include places other than the physical workplace when linked to an activity specific to work or the work environment. Include place of residence in (e).

*Czech Republic, Saint Vincent and the Grenadines:* The points under (b) and (c) are not directly related to the performance of work.

*Egypt, Iraq, Malta, Netherlands, New Zealand, Oman, Saudi Arabia, Senegal, Sri Lanka, Uruguay:* No to (c).

*Germany, Islamic Republic of Iran:* The instrument should only cover areas within the employer's influence.

*Iceland, Norway:* (c) should only apply if the violence or harassment is related to the performance of work.

*Italy:* Leisure and rest spaces must be considered, and non-traditional workplaces and forms of work such as teleworking.

*Peru:* The aim should be to convey that violence and harassment in the world of work may arise in different areas but originate in employment, to emphasize that violence does not have a specific space but does have a common origin.

*Trinidad and Tobago:* Clarify (b), as obligations on the employers should be limited to the work premises. (c) should be limited to peripatetic workers.

*United Kingdom:* Domestic spaces should include employer-provided accommodation in (a).

## Employers

*Total number of replies: 25*

*Yes: 8*

*No: 3*

*Other: 14*

## Comments

ACCI: (b) and (c) must be qualified by control of the employer.

ALI, CEOE, COPARMEX, DA, EMCOZ, IV, OEB, SNEF, WKÖ: No to (c).

BDA, BusinessNZ: It should only cover spaces where the social partners are able to exercise control and influence.

IOE: We should aim to limit the world of work to the workplace where workers need to be or to go by reason of their work and which are under the direct or indirect control of the employer.

## Workers

*Total number of replies: 177*

*Yes: 168*

*No: 3*

*Other: 6*

## Comments

Consolidated response: The scope of violence and harassment in the world of work should cover situations occurring in the domestic sphere, where these impact on the world of work. Domestic violence

can, for example, cause disrupted work histories, high rates of absenteeism, lower personal incomes, frequent changes in jobs and loss of employment. It can also result in an abusive partner stalking or harassing the worker at their workplace.

The scope of the Convention should also extend to measures to prevent and address violence from third parties, such as clients and members of the public.

In relation to (a): Public spaces are often the physical workplace for informal economy workers, while domestic workers, home care workers, home-based workers and teleworkers perform work in domestic spaces.

In relation to (e): The ILO Meeting of Experts recognized that “inappropriate use of technology is also ... a source of concern” and that any new instruments “should also be able to respond to the new challenges and risks which might lead to violence and harassment in the world of work, such as those arising from changing forms of work and technology”.

CATP, CUT (Colombia), CUT (Peru): “In unionized activity” should be added. In (d) and (e), the Spanish should be changed from “*motivos profesionales*” to “*motivos laborales*”, as “*profesionales*” covers only one category of workers.

CEDOCUT, CTC (Colombia), CUT (Colombia), IFJ, UNSITRAGUA Histórica: Highlight the different and disproportionate manner in which women suffer from violence and harassment at work.

CLC, IDWF, TUC (United Kingdom): Include work-provided/related accommodation. “Work-related communication” in (e) is too limiting, as communications may not be directly related to work, but still have significant impact.

CNV, FNV, VCP: Reference should be made to the relevance of secure commuting (at night), the lack of which can prevent women from going to work.

#### OFFICE COMMENTARY

The majority of governments and the vast majority of workers’ organizations agree with this statement. The majority of employers’ organizations and many governments suggest revising the list to include or exclude certain spaces.

The Office notes the observations made by 11 governments that the provision on commuting to and from work should be qualified to reflect only modes of transport connected to or provided by the employer. In this regard, the Office recalls the Conclusions of the Meeting of Experts on Violence against Women and Men in the World of Work, which state that: “The world of work is considered to cover not only the traditional physical workplace, but also commuting to and from work, work-related social events, public spaces including for informal workers such as street vendors, and the home, in particular for homeworkers, domestic workers and teleworkers.”<sup>10</sup>

The Office takes note of the suggestion from one government and two employers’ organizations that the instrument should cover only areas that are within the employer’s sphere of influence. The Office refers to the comments made in the general observations referring specifically to this issue, and notes that the employers’ obligations under the proposed Conclusions are to take the enumerated steps in point 12 to prevent violence and harassment.

The vast majority of workers’ organizations emphasize that the scope of the Convention should also extend to measures to prevent and address violence from third parties, such as clients and members of the public. The Office notes the inclusion of a reference to third parties in point 5 of the proposed Conclusions, as discussed in the Office commentary for question 13.

*In response to the requests from two governments to specify the term “cyberbullying”, the Office notes that point 4(e) of the proposed Conclusions covers cyberbullying as a situation of violence and harassment that might occur through work-related communications enabled by information and communication technologies. The Office proposes conserving the broader reference to information and communication technologies, in order to encompass both cyberviolence and cyberharassment and any other forms of violence and harassment related to*

<sup>10</sup> GB.328/INS/17/5, op. cit., Appendix I, point 5.

*future technologies. The Office also considers that “work-related” can be read broadly and would not be limited to official means or platforms of communications provided by, or used on behalf of, the employer.*

*The Office proposes deleting the reference to “physical” before “workplace” in point 4(a) as it could be too limiting given the evolving world of work. It also proposes replacing “domestic” with “private” for clarity. In 4(b), including places where the worker takes rest breaks is also proposed, as indicated by one government, as rest breaks are referenced in a number of ILO instruments, including the Nursing Personnel Recommendation, 1977 (No. 157), the Occupational Safety and Health Recommendation, 1981 (No. 164), and the Asbestos Recommendation, 1986 (No. 172).*

**Question 11** *For the purposes of the instrument or instruments should the term “employer” include intermediaries?*

### Governments

*Total number of replies: 83*

*Yes: 55*

*No: 16*

*Other: 12*

### Comments

*Algeria, Argentina, Australia, Austria, Finland, France, Germany, India, Kuwait, New Zealand, Singapore, Sweden, Thailand, Trinidad and Tobago:* The concept of “intermediaries” should be clarified/discussed further.

*Canada:* The term “employer” should be understood as including any intermediaries employing workers and performing the duties of an employer on behalf of an employer.

*Colombia:* It should include employer, intermediary and principal.

*Cuba, Cyprus:* Provided they exercise control and responsibility over the workplace and worker.

*Iceland, Norway:* If the term “intermediaries” means temporary agencies.

*Uruguay:* It should specifically determine diverse situations, such as subcontractors, client businesses or other situations.

*Zimbabwe:* The Employment Relationship Recommendation, 2006 (No. 198), could be a key reference.

### Employers

*Total number of replies: 26*

*Yes: 7*

*No: 16*

*Other: 3*

### Comments

*ACCI:* We query whether “intermediary” is used and defined elsewhere in ILO instruments, otherwise it should not be included. No definition of “employer” is needed.

*BUSA, IOE, TISK:* No, as it will create uncertainty as to who has employer responsibility.

*BUSA, IOE:* No, as it will provide an opportunity to avoid responsibility.

## Workers

*Total number of replies: 176*

*Yes: 167*

*No: 7*

*Other: 2*

## Comments

Consolidated response: Workers (including migrant workers) are often placed in employment through intermediaries, such as brokers, agencies and companies that recruit workers to perform work elsewhere than with the intermediary, including in private homes. It is important to avoid gaps in scope and coverage, consistent with Recommendation No. 198.

CIAWU, COTU, CSC (Democratic Republic of the Congo), CTM, CTC (Colombia), IDWF: Include third parties such as supervisors, colleagues, public authorities, clients, the public and everyone in the value chain.

FFAWUZ, ZDAWU, ZCTU: Also include former employers, prospective employers and contractors or subcontractors.

## OFFICE COMMENTARY

While a majority of governments and almost all workers' organizations agree that the term "employer" should include intermediaries, a number of governments and employers' organizations requested clarification regarding the scope and meaning of "intermediaries" to ensure it covers a range of diverse situations. Workers' organizations pointed out the specific concern that migrant workers, in particular, are often placed in employment through an agency and then work elsewhere, including in private homes.

*To provide more clarity and to ensure a broad scope of coverage, the Office proposes to change the language from "intermediaries" to "any person or entity that engages workers either directly or indirectly" in point 3(c) of the proposed Conclusions, in line with the ILO General principles and operational guidelines for fair recruitment.*

**Question 12** *For the purposes of the instrument or instruments should the term "worker" cover persons in any employment or occupation, irrespective of their contractual status, and in all sectors of the economy – formal or informal – including:*

- (a) persons in training, internships and apprenticeships;*
- (b) volunteers;*
- (c) jobseekers; and*
- (d) laid-off and suspended workers?*

## Governments

*Total number of replies: 84*

*Yes: 50*

*No: 4*

*Other: 30*

## Comments

*Austria:* Whether or not people under (a) are “workers” depends on whether they are employees. The instrument should include economically dependent workers.

*Cameroon, Costa Rica, Iraq, Saudi Arabia, Turkey:* No to (d).

*Cameroon, Colombia, Costa Rica, Cuba, Cyprus, Egypt, Republic of Korea, Saint Vincent and the Grenadines, Saudi Arabia, Turkey:* No to (c)

*Canada:* This clause should avoid being overly prescriptive. If groups are listed, then students in cooperative study/work arrangements should also be included. In certain situations, (c) and (d) may not be considered to fall within a traditional employment relationship.

*Cuba:* Concerning jobseekers in (c), the relevant act needs to happen in a workplace. In (d), possible forms of violence and harassment could be specified.

*Cyprus, Iraq, Republic of Korea:* No to (b).

*Denmark, Uruguay:* The scope of the instrument(s) should in some situations cover the listed groups, but without extending the definition of “worker”.

*France, Italy:* Jobseekers are affected at the time of the recruitment interview.

*Germany:* The term “worker” should be defined on the basis of national regulations; however, special regulations on the above-mentioned groups could be included in a Recommendation.

*Iceland, Norway:* For (c) and (d), workers who are permanently laid-off should not be covered. Regarding temporarily laid-off workers and jobseekers, the instrument should only apply if the violence or harassment is related to work.

*Jordan:* The wording should refer to “beneficiaries of this Convention” in an occupation or work, irrespective of their contractual status, and in all sectors of the economy – formal or informal – and include workers in the list provided in question 12.

*Mexico:* Other categories could be considered, such as paid temporary workers, consultants or door-to-door salespersons.

*Netherlands, New Zealand:* It is important to clarify how workplace harassment and violence would apply to each of these categories.

*Peru:* The legal relationship between worker and employer should not be relevant, given that violence and harassment happens in the same manner and space.

*Russian Federation:* Question 12(d) on laid-off workers and 12(c) on jobseekers raise concerns on definitions with regard to labour relations.

*Spain:* No to (b) and (c). Laid-off workers should be included if their dismissal was an act of discrimination.

*Trinidad and Tobago:* Other remedies should ensure the rights of laid-off workers. However, the term “worker” should cover suspended workers in this case.

## Employers

*Total number of replies:* 25

*Yes:* 7

*No:* 6

*Other:* 12

## Comments

ACCI: Responsibility should be limited to matters over which employers have actual control.  
 BDA: Regarding jobseekers and laid-off workers, at most the contract negotiation phase at the start and the winding-down phase of the contract could be covered.  
 BusinessNZ, Confcommercio, IV: The instrument should relate only to employees.  
 CNCS, CNP, CONCAMIN, FEDIL, TISK: No to (d).  
 CNCS, FEDIL, TISK: No to (b).  
 CONCAMIN, CNCS, EMCOZ, FEDIL, TISK: No to (c).  
 IOE: A worker should be defined as any person who performs work, either regularly or temporarily, for an employer.

## Workers

*Total number of replies: 177*

*Yes: 161*

*No: 0*

*Other: 16*

## Comments

Consolidated response: Labour, occupational safety and health, non-discrimination and other laws that address violence in the world of work often apply work-related violence and harassment provisions only to persons in an employment relationship. The above categories are among those most at risk of being exposed to violence and harassment, yet tend to be outside the scope of existing laws and regulations addressing violence and/or harassment in the world of work. They should be specifically covered in the instruments.

CTC (Colombia), CUT (Colombia), SEWA: Include unpaid care workers.

FFW: Regarding (b), volunteers are in contact with employees and so can be exposed to violence and sexual harassment. Regarding (c), some pre-employment requirements may be laden with violence or sexual harassment. Regarding (d), especially if a laid-off worker is a victim of illegal dismissal, they will be vulnerable to violence and harassment so as to force them to drop the case they file against the employer.

## OFFICE COMMENTARY

The majority of governments and a large majority of workers' organizations agree with this statement, while most employers' organizations do not.

The Office takes note of the concern expressed by several employers' organizations regarding employers' lack of control in relation to some proposed categories. Under this question, and throughout the responses to other questions, a number of governments and employers' and workers' organizations note the need to reflect the fact that employers can also be a target of violence and harassment. The Office notes that the International Standard Classification of Occupations (ISCO-08) does not regard the formal status of employment, instead relying on the tasks and duties performed. According to this instrument, managers, supervisors and operators of businesses, as well as trainees and apprentices, would be considered to be in an occupation and, therefore, covered by this formulation of point 3(d) of the proposed Conclusions.

Numerous governments and several employers' and workers' organizations have reservations or ask for further clarification regarding volunteers, jobseekers, and laid-off and suspended workers. However, the majority of workers' organizations emphasize that all categories should be included, given that they tend to fall outside the scope of existing laws and are more vulnerable to violence and harassment. Several governments and one employers' organization propose including jobseekers, laid-off workers and suspended workers only if violence occurred in connection with work. The Office notes that the Meeting of Experts on Violence against Women and Men in the World of Work concluded that "a significant body of evidence indicates that violence and

harassment in the world of work persists against workers and others, such as jobseekers and interns”.<sup>11</sup> Further, the Office notes that under the Private Employment Agencies Convention, 1997 (No. 181), the term “workers” includes jobseekers. In addition, the HIV and AIDS Recommendation, 2010 (No. 200), covers all workers working under all forms or arrangements, and at all workplaces, including: (i) persons in any employment or occupation; (ii) those in training, including interns and apprentices; (iii) volunteers; (iv) jobseekers and job applicants; and (v) laid-off and suspended workers in all sectors of economic activity, including the private and public sectors and the formal and informal economies, and armed forces and uniformed services.

*In the light of the replies received, and to further align it with existing standards, the Office proposes minor amendments to point 3(d), and the addition of “whether in urban or rural areas”, pursuant to the commentary for question 22.*

**Question 13** *Should any other terms be defined by the instrument or instruments? If yes, please specify.*

### Governments

*Total number of replies: 84*

*Yes: 36*

*No: 44*

*Other: 4*

### Comments

*Belgium, Canada, Russian Federation, Slovenia:* The term “gender-based violence”.

*Belgium:* “Domestic violence”. It may be necessary to define more specifically particular behaviours that may give rise to remedies and sanctions.

*Canada, Islamic Republic of Iran:* “Employer”, “worker” and “workplace”.

*Chile, Estonia, Jamaica, Greece, Mexico:* “Sexual harassment”.

*Czech Republic, Malta, Paraguay:* A list of forms of violence.

*Ecuador:* Students, while not considered workers, may suffer some type of work-related harassment which requires protection within some instrument.

*Islamic Republic of Iran, Uruguay:* “Third party”.

*Namibia:* “Employer” should include informal economy operators.

*Trinidad and Tobago:* Clarify “unacceptable behaviour”, as it may vary due to different cultural situations and circumstances.

*Tunisia:* “Moral, political and economic harassment”.

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<sup>11</sup> *ibid.*, point 2.

## Employers

*Total number of replies: 26*

*Yes: 6*

*No: 19*

*Other: 1*

## Comments

IOE: This will depend on how we define violence and the world of work. If these terms are not limited in scope, then there will be a need to define other terms to clarify the understanding of terms. It is important to limit the terms to generally accepted definitions.

## Workers

*Total number of replies: 178*

*Yes: 45*

*No: 34*

*Other: 99*

## Comments

Consolidated response: Other terms requiring definition may arise during the discussion of the instrument(s).

ABPSA, CLC, CIAWU, CTC (Colombia), PSI: “Third parties”.

CATP, CGTP: “Self-employed workers”, “gender-based violence” and “violence and harassment at work”.

CMKOS, CTC (Colombia): “Inclusive and integrated approach” and “intermediary”.

FESITUN, FFAWUZ/ZDAWU: “Gender-based violence”.

## OFFICE COMMENTARY

The majority of governments and employers’ organizations and a number of workers’ organizations agree that there is no need for other terms to be defined by the instrument or instruments. A majority of workers’ organizations anticipate that other terms requiring definition may arise during the discussion of the instrument(s).

Several governments and workers’ organizations suggest including and defining the concept of “third parties”.

*In the light of the responses received, the Office proposes to add an additional point (point 5) to the proposed Conclusions clarifying that victims and perpetrators of violence and harassment in the world of work can be employers, workers and third parties, including clients, customers, service providers, users, patients and the public.*

Four governments and three workers’ organizations agree that the term “gender-based violence” should be defined by the instrument(s), and five governments agreed that “sexual harassment” should be specified and defined. The definition of gender-based violence is proposed for inclusion in point 3(b), pursuant to the Office commentary for question 9.

Concerning the term “sexual harassment”, the Office notes that the term has not been used explicitly in any part of the proposed Conclusions, although it clearly falls within the continuum of violence and harassment, as discussed in the Meeting of Experts, and, more precisely, is a form of gender-based violence. The Office emphasizes that, if the Conference agrees to include the term

“sexual harassment” in the proposed Conclusions, the ILO has previously taken steps to define and describe sexual harassment that could be taken into account.

The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) defines sexual harassment as a particular form of discrimination on the basis of sex,<sup>12</sup> and indicates that the definition of sexual harassment should include both quid pro quo and hostile environment harassment. The “quid pro quo” element is defined as “any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the recipient; and a person’s rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person’s job”. The “hostile work environment” element is defined as “conduct that creates an intimidating, hostile or humiliating working environment for the recipient”.<sup>13</sup> The CEACR has also made clear that the scope of the protection against sexual harassment should cover both men and women in employment and occupation, vocational training, access to employment and conditions of employment.<sup>14</sup>

*Should the Conference decide to include a definition of sexual harassment, it is proposed that the framework provided by the CEACR be incorporated.*

#### IV. Content of a Convention

**Question 14** *Should the Convention provide that each Member should recognize the right to a world of work free from violence and harassment and adopt, in consultation with representative employers’ and workers’ organizations, an inclusive and integrated approach for the elimination of violence and harassment in the world of work that includes:*

- (a) prohibition in law of all forms of violence and harassment in the world of work;*
  - (b) ensuring that relevant policies address violence and harassment;*
  - (c) adoption of a comprehensive prevention strategy;*
  - (d) establishment of enforcement and monitoring mechanisms;*
  - (e) provision of remedies and support for victims;*
  - (f) provision of sanctions for perpetrators; and*
  - (g) development of tools and guidance?*
- If others please specify.*

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<sup>12</sup> ILO: *Equality in Employment and Occupation: General Survey of the Reports on the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958*, Report III (Part 4B), ILC, 75th Session, 1988, para. 45.

<sup>13</sup> ILO: *Report of the Committee of Experts on the Application of Conventions and Recommendations*, Report III (Part 1A), ILC, 91st Session, 2003, p. 463.

<sup>14</sup> ILO: *Giving globalization a human face: General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization*, Report III (Part 1B), ILC, 101st Session, 2012, para. 793.

## Governments

*Total number of replies: 76*

*Yes: 55*

*No: 5*

*Other: 16*

## Comments

*Argentina, Malta:* Include research and data collection mechanisms which could serve to guide policy-making and awareness-raising campaigns.

*Australia:* Greater flexibility in the text is preferable.

*Austria:* In (f), we suggest removing “for perpetrators” to give member States greater choice in the type of sanctioning.

*Cameroon:* Agree for (a) and (b) and suggest adopting a national action plan to combat violence and harassment in the world of work.

*Canada:* Suggest adding education and training to prevent violence and harassment, and periodic review of policies and programmes designed to prevent violence.

*Denmark, Iceland, Norway:* This list should be considered indicative and not exhaustive by rephrasing it, for instance by adding “that may include”. A Convention should only contain general principles, and obligations should be kept at a realistic level.

*France:* (e) could specify that remedies can be individual or collective.

*Indonesia:* (e) should additionally ensure that victims return to work and productivity, and (f) needs to address behavioural education for perpetrators.

*Tunisia:* Training and awareness-raising mechanisms and social service offices to popularize the culture of human rights are preferable.

## Employers

*Total number of replies: 20*

*Yes: 7*

*No: 4*

*Other: 9*

## Comments

ACCI: The clause should recall the roles of police, prosecuting authorities and courts, employers, workers, their representatives or any member of the community acting in solidarity with or in support of employer or worker actions.

DA: Any list should be considered indicative and not exhaustive.

## Workers

*Total number of replies: 175*

*Yes: 169*

*No: 0*

*Other: 6*

## Comments

Consolidated response: The above elements are essential to an integrated approach to violence and harassment in the world of work and should be further expanded on in the Recommendation.

In relation to (a), the Convention should require the prohibition in law of all forms of violence and harassment in the world of work, and in particular gender-based violence. Forms of violence and harassment should include psychosocial hazards and risks.

#### OFFICE COMMENTARY

A majority of governments and workers' organizations agree with the statement, while less than half of employers' organizations agree with the statement.

Four governments and one employers' organization believe that the points listed should be included only in a Recommendation.

*Regarding the suggestion in the consolidated response from the workers' organizations to add a specific reference to "gender-based violence", the Office notes its inclusion in points 3(a) and (b), and refers in this regard to the Office commentary under question 9.*

*Taking into account the responses of three governments which emphasize that the list should not be considered exhaustive, the Office refers to the explanation given in the general observations.*

*In view of the suggestion of one government, the Office proposes to change point 7(f) to remove the expression "for perpetrators", as it was pointed out that this gives member States a greater choice in the type of sanctions for violations of the prohibition of violence and harassment.*

*With regard to the suggestion made by one government, the Office proposes to include in point 7(g) of the proposed Conclusions "education and training". The Office has also proposed the deletion of the reference to "in the world of work" in point 7(a), as this is redundant in light of the reference in the chapeau. For the sake of clarity, the Office has also proposed minor changes to points 7(e) and (f).*

#### **A. Fundamental principles and rights at work and protection**

**Question 15** *Should the Convention provide that, with a view to eliminating violence and harassment in the world of work, each Member should respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation?*

#### **Governments**

*Total number of replies: 72*

*Yes: 67*

*No: 2*

*Other: 3*

#### **Comments**

*Chad, Chile, New Zealand:* Under the ILO Constitution, member States are obliged to promote the fundamental principles and rights at work and the 1998 Declaration.

*Mexico:* This should be established in the Preamble of the Convention as a referential framework.

*Switzerland:* It should be specifically stated that discrimination refers both to discrimination of individuals as well as entire branches or sectors (collective discrimination).

**Employers**

*Total number of replies: 20*

*Yes: 12*

*No: 6*

*Other: 2*

**Comments**

BUSA, IOE: Yes, provided that there is not undue emphasis in this regard that would detract from the core purpose of the instrument.

**Workers**

*Total number of replies: 178*

*Yes: 175*

*No: 0*

*Other: 3*

**Comments**

FFAWUZ, ZDAWU, ZCTU: Include reference to all forms of gender-based violence.

**OFFICE COMMENTARY**

The overwhelming majority of governments and workers' organizations and the majority of employers' organizations agree with this statement.

*Regarding the comments received in the context of this question on the need to include a focus on gender, and in particular gender-based violence, reference is made to the Office commentary under question 9, and the Office notes points 3(a) and (b) of the proposed Conclusions. The Office, therefore, proposes no change to point 8 of the proposed Conclusions.*

**Question 16** *Should the Convention provide that each Member should adopt national laws and regulations prohibiting all forms of violence and harassment in the world of work, and in particular all forms of gender-based violence?*

**Governments**

*Total number of replies: 72*

*Yes: 67*

*No: 3*

*Other: 2*

**Comments**

*Iceland, Norway, Tunisia:* How to address the prohibition must be left to national discretion.

*New Zealand:* Each category needs to be separately spelled out in national laws and policies.

*Trinidad and Tobago:* The Convention should state that member States shall "adopt or amend national laws and regulations".

## Employers

*Total number of replies: 21*

*Yes: 9*

*No: 8*

*Other: 4*

## Comments

ACCI, IOE: “In the world of work” is an imprecise and unknown concept that cannot ground an enforceable international Convention.

BDA, BusinessNZ, DA: The emphasis on gender-based violence and harassment is unnecessary.

## Workers

*Total number of replies: 177*

*Yes: 173*

*No: 4*

*Other: 0*

## Comments

Consolidated response: This is essential to avoid gaps in scope and coverage. The Convention should make explicit reference to the prohibition of all forms of gender-based violence and harassment in particular.

CGT-FO, FTUC, TUC (United Kingdom): Explicit reference to types of violence and psychosocial and physical risks is needed.

CGT-RA, CMTU, CTC (Colombia), CUT (Colombia), FESITUN, FESTRAS, FITU-J, GFOTU, MTUC, TUCP: It will help to avoid legal gaps in coverage among States.

## OFFICE COMMENTARY

The majority of governments, some employers’ organizations and almost all workers’ organizations agree with this statement.

Some governments and employers’ organizations express concern about the margin of discretion left to member States when addressing this prohibition in their national systems. The Office clarifies that the proposed wording sets a clear basis, which seeks to provide a framework for obligations within which there is flexibility to be able to adapt to different national contexts.

Regarding the concern raised that some member States may not need to adopt legislation to be in conformity with the proposed instruments, but rather need to amend laws, the Office notes that the reference to adopting laws can be read to encompass such situations as well.

*Consequently, the Office proposes no changes to point 9 of the proposed Conclusions.*

- Question 17** *Should the Convention provide that each Member should develop laws, regulations and policies ensuring the right to equality and non-discrimination for all workers, including for women workers as well as workers belonging to one or more groups disproportionately affected by violence and harassment, including:*
- (a) young workers;*
  - (b) migrant workers;*
  - (c) workers with disabilities;*
  - (d) workers from indigenous and tribal peoples;*
  - (e) lesbian, gay, bisexual, transgender and intersex workers;*
  - (f) workers living with HIV; and*
  - (g) workers from marginalized communities, such as caste-affected persons, and members of ethnic minorities?*
- If others please specify.*

## Governments

*Total number of replies: 70*

*Yes: 52*

*No: 8*

*Other: 10*

## Comments

*Austria:* Focusing on particularly vulnerable groups as this might disadvantage other groups of workers not listed.

*Belgium:* This is very important for non-discriminatory practices and to address intersectionality.

*Canada:* Given that the list will evolve over time, Canada would advocate not specifying workers who may be disproportionately affected by violence and harassment. Nevertheless, if there is a list, it is proposed to include in 17(e) gender-nonconforming workers and older workers, and to note that the list is not exhaustive.

*Denmark:* The detailed list should only be dealt with in a Recommendation.

*Finland:* Include gender, age, origin, language, religion, conviction, opinion, state of health, membership in a trade union or other reason related to the person without an acceptable reason. It is also important to take into account discrimination on multiple grounds.

*Iceland, Norway, Paraguay:* Awareness of Convention No. 111 is important.

*Indonesia, Islamic Republic of Iran, Mali, Saudi Arabia:* Proposal to delete (e).

*Jordan:* Each State should define the categories of workers according to its national legislation and societal culture.

*Mexico:* If certain groups are mentioned, there is the risk of excluding others.

*Peru:* It should also include informal workers. It is important to adopt measures to detect situations of abuse of power and discrimination against the populations most vulnerable to harassment, given that those groups are frequently included in a general approach in prevention strategies, without considering their particularities.

*Republic of Korea:* It is appropriate to reference the globally acknowledged grounds for discrimination rather than listing such groups.

*Russian Federation:* Reference may be made to vulnerable groups cited as examples, but not as a definitive list.

*Senegal:* The term “worker” is already sufficiently inclusive of all individuals. Citing different categories of workers runs the risk of stigmatizing certain categories.

*Spain:* The reference to migrant workers shall be understood to refer to those in a regular situation or legal residents.

*Sweden:* The list should be non-exhaustive.

## Employers

*Total number of replies: 22*

*Yes: 6*

*No: 13*

*Other: 3*

## Comments

ACCI, IOE: This standard should be directed to violence and harassment, not to one of its potential causes.

ACCI: If included, suggest including “age” instead of “older workers” and “actual or perceived migration status” instead of “migrant workers”.

BUSA: There should be no list, as this narrows the potential areas of vulnerability. What is more important is to emphasize the impact on the most vulnerable workers.

CONCAMIN, FEDIL: All the aforementioned issues are included in various ILO instruments.

## Workers

*Total number of replies: 177*

*Yes: 168*

*No: 2*

*Other: 7*

## Comments

Consolidated response: Preventing violence and harassment in the world of work is inextricably linked to ending discrimination, promoting equality and extending economic security. Where grounds of discrimination intersect, such as gender and race or disability, the risk of violence and harassment is exacerbated. All of the above groups should be explicitly mentioned in the Convention.

Consolidated response, FTUC, NSZZ: This list should not be seen as exhaustive.

ACTU, CSC (Democratic Republic of the Congo), GTUC: Add pregnant women and new mothers and/or breastfeeding women and workers with family responsibilities.

BAK, AEFIP, APOC, CATP, CGTP, CNTS (El Salvador), FFW, IDWF, UEJN: Add specific sectors and occupations at higher risk or targeted due to their function.

CNTG, FTU, KUCFAW, KUDHEIHA, KUSPAW: No to (e).

## OFFICE COMMENTARY

The majority of governments and workers' organizations and a minority of employers' organizations agree with this statement.

Several governments oppose the proposed enumeration of specific categories. Several more governments agree that a list of specific groups should be expressed in a non-prescriptive manner or left to the decision of member States. Four governments and five workers' organizations expressly oppose the reference to LGBTI workers. The Office notes the support for the wording of the statement by the majority of respondents, and further notes that four governments expressly support the inclusion of LGBTI workers in the instrument(s).

In the light of the comments received, the Office clarifies that the aim of this provision is not to prescribe the establishment of specific laws, regulations and policies for each enumerated group, but, rather, it seeks to ensure that the mentioned groups are not excluded in the adoption and application of equality and non-discrimination measures of a general scope. The provisions would, therefore, be compatible with and adaptable to diverse national realities and existing laws, regulations and policies.

Numerous governments and workers' organizations propose additional references to specific groups, such as gender-nonconforming persons, pregnant and breastfeeding workers, workers with family responsibilities, victims of domestic violence, older workers, and people belonging to religious minorities. Specific occupations and sectors are also suggested by six governments and many workers' organizations as being particularly exposed to violence and harassment.

*In the light of the replies received regarding additions to the enumerated list, including references in the context of question 49, the Office proposes to include under point 10 of the proposed Conclusions: younger and older workers; pregnant and breastfeeding workers, and workers with family responsibilities; gender-nonconforming workers; and workers who belong to religious minorities. The term "develop" in the chapeau of point 10 is proposed to be changed to "adopt" in line with point 9 of the proposed Conclusions. With regard to the list being non-exhaustive, the Office refers to the general observations.*

**B. Prevention measures**

**Question 18** *Should the Convention provide that each Member should:*

- (a) take measures to ensure the prevention of violence and harassment in the world of work;*
- (b) identify sectors, occupations and work arrangements in which workers are more exposed to violence and harassment; and*
- (c) take measures to ensure that such workers are effectively protected?*

**Governments**

*Total number of replies: 73*

*Yes: 58*

*No: 0*

*Other: 15*

## Comments

*Austria:* Regarding (b) and (c), focusing on particularly vulnerable groups of workers might disadvantage groups that are not listed.

*Ecuador, France, Jordan, Saudi Arabia, Turkey:* No to (b).

*Greece:* Perhaps only social partners might be able to implement (b), so it cannot constitute a commitment of the States. (c) needs clarification.

*Hungary:* Awareness-raising and information activities could be mentioned in (a).

*Iceland, Norway:* It must be possible to include this in already existing occupational safety and health strategies.

*Italy:* Specific measures are required to ensure that violence is halted as soon as possible, including through alternative contractual arrangements (such as changes to working hours or financial support for victims). Measures for identifying major risk areas, including through mapping and specific internal workplace regulations (such as codes of conduct) are an essential part of prevention strategies.

*Jordan:* Replace “to ensure the prevention of” with “to reduce” in (a).

*Netherlands:* Suggested provisions might imply overly detailed regulations.

*New Zealand:* Yes, but it should be for member States to determine how (b) is carried out.

*Spain:* Vulnerability of women to these forms of violence and the risks of violence and harassment, including sexual harassment and harassment based on sex, at work and in work relationships should be addressed.

*Sweden:* The role of collective agreements in sanctioning preventive measures, including addressing psychosocial risks, should also be recognized in (a).

*Zimbabwe:* Guidelines to identify the sectors could be provided.

## Employers

*Total number of replies: 22*

*Yes: 13*

*No: 3*

*Other: 6*

## Comments

ACCI: The assumption is contested that particular work arrangements, contractual arrangements or organization of work additionally or disproportionately expose any cohort of workers to risks of violence and harassment.

BDA, CONCAMIN: A Recommendation at most is conceivable for this issue.

## Workers

*Total number of replies: 175*

*Yes: 171*

*No: 0*

*Other: 4*

## Comments

Consolidated response: In relation to (a): The role of collective agreements in mandating preventive measures, including to address psychosocial risks, should also be recognized.

In relation to (b): While no workplace, group, sector or occupation is intrinsically vulnerable to violence and harassment, some could be at a higher risk. Particular sectors have reported relatively higher incidence. Working alone, in isolated or intimate spaces or at night can also increase risk of exposure to violence and harassment, as can working in highly segregated occupations. Workers in informal, precarious and non-standard forms of employment and workers who cannot effectively exercise their rights to freedom

of association and collective bargaining, which includes the majority of workers in export processing zones and special economic zones, are also likely to be more at risk of violence and harassment.

#### OFFICE COMMENTARY

The majority of governments and employers' organizations and almost all workers' organizations agree with this statement. Four governments indicate that it should be implemented according to national contexts.

In the light of the comments received, the Office would like to recall that the wording in question 18 does not delineate specific measures or sectors, allowing for its implementation in different national contexts.

Concerning question 18(a), two governments and a vast majority of workers' organizations propose mentioning collective bargaining as an effective means to prevent violence and harassment.

*In relation to the above suggestion, the Office notes the reference to collective agreements as a method to implement the provisions of the Convention in point 15 of the proposed Conclusions.*

Some respondents express concerns regarding the identification by member States of specific sectors, occupations and work arrangements at greater risk of violence and harassment. Four governments oppose such an obligation in an instrument, and two governments indicate that the social partners are in a better position to determine such sectors, occupations and work arrangements.

*In the light of the above concerns, the Office proposes to add "in consultation with the employers' and workers' organizations concerned" in point 11(a) of the proposed Conclusions.*

- Question 19** *Should the Convention provide that each Member should adopt national laws and regulations requiring that employers take steps to prevent all forms of violence and harassment in the world of work, and in particular to:*
- (a) include violence and harassment and psychosocial risks under existing occupational safety and health management systems;*
  - (b) adopt a policy, in consultation with workers and their representatives, outlining a zero-tolerance stance on all forms of violence and harassment;*
  - (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures for their prevention and control; and*
  - (d) inform and train workers on the identified hazards and risks of violence and harassment and the associated prevention and protection measures?*

#### Governments

*Total number of replies: 73*

*Yes: 58*

*No: 3*

*Other: 12*

## Comments

*Australia, New Zealand:* We have concerns that, should this provision require employers to prevent all forms of violence and harassment in the “world of work”, employers are not able to control activities outside of the workplace.

*Austria:* This should not be considered a compulsory or conclusive list. (a) could be reworded to read “take into account violence and harassment in the organization of occupational safety and health”.

*Austria, Sweden:* The term “zero-tolerance” in (b) is not appropriate as a requirement in national regulations.

*Belgium:* We suggest including “identify hazards and assess risks of violence and harassment at the level of the components of work organization, work content, working conditions, living conditions at work and interpersonal relationships at work, with the participation of workers and their representatives”. We also suggest adding “facilitate collective agreements and business agreements”, and would like to refer to point 27 of the conclusions of the Meeting of Experts saying that collective agreements could address the effects of domestic violence.

*Canada:* (a) should be revised to say “include violence and harassment and associated psychosocial risks ...”.

*Finland:* However, (b) is very detailed and the outlined zero-tolerance stance in it is fairly strong. The question is more suitable for a Recommendation.

*Iceland, Norway:* How to deal with violence and harassment at company level should be a natural part of the occupational safety and health strategy. Risk assessment and policy development is part of such a system, and of course the whole management system has to be set up together with the workers and their representatives.

*Italy, Slovenia:* We suggest including informing and training management about these issues.

*Peru:* Identification of risks of violence must include participation of those workers most exposed to violence, such as women.

*Sweden:* It is also important to state that in occupations where violence and harassment from third parties occurs, avoiding this can be more or less impossible. Employers in these environments should be obliged, in accordance with relevant national regulations, to prevent or minimize the risk of violence and harassment occurring.

*United Kingdom:* It should be for member States to provide the appropriate and necessary protections in (a). (b), even if good practice, may not be enforceable. As to (c), it is good practice in most interventions concerning violence against women and girls to ensure participation of wider community, especially women and girls. In point (d), workers’ representatives with specialist knowledge can play a role.

## Employers

*Total number of replies: 24*

*Yes: 7*

*No: 8*

*Other: 9*

## Comments

ACCI: Employer responsibilities must be reasonable and in respect of things over which employers have actual control. Regarding (b), employers need tools to manage to zero-tolerance outcomes.

ACCI, BUSA, IOE: Some of these aspects are very onerous for smaller enterprises and informal businesses; such steps should be with due regard to the different types and formats of enterprises.

BDA, Keidanren: It should not require Members to create legal regulations.

IV, SNEF, WKÖ: This is too prescriptive and onerous for employers.

## Workers

*Total number of replies: 177*

*Yes: 173*

*No: 0*

*Other: 4*

## Comments

Consolidated response: In relation to (b): The Convention should provide that workers and their representatives should take part in the design, implementation and monitoring of such policies.

In relation to (d): Training should also be extended to those involved in taking measures to prevent and control hazards and risks of violence and harassment, such as occupational health and safety officers, human resources personnel, managers and supervisors.

AFL-CIO: (a) should emphasize governments' responsibility to ensure a cohesive and comprehensive response between the various responsible agencies.

CLC: Domestic violence and psychological harassment should also be considered workplace hazards in (a).

CNT, CTC (Colombia), IUF: Include training of labour inspectors and all the staff of the labour court in (d).

### OFFICE COMMENTARY

Most governments and workers' organizations support the statement, while the majority of employers' organizations find the specific provisions listed in the statement to be too burdensome.

Several governments and employers' organizations note the difficulty of adopting an occupational safety and health management system for small and micro-enterprises. In addition, four governments have concerns about including a zero-tolerance approach, and, if incorporated, note that it would be more appropriately included in a Recommendation.

The workers' organizations also emphasized that the Convention should provide that workers and their representatives should take part in the design, implementation and monitoring of such policies.

*In the light of the replies, the Office proposes to change the wording of point 12(a) of the proposed Conclusions, so as to be inclusive of occupational safety and health management systems, as well as other approaches to occupational safety and health organization. Further, the Office proposes to move the zero-tolerance approach to the proposed Conclusions with a view to a Recommendation, as referenced in the Office commentary under question 32. The Office also proposes a rewording to make the terminology more appropriate for an instrument and more broadly understandable, as set out in point 23(a) of the proposed Conclusions, namely setting out that the policy should "state that no form of violence and harassment will be tolerated".*

*In the light of the consolidated response of the workers' organizations, the Office also proposes to include in point 23 of the proposed Conclusions that workers and their representatives should take part in the design, implementation and monitoring of the policies.*

Many workers' organizations agree that training on identified hazards and risks of violence and harassment, and the associated prevention and protection measures, should be extended to other related parties, such as labour inspectors and those involved in the justice system, occupational health and safety officers, human resources personnel, managers and supervisors. The Office notes that the provisions under point 12 of the proposed Conclusions place obligations on employers. Obligations on member States for training of other related parties are included in point 14(b) of the proposed Conclusions. In response to the suggestions from two governments, as well as from many workers' organizations, to include management under the obligation to inform and train, the Office

notes that under point 3(d) of the proposed Conclusions, the term “worker” encompasses persons in any employment or occupation, and would, therefore, include persons in management positions.

A number of governments suggest additions to the list of steps, including financial penalties for employers who do not comply with these steps, as well as workplace mechanisms to assist victims of violence and harassment.

*In the light of several responses from governments and workers’ organizations that the list should not be too prescriptive, the Office does not propose to add any further items to point 12 of the proposed Conclusions.*

### **C. Enforcement, monitoring and victim support**

**Question 20** *Should the Convention provide that each Member should take appropriate measures to ensure the monitoring and enforcement of national laws and regulations regarding violence and harassment in the world of work?*

#### **Governments**

*Total number of replies: 74*

*Yes: 67*

*No: 1*

*Other: 6*

#### **Comments**

*Belgium:* This can be in existing institutions such as labour inspection.

*Chad, Chile:* Adequate training should be given to labour law practitioners.

*Italy:* Collection of data and comparison with data from other countries can play a key role in devising effective regulations and policies.

*Finland:* The creation of obligations requiring unreasonable additional resources should be avoided.

*Finland, Germany, Mexico, Sweden:* Concerning “appropriate measures”, different existing supervision mechanisms in different member States should be respected.

*Germany:* Monitoring applies only to the field of work and not the private sphere. These observations apply throughout with regard to state inspection of occupational safety and health.

*Iceland, Norway:* Monitoring and enforcement of national laws and regulations regarding violence and harassment have to be part of monitoring and enforcement of working conditions as a whole.

*New Zealand:* What is appropriate should be defined by member States, and undue data collection or reporting burdens should not be imposed on States or employers.

#### **Employers**

*Total number of replies: 20*

*Yes: 16*

*No: 2*

*Other: 2*

#### **Comments**

BDA, CONCAMIN: This should be in a Recommendation.

## Workers

*Total number of replies: 177*

*Yes: 175*

*No: 0*

*Other: 2*

## Comments

CIAWU, CTC, FFAWUZ, IDWF, Unia, ZDAWU, ZCTU: In addition, this should include private home inspection in the case of domestic workers, farm workers and informal workers.

KSBSI, KUSPAW, KUCFAW, KUDHEIHA, SEWA: The monitoring should involve trade unions, including possible joint inspections.

### OFFICE COMMENTARY

The vast majority of governments and employers' and workers' organizations agree that the Convention should provide that each Member should take appropriate measures to ensure the monitoring and enforcement of national laws and regulations regarding violence and harassment in the world of work.

Seven governments agree that "appropriate measures" should not necessarily constitute obligations to create new monitoring and enforcement mechanisms, but should ensure that existing mechanisms include the monitoring and enforcement of laws and regulations on violence and harassment.

Several workers' organizations submit that the monitoring should include private home inspection in the case of domestic workers, farm workers and informal workers. A number of workers' organizations state further that trade unions should be involved in monitoring, including their possible participation in joint inspections.

*In the light of the replies received, the Office notes that "appropriate measures" do not necessarily require the adoption of new monitoring and enforcement mechanisms, and proposes no changes to point 13(a) of the proposed Conclusions.*

- Question 21** *Should the Convention provide that each Member should ensure that all workers have easy access to safe, fair and effective dispute resolution mechanisms in cases of violence and harassment, including:*
- (a) complaint and investigation mechanisms at the level of the economic unit;*
  - (b) access to courts or tribunals;*
  - (c) dispute resolution mechanisms external to the economic unit;*
  - (d) protection against victimization of complainants, witnesses and whistle-blowers;*
  - (e) appropriate remedies;*
  - (f) legal, social and administrative support measures for complainants; and*
  - (g) sanctions for perpetrators?*

## Governments

*Total number of replies: 73*

*Yes: 63*

*No: 3*

*Other: 7*

## Comments

*Argentina:* Include joint and several liability in case of lack of compliance with preventive measures and timely intervention, also for workers who perpetrate violence and harassment at work.

*Australia:* The language referring to “remedies” in questions 21(e) and 22 should be amended to reflect the wording used in Articles 1 and 4 of the Protocol of 2014 to the Forced Labour Convention, 1930.

*Austria:* The enforcement of the prohibition of violence and harassment in the workplace should be in line with national law, so member States should not be required to implement all the measures listed in question 21. The possibility of access to legal counsel should also be provided for. It should also be taken into account that not only workers, but also employers, can be affected by violence.

*Austria, Costa Rica, Malta:* The scope of (f) needs clarification.

*Belgium:* It is important to reference confidential support and dispute resolution mechanisms at the workplace to prevent, at an early stage, the most serious behaviours of violence and harassment. Investigation mechanisms shall be managed by independent, impartial and competent persons, while maintaining confidentiality. The possibility of representative organizations acting on behalf of victims, with their consent, could be considered.

*Canada:* For (a), it is important to have committees that provide oversight and maintain confidentiality.

*Denmark:* This list is too detailed, and the elements should only be dealt with in a Recommendation. Obligations like these are too burdensome and will cause ratification barriers.

*France:* The concept of “economic unit” and “appropriate remedies” is unclear. A clause could be devoted to particular implementation mechanisms, such as collective action.

*Finland:* Regarding (c) and also question 22 below, the concept of “dispute resolution mechanisms” should respect national supervision procedures and procedural legislation, and the creation of new unreasonable administrative obligations should be avoided. “Legal remedies” should be added to the title, as some of the alternatives belong to this concept.

*Germany:* The clause “sanctions for perpetrators” does not fit, as the question is clearly about help for the victim.

*Greece:* For (a), it is a responsibility of the social partners to decide on.

*Iceland, Norway, Singapore:* The list should be indicative and not exhaustive.

*Jordan:* Need to clarify the concept of “economic unit”.

*Mexico:* This would be more effective in a Recommendation.

*Peru:* Highlight access to dispute resolution with identity protection and employment security, protecting victims and witnesses against retaliation.

*Slovenia:* Include programmes for perpetrators, such as training on non-violent communication and improvement of social skills. Measures aimed at improving the organizational climate would also be appropriate.

*Tunisia:* Measures should be taken to ensure confidentiality for complainants.

## Employers

*Total number of replies: 20*

*Yes: 10*

*No: 3*

*Other: 7*

## Comments

*ACCI*: Criminal conduct should not be internalized within organizations and rerouted away from policing and the courts.

*BDA*: The broad regulatory areas referred to would lead to an extensive review of the national legislation and carries the risk of over-regulation; we therefore oppose this provision.

*BUSA, IOE, OEB*: In accordance with national laws, institutions and mechanisms.

## Workers

*Total number of replies: 177*

*Yes: 174*

*No: 0*

*Other: 3*

## Comments

Consolidated response: In relation to (a): We would recommend that the question be reformulated to read "... complaint and investigation mechanisms at workplace level, including in the informal economy". Such mechanisms, both within and external to the workplace, should recognize the role of trade unions in dispute resolution.

In relation to (c): The absence of effective and accessible dispute resolution mechanisms within and external to the workplace creates an additional risk factor for violence and harassment. (See also question 21(a)).

In relation to (d): Extending protection to witnesses and whistle-blowers, as well as complainants, is crucial. Often workers experiencing violence and harassment do not come forward for fear of retaliation or reprisals, resulting in the risk of a culture of impunity. Whistle-blowers and witnesses can play a crucial role in raising the alarm and establishing the facts surrounding violence and harassment. Yet very few jurisdictions protect witnesses and whistle-blowers.

In relation to (e): Remedies should be appropriate and effective. The Convention should further provide that, at a minimum, such remedies should include reinstatement, injunctive relief, legal fees and costs, and compensation for material and non-material damages. The Convention should also provide for compensation in cases of psychosocial or physical disability or incapacity to work.

In many instances, the only "remedy" available to workers experiencing violence and harassment is to leave the job. In cases of sexual or physical assault, the only remedy available may be through the criminal system, which can be slow and expensive, and requires a high burden of proof. Although violence and harassment can lead to physical and mental illness, only a small number of countries consider the health consequences of work-related violence and harassment as compensable occupational illnesses under workers' compensation insurance. This often leaves workers with incapacitating physical and/or mental health conditions to pay substantial expenses out of pocket. This is especially the case for workers holding contracts that limit access to social security benefits.

In relation to (g): Sanctions must be effective, dissuasive, appropriate and proportional to the seriousness of the violence and harassment. The full range of disciplinary, civil, administrative and criminal sanctions should be available.

## OFFICE COMMENTARY

A majority of governments and employers' and workers' organizations agree with this statement.

Several governments and employers' organizations express concern regarding the obligations stemming from this statement and the difficulties that may arise in their implementation. Some respondents agree that overly detailed provisions create difficulties in adapting existing legislation and dispute settlement mechanisms and may become potential barriers to ratification. The Office

notes that two governments were concerned about whether this provision necessarily encompasses the creation of new and specific mechanisms.

The Office recalls that the aim of this statement is that member States ensure access to dispute resolution mechanisms, both internal and external to the workplace. The Office clarifies that such obligation can be fulfilled in a variety of ways, including, but not necessarily limited to, the use of existing mechanisms, should they meet the broad criteria. Regarding the consideration of employers as possible victims, the Office recalls the commentary on question 12.

While three governments agree that the statement should keep explicit obligations to a minimum, some governments and workers' organizations propose mentioning additional measures, such as identity protection for victims, claimants and whistle-blowers and the provision of specific remedies and sanctions. A few respondents also propose referencing measures for the prevention of violence and harassment and rehabilitation of perpetrators.

The Office takes into account the suggestion from three governments that, in order to foster ratification and implementation, this statement should keep a non-exhaustive, flexible list and avoid reference to detailed measures. Regarding measures to prevent violence and harassment and measures to ensure rehabilitation of perpetrators, the Office notes points 11, 12, 22, 23, 24, 25, 26 and 32 of the proposed Conclusions.

Three governments request clarification on "legal, social and administrative support measures for complainants", and two governments request clarification on the concept of "economic unit".

The Office clarifies that legal, social and administrative support measures may include, among others, social counselling, administrative guidance on complaint procedures, translation assistance, legal guidance and information about victims' rights.

*Noting the concerns regarding using the term "economic unit", the Office recalls the definition provided in the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204). However, for further clarity, the Office proposes to change the wording of point 13(b)(i) of the proposed Conclusions to read "complaint and investigation mechanisms at the workplace level".*

*The Office takes note of one government's reply aiming to attain a coherent text, and thus proposes adding a reference to "remedies" in point 13(b) of the proposed Conclusions. The Office also takes into consideration amendments suggested by workers' organizations and proposes to adopt the wording of the Protocol of 2014 to the Forced Labour Convention, 1930, by referring to "appropriate and effective remedies" in point 13(b). Noting the reticence expressed by some respondents, the Office proposes making reference to "appropriate sanctions" in an additional point 13(c), in order to embrace legal understandings of remedies and sanctions in different member States.*

**Question 22** *Should the Convention provide that each Member should adopt additional measures to ensure that victims of gender-based violence in the world of work, whether in urban or rural areas, should have effective access to specialized and expeditious dispute resolution mechanisms as well as to specialized support, services and remedies?*

## Governments

*Total number of replies: 73*

*Yes: 58*

*No: 10*

*Other: 5*

## Comments

*Argentina:* Guarantee counselling and free legal aid and a comprehensive, free and specialized network for health assistance.

*Austria:* A uniform level of protection should apply to all affected parties, and member States should be able to provide specialized support to particularly affected groups. Including measures that cover the perpetrators should be considered.

*Canada:* Victims and others affected by workplace harassment and violence should receive support in a culturally sensitive manner. There should be some flexibility to allow member States to adopt any additional measures that are appropriate to their jurisdictions.

*Denmark:* This obligation is too burdensome and will cause ratification barriers. Provisions like this are more suited for a Recommendation. A Convention should contain general principles, and the level of protection should be kept at a realistic level.

*Greece:* The word “expeditious” could be omitted.

*Iceland, Norway, Singapore, Sweden:* The instrument should leave it to national discretion to decide the adoption of such measures.

*Malta:* If included in a Convention, this should be done “where possible and applicable” and “taking into account the development status and availability of resources of the Member”.

*Mexico:* It should only mention the need to ensure effective access to dispute resolution mechanisms, and it should be specified in a Recommendation that those mechanisms shall be specialized and expeditious.

*Peru:* Consider protection of informal economy workers.

*Suriname:* It should be taken into consideration that the government does not always have the capacity to access rural areas to deliver services.

*United Kingdom:* In some contexts, “expeditious dispute resolution mechanisms” could mean that perpetrators avoid responsibility for their actions, if reconciliation is pushed at the expense of justice and disciplinary action.

*Uruguay:* Ensure that all persons who intervene respect the confidentiality of the parties.

*Zimbabwe:* Consideration must be given to national circumstances without diluting the need for specialized and expeditious systems.

## Employers

*Total number of replies: 22*

*Yes: 8*

*No: 10*

*Other: 4*

## Comments

ACCI: Dispute resolution is not a construct that sits well as a response to gendered violence, which is concerned with criminal acts.

BUSA, IOE: While desirable, it may not be affordable or achievable in many national contexts, so this should be excluded.

EMCOZ: Yes, so as to accommodate every worker, both in rural and urban areas, and to reduce congestion in the mainstream courts.

## Workers

*Total number of replies: 178*

*Yes: 177*

*No: 0*

*Other: 1*

## Comments

FFAWUZ, ZCTU, ZDAWU: The Convention must emphasize expeditious and just resolution of disputes. Victim-friendly courts and institutions are critical, and the burden of proof should remain on the perpetrator rather than the victim.

FTUC, SEWA: Consider as well the accessibility for workers in the informal economy and in precarious employment.

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations and a minority of employers' organizations support this statement.

While some governments and workers' organizations propose detailing measures to be adopted, several respondents indicate the need for flexible wording, in order to allow for ratification and implementation. A few respondents indicate the importance of including informal economy workers within the provision.

In the light of the replies received, the Office recalls the commentary on question 21 and clarifies that, in order to facilitate ratification and implementation, the present statement, as reflected in point 13(d), is worded in a general manner. In addition, the Office clarifies that specific measures are enumerated in points 29 and 30 of the proposed Conclusions with the aim of providing additional guidance on what measures should be taken. In relation to informal economy workers, the Office refers to the definition of "worker" set out in point 3(d).

Three governments and two employers' organizations expressed concern regarding member States' capacity to implement specialized measures on gender-based violence, especially in relation to certain national circumstances and resources.

In response to concerns about implementation of this statement, the Office clarifies that the proposed wording aims to be flexible and adaptable to the various capacities of member States. Obligations stemming from this provision do not necessarily entail the establishment of new dispute resolution mechanisms, and could be fulfilled through the adoption of various measures, including specialized training for court personnel, the prioritization of cases of gender-based violence within existing courts, as well as other measures enumerated in points 29 and 30 of the proposed Conclusions.

*In the light of the elements noted above, the Office proposes no changes to point 13(d) of the proposed Conclusions, with the exception of moving the term "whether in urban or rural areas" to point 3(d) of the proposed Conclusions to ensure that protection for workers in rural and urban areas is not confined to measures related to gender-based violence, and deleting the term*

*“expeditious” since this is enumerated in point 29(b) of the proposed Conclusions. With reference to the Office commentary under question 29, the Office proposes a new point 13(e) recognizing the effects of domestic violence on the world of work and the need for measures to address them, as well as a new point 31 of the proposed Conclusions to provide indications of specific measures to be taken in this regard.*

**Question 23** *Should the Convention provide that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger of violence and harassment, without suffering undue consequences?*

## Governments

*Total number of replies: 71*

*Yes: 61*

*No: 3*

*Other: 7*

## Comments

*Argentina:* Consider a reference to justified leave that guarantees their later reinstatement.

*Austria:* This provision should allow for flexibility in implementation by national legislators.

*Belgium:* This issue should be analysed in relation to the principles of national labour law.

*Bulgaria, India, Islamic Republic of Iran:* Criteria or definitions for qualifying a situation as “a situation presenting imminent and serious danger of violence and harassment” should also be specified.

*Canada:* However, in specified circumstances, the right to refuse unsafe work is limited (that is, when the worker’s refusal to work would directly endanger the life, health or safety of another person).

*Costa Rica:* It should be foreseen as a reason to terminate the work contract.

*Ecuador:* Specific regulation will be needed on this matter, and imminent danger should be reported to the competent authority to ensure immediate intervention.

*France:* The concept of serious and imminent danger, without specifying the nature of the risk, seems to be sufficient, and cannot be limited to a case of violence or harassment. The Convention could therefore provide that every worker has the right to withdraw from a work assignment which the worker has reasonable grounds to believe presents a grave and imminent danger, without suffering “undue consequences”.

*Germany:* It could be included in a Recommendation.

*Guatemala, India, Mexico:* It is important to clarify the meaning of “reasonable justification”.

*Iceland, Norway:* Only if there is a serious life-threatening situation. Other cases should be addressed in accordance with existing occupational safety and health management systems.

*Italy:* Payment of wages should be guaranteed during stoppage and/or interruption of work in cases where continued presence at work would entail a high risk of violence and harassment.

*Jordan:* “Reasonable justification” should be replaced by “clear justification”, and “having the financial aspect” should be added after “without suffering undue consequences”.

*Mexico:* The provision and definition should also cover employers.

*Saudi Arabia:* As long as it is not contrary to national regulations and practices.

*Seychelles:* It could be considered only under clear and strict conditions, as it may create further complicated situations to resolve, such as “abuse of absenteeism”.

*Slovenia:* The clear message behind that idea should be that the (alleged) perpetrator shall be removed in the first place in order to ensure a safe and discrimination-free working environment.

*South Africa:* Include that the risk shall be reported to the employer so that measures can be taken to address the situation.

*Spain:* This statement could be understood in a situation of extreme violence or grave risk due to appointment in a position that is evidently incompatible with a worker's psychosocial state and characteristics and most probably leading to grave harm to the worker's health in the near future.

*United Kingdom:* Yes, upon the recommendation that advice is sought from their employer and/or a representative. It will be necessary to address the application in some areas.

*Uruguay:* It is arguable. Such a right would only be acceptable in case of risk to life, health or safety as established by the ILO.

## Employers

*Total number of replies: 20*

*Yes: 13*

*No: 4*

*Other: 3*

## Comments

ACCI: This consideration is better addressed by picking up the wording of Convention No. 155, Article 13.

CEO, CONCAMIN, OEB: This issue is very ambiguous and could generate situations of legal uncertainty due to subjectivity in assessing and difficulty in defining situations.

## Workers

*Total number of replies: 178*

*Yes: 177*

*No: 0*

*Other: 1*

## Comments

Consolidated response: In many countries, workers have a general right to be free from undue consequences (such as termination of contract or other disciplinary action) when stopping work in a situation that puts their health at risk, in line with the Occupational Safety and Health Convention, 1981 (No. 155).

Consolidated response, CMTU, GTPCWU, NZCTU, TUC: The Convention should also provide that labour inspectors should be mandated to address violence and harassment and should have the power to stop work in the case of work-related violence and harassment.

ABPSA, CGSLB, CLC, CTAA, PSI: The period after removing themselves should be paid leave or medical leave.

APOC, AEFIP, CSC (Democratic Republic of the Congo), UEJN: Include the right to continue work without harassment or violence.

CTC (Colombia), FFAWUZ, SEWA, UGTCl, Unia, ZCTU, ZDAWU: In the case of migrant domestic workers, without consequences of deportation or repatriation.

## OFFICE COMMENTARY

The majority of governments and employers' and workers' organizations agree with this statement. A few governments, however, expressed concern regarding the scope of this provision, including definitions, criteria and limitations on this right, including in relation to national labour law. The Office notes in this regard that the language of the proposed provision is based on, and designed to function with, Article 13 of the Occupational Safety and Health Convention, 1981 (No. 155), whereby workers who have removed themselves from a work situation which they have

reasonable justification to believe presents an imminent and serious danger to their life or health “shall be protected from undue consequences in accordance with national conditions and practice”. Given the widespread ratification of Convention No. 155 and the further guidance in the General Survey concerning that Convention<sup>15</sup> on issues including national conditions and practice, as well as the scope, definitions, criteria and limitations, the right of removal should be linked to national conditions and read in the light of Convention No. 155. The Office notes further that the right to removal is also set out in a number of other Conventions, including the Safety and Health in Construction Convention, 1988 (No. 167), the Chemicals Convention, 1990 (No. 170), the Safety and Health in Mines Convention, 1995 (No. 176), and the Safety and Health in Agriculture Convention, 2001 (No. 184).

*Given the widespread support from governments and the social partners for the statement, and the link between the proposed language and Convention No. 155, the Office proposes to change point 13(f) of the proposed Conclusions to further align the language with Article 13 of Convention No. 155. A new point 13(g) regarding the role and powers of labour inspectors is also proposed, as set out in the commentary under question 40.*

#### D. Support and guidance at the national level

**Question 24** *Should the Convention provide that each Member should, in consultation with representative employers’ and workers’ organizations, take measures to ensure that:*

- (a) violence and harassment in the world of work is addressed in relevant national policies, such as occupational safety and health, equality and non-discrimination, including gender equality, and migration policies;*
- (b) guidance, resources and other tools are provided to workers, employers and their representatives, and to enforcement authorities regarding violence and harassment in the world of work; and*
- (c) awareness-raising campaigns and other initiatives are developed with the aim of eliminating violence and harassment in the world of work, including gender-based violence?*

#### Governments

*Total number of replies: 74*

*Yes: 67*

*No: 1*

*Other: 6*

#### Comments

*Australia:* Yes to (a) and (b), to the extent that these policies relate to violence and harassment with a direct connection to the workplace. In (c), the Government supports employers’ and workers’ organizations working with Members on a cooperative approach to building awareness.

*Belgium:* These provisions are also important for domestic violence and can be provided by national action plans.

<sup>15</sup> ILO: *General Survey concerning the Occupational Safety and Health Convention, 1981 (No. 155), the Occupational Safety and Health Recommendation, 1981 (No. 164), and the Protocol of 2002 to the Occupational Safety and Health Convention, 1981, Report III (Part 1B), ILC, 98th Session, 2009, paras 145–152.*

*Bulgaria:* Preventive activities, such as risk assessment and training of employers and employees to prevent and identify situations of violence and harassment in the world of work, play an important role.

*Denmark:* No. While Denmark can agree with the general principle, the provision is too detailed for a Convention.

*Germany:* Such a provision could be included in a Recommendation.

*Italy:* It might be wise to set up local forums with the participation of the social partners to strengthen regional assistance and care networks for victims.

*Malta:* They should be evidence-based and appropriately targeted.

*Russian Federation:* In (a), it is necessary to recognize that there is a relationship between equality, non-discrimination and occupational safety and health. In (b), workers, employers and their representatives must be provided with training on violence and harassment in the world of work.

*Senegal:* It is more appropriate that member States define with the social partners the appropriate means and modalities for combating harassment and violence at work regarding (b) and (c), taking into account national realities.

*Spain:* Awareness-raising and training measures could also be adopted in the framework of management of cultural diversity at work, following the understanding in the UNESCO Universal Declaration on Cultural Diversity.

## Employers

*Total number of replies: 22*

*Yes: 10*

*No: 4*

*Other: 8*

## Comments

BUSA, IOE: In accordance with national context, laws and institutions, as is appropriate.

## Workers

*Total number of replies: 176*

*Yes: 171*

*No: 0*

*Other: 5*

## Comments

Consolidated response: In (a), national labour and employment policies should also be included. Recognizing the interlinkages between frameworks such as equality, anti-discrimination, and occupational safety and health frameworks is essential to an integrated approach. In (b), the resources should include training.

CGT-RA, FESITUN, FESTRAS, NOTU, Travail.Suisse, TUCP: The provision of awareness-raising campaigns should be set forth in the Recommendation, and tripartism should always be strengthened.

## OFFICE COMMENTARY

The majority of governments and employers' and workers' organizations broadly support the statement; however, several governments and employers' and workers' organizations question the detail of the proposed language, with some indicating that it would be more appropriate in a Recommendation. Alternatively, several governments agree that more detailed information gathering and reporting requirements should be included.

*In the light of the replies, the Office proposes to change point 14 of the proposed Conclusions by removing the reference to gender equality, as it is already included under equality and non-discrimination. The Office proposes to merge the more detailed suggestions for guidance, training and awareness raising into point 14(b). The corresponding point 36 of the proposed Conclusions provides more detailed guidance on these issues in the form of a Recommendation. Given the reference to gender-based violence included in the definition of violence and harassment in point 3(a), the Office has proposed deleting the specific reference in point 14(b), and refers in this regard to the Office commentary under question 9. To avoid redundancy, the deletion of “with the aim of eliminating violence and harassment in the world of work” has also been proposed.*

### **E. Means of implementation**

**Question 25** *Should the Convention provide that each Member should implement its provisions through laws and regulations, as well as through collective agreements or other measures consistent with national practice, including by extending existing occupational safety and health measures to cover violence and harassment or adapting them and developing specific measures where necessary?*

#### **Governments**

*Total number of replies: 71*

*Yes: 60*

*No: 2*

*Other: 9*

#### **Comments**

*Austria:* This point should be reworded, so that it is clear that a provision concerning collective agreements is optional and not mandatory.

*Belgium:* This should also apply to gender-based violence and domestic violence.

*Mexico:* The government must respect the guarantee of non-intervention on the right to collective bargaining, since this is performed exclusively between workers and employers.

*New Zealand, Sweden, Switzerland:* However, the specific measures should be determined by each member State according to its situation and depending on the type of violence and harassment involved.

*Saint Vincent and the Grenadines:* Yes; however, the provisions should not be extended to existing occupational safety and health measures, but these measures may be adapted and specifically developed where necessary.

*Senegal, Singapore:* It is more appropriate to leave it to the member States to define with the social partners the appropriate means and modalities for combating harassment and violence at work.

#### **Employers**

*Total number of replies: 21*

*Yes: 10*

*No: 6*

*Other: 5*

#### **Comments**

ACCI: Convention No. 155 refers to national policies and national actions. For consistency, these appear to be superior terms to the introduction of a new concept of “measures”.

BusinessNZ: It will be important to leave it to member States themselves to determine the means, implementation and what, if any, specific measures are considered necessary.

Confcommercio: It might be beneficial to draw up laws and regulations designed to raise awareness of the issue.

CONCAMIN, COPARMEX: This should be in a Recommendation.

## Workers

*Total number of replies: 178*

*Yes: 176*

*No: 0*

*Other: 2*

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations and almost half of employers' organizations agree with the statement.

Six governments and one employers' organization noted that it is important to leave it to member States themselves to determine the means of implementation for combating violence and harassment at work, taking into account national realities.

*In the light of the replies received, the Office proposes minor stylistic changes but no substantive changes to point 15 of the proposed Conclusions.*

## V. Content of a Recommendation

### A. FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK AND PROTECTION

**Question 26** *Should the Recommendation provide that in adopting an inclusive and integrated approach to end violence and harassment in the world of work, Members should address all forms of violence and harassment in the world of work in labour, occupational safety and health, and equality and non-discrimination law, as well as in criminal law where appropriate?*

## Governments

*Total number of replies: 84*

*Yes: 78*

*No: 1*

*Other: 5*

## Comments

*Australia:* The Recommendation should not extend to cover equality and discrimination.

*Belgium:* Including domestic violence.

*Costa Rica:* Not in criminal law.

*Jordan:* There must be clear texts in the labour law concerning violence and harassment, even though they exist in other national legislation.

*Cuba, Malta:* It is not necessary to specify which laws need to be changed; it would be best to leave it up to the Member to decide which laws to amend as long as all the appropriate measures are taken.

*New Zealand:* Yes, but where appropriate, given the need to determine the scope of the “world of work”.

*Paraguay:* Violence and harassment in the workplace is more linked to legislation governing equality and non-discrimination.

## Employers

*Total number of replies: 23*

*Yes: 13*

*No: 5*

*Other: 5*

## Comments

ACCI: Through criminal and occupational safety and health law as appropriate to national circumstances.

CNCS: The reference to criminal law should be put aside, as it is on a different track from strictly labour-related matters.

CONCAMIN: Yes, but the reference to criminal law should be differentiated, to avoid confusion.

DA: Each country should decide which measures are most suitable for handling violence and harassment at the workplace.

IOE: It is important to be clear as to what we mean by an inclusive and integrated approach. For the Employers, this means all actors intervene jointly to prevent and mitigate acts of violence and harassment at the workplace, i.e. it should not be solely an employer responsibility.

OEB: There are other instruments addressing the matters of occupational safety and health, equality and non-discrimination law, and overlaps should be avoided.

## Workers

*Total number of replies: 178*

*Yes: 178*

*No: 0*

*Other: 0*

## Comments

ABPSA, BAK, CAT, CUT (Brazil), FESITUN, NOTU, PSI: Add civil and administrative law.

CLC: Immigration or migration policies, laws and programmes should also be referenced.

CUT (Colombia), KUCFAW, KUDHEIHA, KUSPAW: Recommendations should be created regarding the authority of the labour inspection in workplaces such as those of domestic and care workers.

## OFFICE COMMENTARY

The overwhelming majority of governments and workers’ organizations and a minority of employers’ organizations agree with this statement.

In response to the request of three employers’ organizations for clarification on the meaning of an “inclusive and integrated approach”, the Office notes that the terms “inclusive” and “integrated” should take on their usual meanings, as was the approach in the Meeting of Experts on Violence against Women and Men in the World of Work. The Office considers that “integrated” refers to coordinating among the various approaches towards preventing and addressing violence and harassment, including from labour, equality and non-discrimination, occupational safety and health, workplace organization perspectives, as well as criminal law where appropriate, as violence and harassment can touch on each of these areas. Therefore, having an integrated response will ensure that no legislative or other gaps exist in rights and protection. “Inclusive” refers to a broad

scope that covers all forms of violence and harassment, and all persons, in the world of work. Covering violence and harassment in various areas of law also serves to ensure that no form of violence and harassment is excluded, nor are any victims or perpetrators. As such, this statement does not aim to prescribe or limit the measures to be taken by member States.

*The Office proposes no changes to point 17 of the proposed Conclusions, with the exception of changing “to end violence ...” to “for the elimination of violence ...” for reasons of consistency.*

*The Office also notes that, in line with standard practice, a new point (point 16) has been added, indicating that the provisions of the Recommendation should be considered in conjunction with those of the Convention.*

**Question 27** *Should the Recommendation provide that Members should ensure that workers in sectors, occupations and work arrangements with a higher incidence of violence and harassment fully enjoy freedom of association and the right to collective bargaining in accordance with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)?*

## Governments

*Total number of replies: 83*

*Yes: 63*

*No: 11*

*Other: 9*

## Comments

*Australia:* Australia does not support the proposed language set out in questions 27 and 28, and considers that the rights of workers to collectively bargain are already covered in Conventions Nos 87 and 98, and that replicating that in this non-binding instrument would provide no further protection. There is also no established connection between these particular rights and protection from violence and harassment.

*Austria, Canada, Czech Republic, Estonia, France, Germany, Iceland, Namibia, Norway, Saint Vincent and the Grenadines, Senegal:* Freedom of association and the right to collective bargaining should apply to all sectors, occupations and work arrangements, whether they experience a higher incidence of violence and harassment or not.

*Chad:* Consider including a reference to the Workers’ Representatives Convention, 1971 (No. 135), in the Recommendation.

*Jordan:* We consider that the issue of violence and harassment in the workplace is distinct from Conventions Nos 87 and 98.

*Mali:* It is very important for the protection of certain categories of workers, especially domestic workers.

*Malta:* While it might not be necessary, since these Conventions generally apply to all workers, it might serve to promote these core Conventions.

*Peru:* Although freedom of association and the right to collective bargaining are rights of all workers, emphasis must be placed on the State guaranteeing that the most vulnerable groups of workers enjoy these rights. It should, therefore, be included that the State should monitor compliance with these rights and report on it in detail in periodic reports.

*Republic of Korea:* The definition and scope of “workers in sectors, occupations and work arrangements with a higher incidence of violence and harassment” should be clarified.

*Saudi Arabia, Singapore:* Member States should only need to comply with the Conventions that they have ratified.

*Zimbabwe:* No. Fundamental rights are without distinction.

## Employers

*Total number of replies: 24*

*Yes: 10*

*No: 13*

*Other: 1*

## Comments

ACCI: It cannot be assumed that association and bargaining are the main prescriptions to address violence at work. ACCI disputes that there are any particular work arrangements that inherently heighten risks of violence or harassment, and opposes any reference to “work arrangements”. It is preferable to work towards something along the lines of: “Member States should, in conjunction with workers and employers, develop appropriate and effective means to better inform and assist employers and workers in industries subject to the highest levels of risk of violence and harassment at work.”

BusinessNZ: How will those sectors, occupations and work arrangements where there is a higher incidence of violence and harassment be determined, and how would the application of the fundamental Conventions make a difference to the situation if it is not doing so already?

COPARMEX: No, the measures must be in accordance with the Conventions ratified by each country.

CONCAMIN, KEF: There are difficulties in deciding what sectors have a higher incidence of violence and harassment. The issue of violence and harassment seems to have nothing to do with the freedom of association and right to collective bargaining.

OEB: There are specific Conventions for freedom of association and the right to organize and collective bargaining, and overlaps should be avoided.

## Workers

*Total number of replies: 177*

*Yes: 76*

*No: 2*

*Other: 99*

## Comments

Consolidated response: This should be part of the Convention, since it concerns fundamental labour rights, which are also foundational. Additionally, Conventions Nos 87 and 98 are key to enabling workers and employers to build workplaces free from violence and harassment, and Members should ensure that all workers fully enjoy the rights under these Conventions. The Recommendation could give guidance to Members to pay special attention to ensuring that workers in sectors, occupations and work arrangements with a higher incidence of violence and harassment fully enjoy these rights.

CGT (Colombia), CTM: No, since this is indicating that other workers do not have the human right to fully enjoy these rights. What could be done is to have specific promotion for workers/sectors that may be more exposed to violence and sexual harassment.

CMKOS, PEO: Reference to the Conventions should appear for all workers.

UNT: It should be included that Members must ensure that these processes are transparent and guarantee the participation of women in spaces of participation and decision-making.

## OFFICE COMMENTARY

The majority of governments and workers' organizations and just under half of employers' organizations support the inclusion of this provision.

Eleven governments noted that freedom of association and the right to collective bargaining should apply to all sectors, regardless of whether they experience a higher incidence of violence and harassment.

In response to concerns expressed about the ratification of fundamental Conventions, the Office refers to the commentary under question 4. In addition, the Office notes that while the proposed Recommendation can promote the identification of certain sectors, occupations and work arrangements with a higher incidence of violence and harassment, it does not limit the scope of the principles of freedom of association and the right to collective bargaining to these sectors.

*In response to governments' concerns over the possible limiting nature of the language, and to better align it with point 11, the Office proposes to amend the wording of point 18 of the proposed Conclusions to reflect these obligations towards "all workers, including those in sectors, occupations and work arrangements in which they are more exposed to violence and harassment".*

- Question 28**      *Should the Recommendation provide that Members should take measures to:*
- (a) encourage collective bargaining at all levels as a means of preventing and addressing violence and harassment in the world of work; and*
  - (b) facilitate such collective bargaining through the collection and dissemination of information on trends and good practices regarding the negotiation process and the content of collective agreements?*

### Governments

*Total number of replies: 85*

*Yes: 73*

*No: 3*

*Other: 9*

### Comments

*Belgium:* Points 26 and 27 of the Conclusions of the Meeting of Experts should be implemented (and elaborated on) in the Recommendation.

*Germany:* The collection and dissemination of trends and good practices regarding the negotiation process should be the responsibility of the social partners.

*India:* Why should the provisions of Conventions Nos 87 and 98 be included in this instrument?

*Japan, Singapore:* The provision should enable this matter to be handled according to the situation in each member State.

*Mexico:* It should be taken into account that the government must respect the guarantee of non-intervention in the right to collective bargaining in the conclusion of collective bargaining agreements, since such agreements are made exclusively between unions and employers.

*New Zealand:* For (b) we consider this is more an issue for workers' and employers' organizations rather than governments, who may not be privy to the content of collective agreements.

*Peru:* Yes, it should also encourage the development of business policies that protect the rights of workers.

## Employers

*Total number of replies: 26*

*Yes: 11*

*No: 10*

*Other: 5*

## Comments

ALI: With educational and guidance campaigns.

BUSA, IOE, USCIB: The Recommendation should focus on the issue, not indirectly promoting other instruments.

CEOE: Any measure related to collective bargaining should refer to a mere orientation that does not violate the collective autonomy of the parties.

EMCOZ: Collective bargaining may be an ineffective method to address violence and harassment at work, particularly in low-income countries.

## Workers

*Total number of replies: 177*

*Yes: 174*

*No: 0*

*Other: 3*

## Comments

Consolidated response: Collective bargaining at enterprise, sectoral and national level, as well as through global and regional framework agreements, is an essential part of an effective industrial relations system for preventing, addressing and redressing harassment and violence in the world of work.

CASC, CNTD, CNUS, CSC (Democratic Republic of the Congo): This should be an aspect included in the Convention and expanded on in the Recommendation.

CROM, ITF, UNT: Include in (a) greater female representation in collective bargaining

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations, and approximately half of employers' organizations, supported including this provision in the proposed Conclusions regarding a Recommendation.

A number of governments and workers' organizations also highlighted the importance of the proposed instrument promoting collective agreements, including global and regional framework agreements and a greater representation of women in collective bargaining. Some governments and employers' organizations also noted that the collection and dissemination of trends and good practices regarding the negotiation process of collective agreements should be the responsibility of the social partners. Some employers' organizations were also concerned about resources for facilitation, especially in low-income countries, and a number stressed the importance of allowing for autonomy in the negotiation of collective agreements.

*In response to the suggestion of one government to include the point from the Conclusions of the Meeting of Experts on Violence against Women and Men in the World of Work that collective agreements could address the effects of domestic violence, the Office proposes to include a reference to dealing with the effects of domestic violence in point 19(a) of the proposed Conclusions. The addition of the word "related" prior to "trends" has been proposed in point 19(b), to clarify that the information should be targeted.*

**Question 29** *Should the Recommendation provide that with a view to eliminating violence and harassment in the world of work, Members should recognize the effects of domestic violence on the world of work and take measures to address them?*

## Governments

*Total number of replies: 80*

*Yes: 63*

*No: 12*

*Other: 5*

## Comments

*Australia:* The Recommendation could offer practical assistance for Members to recognize that the effects of domestic violence can impact on the workplace.

*Belgium:* Domestic violence can be addressed in the workplace through the provision of information, training and awareness raising, support and confidentiality for workers, a reintegration policy, risk assessments specific to domestic violence, protection from dismissal, and flexible leave to enable workers to escape a violent situation at home.

*Canada:* The spillover of domestic violence into the workplace is a part of the continuum of workplace violence.

*Costa Rica:* The recognition must be complemented by a public policy to provide the employer with the necessary tools on how to proceed.

*France, Mexico:* Businesses can define mechanisms to recognize the effects of domestic violence on the world of work. Recommendations should include, among others, facilitating access to housing for abused women, and adapting communication campaigns.

*Germany, India, Russian Federation, Senegal, Sweden, Thailand:* Domestic violence falls outside of the scope of the instrument.

*Guatemala:* If the concept of domestic violence is included, it is also important to define it and include a reference to it in the Preamble.

*Islamic Republic of Iran:* The procedure under which the employer is supposed to assume responsibility or relevant costs are unclear.

*Malta:* We would also like to see the inclusion of stalking with domestic violence. It might be helpful to provide some general guidance for governments to take appropriate steps in their national context.

*New Zealand:* The scope and nature would need to be very clearly defined.

*Peru:* Capacity building should be promoted for human resources personnel intervening in cases that arise at work.

*Republic of Korea:* However, “the effects of domestic violence” seems to be too broad in meaning. Hence, an amendment should be made to stress the protection of victims and/or penalties for the perpetrators.

*Spain:* The workplace can be a starting point for the reintegration of victims.

*United Kingdom, Zimbabwe:* It should be addressed through a referral system to existing national domestic violence mitigation measures.

## Employers

*Total number of replies: 24*

*Yes: 8*

*No: 14*

*Other: 2*

## Comments

ACCI: Domestic violence is a community problem that can have spillover effects into the workplace and needs to be addressed, but care also needs to be taken to ensure that the responsibility of the State is not placed on the shoulders of employers.

BDA, BUSA, FEDIL, IOE, TISK: Domestic violence is beyond the scope of the world of work.

## Workers

*Total number of replies: 178*

*Yes: 81*

*No: 1*

*Other: 96*

## Comments

Consolidated response: The need for Members to recognize the effects of domestic violence on the world of work should be addressed in the Convention. The Recommendation should give guidance on measures Members can take to address the effects of domestic violence on the world of work, drawing from existing legislation, policies and collective bargaining agreements.

## OFFICE COMMENTARY

The vast majority of governments, a minority of employers' organizations and all but one workers' organization agree that member States should recognize the effects of domestic violence on the world of work and take measures to address them. The majority of workers' organizations consider that the provision should be moved to the Convention and that a Recommendation should give further guidance on the measures to be taken; those replies were therefore categorized as "Other". Six governments consider that domestic violence falls outside the scope of the proposed instrument(s).

Furthermore, eight governments support the inclusion of additional, specified measures, such as the following: awareness raising; risk assessments specific to domestic violence; protection from dismissal; flexible leave for victims; specific support measures, such as changes to working hours; the granting of paid leave; temporary, or even permanent, transfers to other workplaces; and a referral system to existing national domestic violence mitigation measures.

The Office notes that, in their responses to this question, as well as to other questions throughout this document, several governments and the majority of workers' organizations expressed substantial support for including a reference to domestic violence in the proposed Convention and for including further specific measures in the proposed Recommendation.

*In the light of the elements noted above, the Office proposes to move this statement to point 13(e) of the proposed Conclusions regarding a Convention, and to create a new point 31 regarding a proposed Recommendation that sets out specific measures suggested by governments in relation to domestic violence. The Office refers in this regard to the commentary under questions 22 and 38.*

**Question 30** *Should the Recommendation provide that Members should take legislative or other measures to protect migrant workers, and particularly women migrant workers, in origin, destination and transit countries, against violence and harassment, including gender-based violence?*

### Governments

*Total number of replies: 80*

*Yes: 67*

*No: 4*

*Other: 9*

### Comments

*Australia, Austria, Canada:* The link to the workplace is missing.

*Finland, Namibia, Russian Federation:* Regardless of their status.

*Islamic Republic of Iran:* We need a definition of “migrant” that complies with national legislation. Illegal migrant workers are merely protected through public laws.

*New Zealand, Suriname:* It should include all the categories mentioned under question 17 of the questionnaire, who might also be subject to violence and harassment in the world of work.

*Russian Federation:* No, if provision is to be made for legislative protection measures, then they should be extended to all migrants, without exception. In addition to women, young people, children, elderly persons, persons with a non-traditional sexual orientation and other groups also experience difficulties.

*Chile, Cuba, Senegal:* Applicable national laws should not discriminate between resident workers and migrant workers.

*Turkey:* It is envisaged to be useful that all activities to be carried out on this subject will be for and in the languages of those living as migrants in member States.

*Uruguay:* It is also necessary to agree on joint actions in countries of origin, transit and destination.

### Employers

*Total number of replies: 23*

*Yes: 9*

*No: 12*

*Other: 2*

### Comments

ACCI: This requires the qualifier “at work”.

BUSA, IOE: The Recommendation should provide that all particularly vulnerable groups should be considered, as appropriate to the national context, and that member States should take appropriate steps required to ensure protection.

COPARMEX, DA, Keidanren, OEB: It should cover all workers, regardless of any particular characteristics.

### Workers

*Total number of replies: 177*

*Yes: 174*

*No: 0*

*Other: 3*

## Comments

Consolidated response: This should apply irrespective of the status of the migrant worker. The particular vulnerabilities of women migrant workers to violence and harassment should be recognized in the Recommendation, consistent with the ILO Multilateral Framework on Labour Migration of 2006.

CAT, CATP, CATS, CGTP, FENAMUTRA: Migrant workers must be protected because they are a group with greater vulnerability to violence.

### OFFICE COMMENTARY

Most governments and employers' and workers' organizations support the statement.

In the light of the observations made by governments that protection should be extended to undocumented migrant workers, the Office highlights that point 20 of the proposed Conclusions is foreseen to be inclusive of all migrant workers, regardless of their status. In this sense, the Office recalls the General Survey of 2016, in which the CEACR states that "... member States must respect the fundamental rights at work of all migrant workers, including migrants in an irregular situation, in particular those that are embodied in the ILO fundamental Conventions and recognized in universal and regional human rights instruments".<sup>16</sup>

With regard to the proposal made by one government and several employers' organizations to exclude the phrase "particularly women" from the provision, the Office emphasizes the importance of protecting migrant women from violence and harassment in the world of work. According to the CEACR, "[m]any women migrants are employed in extremely vulnerable positions often because the sectors in which they are employed are excluded from the scope of protection of labour laws. They often face multiple and intersecting forms of discrimination impacting on their enjoyment of basic human rights."<sup>17</sup>

*Given the reference to gender-based violence included in the definition of violence and harassment in point 3(a), the Office proposes deleting the specific reference in point 20 of the proposed Conclusions, and refers to the Office commentary under question 9.*

### B. PREVENTION MEASURES

**Question 31** *Should the Recommendation provide that occupational safety and health provisions on violence and harassment in national laws, regulations and policies should take into account occupational safety and health instruments of the International Labour Organization, including the Occupational Safety and Health Convention, 1981 (No. 155), and Recommendation, 1981 (No. 164); the Occupational Health Services Convention, 1985 (No. 161); the Night Work Convention, 1990 (No. 171), and Recommendation, 1990 (No. 178); and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)?*

<sup>16</sup> ILO: *Promoting fair migration: General Survey concerning the migrant workers instruments*, Report III (Part 1B), ILC, 105th Session, 2016, para. 300.

<sup>17</sup> *ibid.*, para. 645.

## Governments

*Total number of replies: 83*

*Yes: 74*

*No: 6*

*Other: 3*

## Comments

*Argentina:* Also include Convention No. 111.

*Bulgaria, Denmark, Ecuador:* References to other labour standards will create a ratification barrier for the countries which have not ratified the mentioned Conventions. It is suggested that these instruments be points of departure or reference.

*Canada:* It is important to give clear guidance in order not to overlap with these existing standards.

*Germany:* A complete list is likely to lead to a possible instrument not being ratified, and an incomplete list would be misleading. A general statement to the effect that national laws, regulations and policies must be in line with the ratified ILO instruments on occupational safety and health would be preferable.

*Mali, Singapore, Spain, Sweden:* Where relevant, as member States only need to comply with the Conventions that they have ratified.

*Paraguay:* Conventions Nos 111, 156 and 189 should also be included.

*Tunisia:* We suggest the addition of the MLC, 2006.

## Employers

*Total number of replies: 24*

*Yes: 14*

*No: 10*

*Other: 0*

## Comments

BUSA, IOE: Listing Conventions is not helpful, particularly as some are no longer current.

CONCAMIN, DA: There is a need to take into account the level of ratification of these instruments. If there is little or no ratification, it is not going to help.

## Workers

*Total number of replies: 177*

*Yes: 177*

*No: 0*

*Other: 0*

## Comments

CAT, CTAA: Although these have not been ratified by all member States, it is important to take them into account and to fight for compliance.

CLC: There may be considerations from Convention No. 189 as well.

COSYGA, USYTZPOG: As well as the effective implementation of the MLC, 2006.

UNT: Include ILO Conventions Nos 156 and 183.

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations and the majority of employers' organizations agree with the statement.

In response to the concern expressed by several respondents that a reference to non-ratified ILO instruments could create a barrier to the ratification of the proposed instrument or instruments, the Office notes that point 22 of the proposed Conclusions is intended to be included in a Recommendation, which would be non-binding on member States.

*With a view to having a more comprehensive list of relevant instruments on occupational safety and health, the Office proposes adding references to the Protocol of 2002 to the Occupational Safety and Health Convention, 1981, the Occupational Health Services Recommendation, 1985 (No. 171), the List of Occupational Diseases Recommendation, 2002 (No. 194), and the Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197). In the light of the suggestions made by two governments and three workers' organizations, the Office proposes to include the Maritime Labour Convention, 2006, and the Domestic Workers Convention (No. 189) and Recommendation (No. 201), 2011, among the instruments listed in point 22 of the proposed Conclusions.*

*In the light of the suggestions by two governments, the Office proposes the addition of point 21 to the proposed Conclusions to reference the equality and non-discrimination fundamental Conventions (the Discrimination (the Equal Remuneration Convention, 1951 (No. 100), and the Employment and Occupation) Convention, 1958 (No. 111), and their accompanying Recommendations).*

- Question 32**      *Should the Recommendation provide that, in developing and implementing workplace policies on violence and harassment, employers should:*
- (a) establish violence and harassment prevention programmes with measurable objectives;*
  - (b) outline the rights and responsibilities of workers and employers;*
  - (c) ensure that workers and their representatives are consulted, informed and trained;*
  - (d) provide information on complaint and investigation procedures; and*
  - (e) ensure that all internal and external communications related to violence and harassment are duly considered and acted upon?*

**Governments**

*Total number of replies: 85*

*Yes: 73*

*No: 4*

*Other: 8*

**Comments**

*Belgium:* The employer could establish a referral system where victims of gender-based violence and domestic violence are referred to non-governmental organizations and receive the help they need.

*France:* In (a), it seems more appropriate to provide employers with a comprehensive prevention obligation, while leaving it up to them to define how it will be implemented in the company, according to company-specific characteristics.

*Jamaica:* It is also suggested that employers be provided with toolkits for capacity development and increasing awareness.

*Mexico:* The above-mentioned elements must have language that is inclusive, non-sexist and free of stereotypes, and receive the support of expert professionals from the authorized governmental entities.

*Senegal:* Allow employers flexibility in defining means of implementing such policies.

## Employers

*Total number of replies: 25*

*Yes: 8*

*No: 12*

*Other: 5*

## Comments

ACCI: The final form of such a provision needs to specifically take into account the different sizes and capacities of business.

BUSA, FEDIL, IOE, OEB: The suggested policies are very difficult for small and medium-sized enterprises to implement.

## Workers

*Total number of replies: 178*

*Yes: 175*

*No: 0*

*Other: 3*

## Comments

CATP, CGTP: A code of ethics should include all these items. In (d), these should be simplified and easily accessible to the victims.

KUCFAW, KUDHEIHA, KUSPAW: In (a), add the word “achievable” between “measurable” and “objective”.

SEWA: In (d), compliance and investigation procedures should be able to address the needs of the vast and diversified informal economy.

## OFFICE COMMENTARY

The vast majority of governments and workers’ organizations agree that the Recommendation should provide that, in developing and implementing workplace policies on violence and harassment, employers should undertake a number of obligations. For the most part, the employers’ organizations do not support the suggested policies and find the measures to be too specific.

*In response to the comment from one government that the content of a proposed Recommendation is to be directed to governments and not employers, the Office proposes to change the wording of point 23 to clarify that it is directed to member States. The Office has also proposed a number of minor changes to improve the clarity and consistency when referring to the specific elements of the policy. It is also proposed that the policy “state that no form of violence and harassment will be tolerated” in line with the Office commentary under question 19.*

**Question 33** *Should the Recommendation provide that workplace risk assessments should take into account factors that increase the likelihood of violence and harassment, in particular psychosocial hazards and risks, including those arising from third parties such as clients and the public, and the presence of negative power relations, gender norms, cultural and social norms, and discrimination?*

### Governments

*Total number of replies: 83*

*Yes: 77*

*No: 2*

*Other: 4*

### Comments

*Australia:* The instrument should provide that workplace risk assessments take into account factors that increase the likelihood of violence and harassment, and then list a number of suggested factors for consideration. Concerns regarding the resource-intensive nature of these matters and the detailed level of specificity may prove prohibitive to implementation.

*India:* The term “psychosocial hazards and risks” should be defined clearly.

*Germany:* The Recommendation should only include hazards and risks that fall within the employer’s sphere of influence.

### Employers

*Total number of replies: 25*

*Yes: 9*

*No: 11*

*Other: 5*

### Comments

BUSA, IOE: Not unless there is recognition of different capacities of workplaces to implement risk assessments.

### Workers

*Total number of replies: 177*

*Yes: 175*

*No: 0*

*Other: 2*

### Comments

Consolidated response: The need for measures to address third-party violence should also be recognized in the Convention.

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations support the inclusion of this provision, and the majority of employers' organizations do not support this provision.

In the light of the concerns of several employers' organizations and governments that the actions of third parties are generally outside an employer's control, the Office clarifies that employers' obligations under the proposed Conclusions are to take the enumerated steps in point 12 to prevent violence and harassment, and notes that under an occupational safety and health approach, steps can be taken to prevent violence and harassment in a broad range of circumstances related to the world of work.

*The Office proposes an addition to point 24 of the proposed Conclusions to align it with the current wording describing third parties in point 5, namely "such as clients, customers, service providers, users, patients and the public". The Office also proposes a reordering of the last part of the sentence to place discrimination first, as it is the broader concept. For the sake of clarity, the term "unequal" has been proposed instead of "negative" to describe power relations, and the reference to gender, cultural and social norms has been qualified by "that support violence and harassment".*

**Question 34** *Should the Recommendation provide that Members should:*

- (a) *adopt specific measures for sectors, occupations and work arrangements which are more exposed to violence and harassment, including night work, work in isolation, services, health care, emergency services, domestic work, transport, education and entertainment; and*
- (b) *ensure that these measures do not in any manner exclude or restrict the participation of women or other groups of workers?*

## Governments

*Total number of replies: 82*

*Yes: 64*

*No: 7*

*Other: 11*

## Comments

*Argentina, Austria:* The catering (accommodation) sector should also be included under (a).

*Belgium:* Gender-based violence could be mainstreamed in all measures in all sectors. It is important to check that all measures do not exclude victims of gender-based violence and domestic violence.

*Cuba, Ecuador:* Member States should take specific measures for sectors and work arrangements which are more vulnerable, according to their national contexts.

*France, Jordan, Latvia, New Zealand:* Any measures should cover all workers, regardless of sector, occupation or work arrangements.

*Guatemala:* This can be extended to home work, apprenticeships, maritime, agricultural and public sector work.

*Mexico:* It is also considered appropriate to extend specific measures to sectors such as commerce, agriculture, journalism, and call centres. Clause (b) should read: "ensure that these measures do not exclude, restrict, circumscribe, or classify based on stereotypes, the participation of women or other groups of workers".

*Spain:* The Recommendation should have a general approach like the one followed by the European framework agreement on work-related stress and the European framework agreement on harassment and violence at work, both of which have been applied in Spain through collective bargaining.

*Tunisia:* Add the textile and clothing sectors, which are majority female.

## Employers

*Total number of replies: 23*

*Yes: 7*

*No: 11*

*Other: 5*

## Comments

BUSA, IOE: “Adopt” cannot be inserted, as many national jurisdictions already have such measures in place. These should be subject to the national context, laws and processes.

BusinessNZ, CONCAMIN, COPARMEX, FEDIL, Keidanren, OEB, TISK: The instrument should cover all workers, regardless of their sector.

## Workers

*Total number of replies: 178*

*Yes: 174*

*No: 1*

*Other: 3*

## Comments

CATP, CGTP: Use a gender-sensitive approach.

## OFFICE COMMENTARY

The majority of governments and workers’ organizations and some employers’ organizations agree with this statement; however, many respondents oppose the proposed enumeration of sectors that could be more exposed to violence and harassment under question 34(a).

A few governments and workers’ organizations propose the inclusion of additional sectors, such as agricultural work, hotel and catering, mining, sex work, construction, and sectors where women make up the majority of the workforce.

*The Office proposes to align point 25 of the proposed Conclusions with the wording set out in point 11(a), namely to refer to “sectors, occupations and work arrangements in which workers are more exposed to violence and harassment”. It is proposed that “including” be changed to “such as” before the list in point 25, though in this regard the Office also refers to the general observations indicating the non-exhaustive nature of the term “including”. For further clarity, the Office has reordered the statement, and proposes to add “in specific jobs, sectors or occupations” to point 26, and has made specific reference to the groups of workers enumerated in point 10 of the proposed Conclusions.*

C. ENFORCEMENT, MONITORING AND VICTIM SUPPORT

**Question 35** *Should the Recommendation provide that appropriate remedies in cases of violence and harassment referred to in question 21 should include, among others:*

- (a) reinstatement;*
- (b) compensation for material and non-material damages;*
- (c) injunctive relief ordering the employer to ensure that certain conduct is stopped or requiring that policies or practices be changed; and*
- (d) legal fees and costs?*

**Governments**

*Total number of replies: 81*

*Yes: 66*

*No: 4*

*Other: 11*

**Comments**

*Australia:* With respect to questions 35 and 36, these provisions must account for existing private processes for seeking remedies (such as compensation between affected parties) and not place an undue or primary burden on Members, employers or any other parties.

*Jordan:* The terms “remedies” and “injunctive” should be clarified.

**Employers**

*Total number of replies: 25*

*Yes: 5*

*No: 8*

*Other: 12*

**Comments**

BUSA, IOE: (c) and (d) cannot be included, as this may be inconsistent with national remedies, processes and institutional structures.

**Workers**

*Total number of replies: 176*

*Yes: 103*

*No: 0*

*Other: 73*

**Comments**

Consolidated response: All of the remedies in question 35 should be included in the Convention, with the Recommendation providing further guidance, where necessary.

The Recommendation should provide that the compensation under (b) should include, for example, compensatory damages for lost wages and pain and suffering, as well as social security benefits and bonuses/promotions.

ABPSA, PSI: Including costs for accessing support and counselling.

FFAWUZ, ZCTU, ZDAWU: The Recommendation should also include punitive measures for the perpetrators of violence and promote the formulation of such legislation by member States.

#### OFFICE COMMENTARY

The vast majority of governments and workers' organizations and a minority of employers' organizations agree with this statement. Moreover, a majority of workers' organizations propose that it should be included in the Convention.

The Office notes the additional content proposed by many respondents and proposes that, due to the diversity among the legal systems of member States, flexible wording be conserved.

In relation to the provision on injunctive relief, several employers' organizations express their concern about their ability to fulfil the obligations it establishes. Three governments emphasize that the proposed injunctive relief provides a fast and easily accessible means both to ensure ending harmful conduct and preventing further damage.

*Given the concerns regarding the use of the term "injunctive relief" and the diverse manner in which such orders are referred to in different jurisdictions, the Office proposes to change the wording in point 27(c) of the proposed Conclusions to "orders requiring the employer to take measures with immediate executory force ...", in line with the Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129). Noting the Office commentary under question 49 regarding the fact that remedies for violence and harassment must not result in further harm to the victim, the Office proposes to clarify in point 27 that the remedies should not be limited to the victim being able to resign with compensation.*

**Question 36**      *Should the Recommendation provide that victims of violence and harassment should have access to compensation in cases of psychosocial or physical disability or incapacity to work?*

#### Governments

*Total number of replies: 80*

*Yes: 76*

*No: 2*

*Other: 2*

#### Comments

*Belgium, Malta, Zimbabwe:* Compensation in this case requires proof that the disability or incapacity for work is the result of violence or harassment.

*Costa Rica, Russian Federation, Trinidad and Tobago:* This requires identifying the party responsible for the compensation and determining the responsibilities of the institutions which are responsible for social security.

*Mexico:* However, it is suggested that the reference in the Recommendation be limited to the labour context.

*Seychelles:* It will be in line with all existing benefits offered to any individual who can no longer work due to incapacity linked to an illness or injury.

## Employers

*Total number of replies: 25*

*Yes: 13*

*No: 8*

*Other: 4*

## Comments

CONCAMIN, DA, KEF, Keidanren, OEB, USCIB: This is a matter for individual governments to decide and legislate.

## Workers

*Total number of replies: 178*

*Yes: 177*

*No: 0*

*Other: 1*

## Comments

Consolidated response: Yes, see also 21(e). The Recommendation should also provide that access to such compensation should be extended to those not adequately protected by labour law and other relevant laws.

## OFFICE COMMENTARY

The majority of governments and employers' organizations and the vast majority of workers' organizations agree with the statement.

Three governments highlight that the source of the compensation should be defined. The Office notes that the majority of the 80 countries surveyed in preparing Report V(1) already have some sort of workers' compensation mechanism in place. The Office proposes to leave the source of compensation unspecified, so as to accommodate the various existing mechanisms for workers' compensation, while ensuring that such systems cover all victims, whether for physical or psychosocial disability.

In response to the proposal in the workers' organizations' consolidated reply that the Recommendation should also provide that access to such compensation should be extended to those not adequately protected by labour law and other relevant laws, the Office notes that the wording of point 28 is broad and inclusive of all victims of violence and harassment in the world of work, in cases of psychosocial or physical disability.

*The Office proposes changes to point 28 of the proposed Conclusions to clarify that victims should have access to compensation where psychosocial or physical disability leads to incapacity to work.*

**Question 37** *Should the Recommendation provide that specialized and expeditious dispute resolution mechanisms for gender-based violence referred to in question 22 should include:*

- (a) *courts with expertise in cases of gender-based violence;*
- (b) *fast-track processes;*
- (c) *shifting the burden of proof;*
- (d) *legal advice and assistance for complainants; and*
- (e) *guides and other information resources available in the widely spoken languages of the country?*

*If others please specify.*

## Governments

*Total number of replies: 77*

*Yes: 48*

*No: 5*

*Other: 24*

## Comments

*Australia:* We do not support language that changes the burden of proof for criminal forms of gender-based violence.

*Austria:* No to (a). However, it is advisable to raise awareness of the specific issues connected to such cases by means of proper training.

*Bangladesh, Egypt, Germany, Republic of Korea, Uruguay, Jordan, New Zealand, Oman, Saint Vincent and the Grenadines, Saudi Arabia, Sweden:* No to (c).

*Belgium:* (a) should include courts, prosecutors and police with expertise in gender-based violence and domestic violence; (a), (d) and (e) are applicable to domestic violence, but should be the responsibility of the governments.

*Chile:* Consider extending the entitlement to report cases of violence and harassment.

*Colombia, Germany, Jordan, Latvia, Oman, Saint Vincent and the Grenadines, Saudi Arabia, Sweden:* No to (a).

*Finland:* However, (a) and (b) should include the words “where appropriate”.

*Austria, France, Greece:* Shifting the burden of proof is applied in case of violation of the principle of equal treatment, not to criminal procedures.

*India, Jamaica:* The appropriateness of in-camera hearings might also be considered.

*Indonesia, Switzerland, Zimbabwe:* Dispute settlement mechanisms must be decided and adapted according to national circumstances.

## Employers

*Total number of replies: 25*

*Yes: 6*

*No: 8*

*Other: 11*

## Comments

BDA, BusinessNZ, CNCS, DA, EMCOZ, IV, TISK, WKÖ: No to (c).

BUSA, CNP, COPARMEX, IOE: This should be recommended in a manner most suitable to national legal and institutional structures.

EMCOZ: In (b), the wording could perhaps be changed to “expedited processes”, as “fast-track” has connotations that emphasize the speed of resolution above the importance of each of the resolution processes.

## Workers

*Total number of replies: 175*

*Yes: 165*

*No: 1*

*Other: 9*

## Comments

Consolidated response: (d) should include access to free legal advice and assistance.

CUT (Colombia): Add the possibility of complaint by third parties.

FFAWUZ, ZCTU, ZDAWU: Include free and safe reporting systems.

PSI: A special and flexible system of dispute resolution should be devised for the informal economy.

## OFFICE COMMENTARY

A large majority of governments and workers’ organizations and some employers’ organizations agree with this statement. However, several governments and employers’ organizations indicate the need for a flexible understanding of this statement, in order to leave a margin of decision-making to member States.

Several governments and employers’ organizations oppose the inclusion of courts with expertise in cases of gender-based violence, and two governments do not agree with including fast-track processes.

In the light of the above responses, the Office clarifies that the establishment of new judicial bodies is not foreseen as being necessary in order to have courts with relevant expertise in gender-based violence. Alternative measures, such as specialized training, could address this point.

Numerous governments suggest deleting the reference to shifting the burden of proof, and two governments suggest restricting its application to non-criminal procedures. The Office notes that the obligation to shift the burden of proof is included in several ILO instruments, including the Termination of Employment Convention, 1982 (No. 158), and the Maternity Protection Convention, 2000 (No. 183). The Office also notes that, as pointed out in Report V(1), a number of countries have in recent years amended their legislation to provide for the shifting of the burden of proof in discrimination and harassment cases.

Regarding the reference to informal economy workers, the Office notes the broad definition of “worker” in point 3(d) of the proposed Conclusions.

*In response to the suggestion that reference to “fast-track processes” should be understood as expedited processes, the Office proposes changing “fast-track” to “expedited” in point 29(b) of the proposed Conclusions, and deleting the reference to “expeditious” in the chapeau to avoid redundancy.*

**Question 38** *Should the Recommendation provide that specialized support, services and remedies for victims of gender-based violence referred to in question 22 should include:*

- (a) leave for victims of domestic violence;*
  - (b) flexible work hours for victims of stalking and domestic violence;*
  - (c) support to help victims re-enter the labour market;*
  - (d) counselling and information services, including at the workplace;*
  - (e) 24-hour hotlines;*
  - (f) emergency services;*
  - (g) medical care and treatment;*
  - (h) crisis centres, including shelters; and*
  - (i) special police units to support victims?*
- If others please specify.*

### Governments

*Total number of replies: 78*

*Yes: 47*

*No: 12*

*Other: 19*

### Comments

*Australia, Canada, Cyprus, Estonia, Finland, Iceland, New Zealand, Norway:* The Recommendation should include options for member States to consider, but not prescribe. Suggestions include inserting “could include” rather than “should include”, to remain flexible to different circumstances. The wording “appropriate measures such as” is also suggested.

*Austria, Colombia, Egypt, Germany, Greece, India, Oman, Republic of Korea, Saudi Arabia, Thailand:* No to (a).

*Cuba:* (a) should consider the submission of a medical certificate issued by the competent authorities. (b) should include in which situations there is an impact at work. (i) should also include units with specialized personnel.

*Egypt, Germany, Greece, India, Republic of Korea, Oman, Saint Vincent and the Grenadines, Saudi Arabia:* No to (b).

*Colombia, Kuwait, Oman, Saudi Arabia:* No to (i).

### Employers

*Total number of replies: 25*

*Yes: 7*

*No: 9*

*Other: 9*

### Comments

*CNP, COPARMEX, IOE:* No, this should be recommended in a manner most suitable to national legal and institutional structures.

## Workers

*Total number of replies: 177*

*Yes: 168*

*No: 1*

*Other: 8*

## Comments

IDWF: In (g), medical treatment should include psychological therapy and support for the family.

PSI: In (a), add “paid” before “leave”.

### OFFICE COMMENTARY

The majority of governments and workers’ organizations and a minority of employers’ organizations agree with this statement.

Numerous governments and employers’ organizations express concern regarding the implementation of this statement and argue that this wording should be understood as non-prescriptive. Some respondents have also indicated that the capacity to implement the enumerated measures differs among countries, depending on their national context. Several governments and employers’ organizations oppose the inclusion of leave and flexible work hours for victims of domestic violence.

The Office clarifies that this statement aims to provide non-binding guidance based on good practices in specialized support, services and remedies, referred to in question 22. The Office notes that the wording “could include” or “such as”, as proposed by some respondents, positions the measures concerned as mere examples instead of recommendations and hampers the perception of their importance and effectiveness.

*Regarding opposition to specific measures proposed in question 38, the Office clarifies that they stem from law, collective agreements and policies already being successfully implemented in a number of countries. The Office takes into consideration this fact, together with the support from the majority of governments for the existing wording of the statement, and proposes no changes to point 30 of the proposed Conclusions, except to move the provisions related to domestic violence (under question 38(a) and (b)) to point 31.*

*With regard to the new point 31, the Office refers to the commentary under questions 22 and 29.*

**Question 39** *Should the Recommendation provide that perpetrators of violence and harassment should be assisted through counselling or other appropriate measures with a view to preventing the reoccurrence of violence and harassment and facilitating their reintegration into work?*

## Governments

*Total number of replies: 80*

*Yes: 71*

*No: 8*

*Other: 1*

## Comments

*Australia, Mexico:* The Recommendation should require that any support must be provided by suitably qualified and trained practitioners.

*Cuba:* The measures should be provided by health institutions and other specialized institutions. The responsibilities of the employer should be distinguished in these situations.

*Portugal:* It should also be made clear that rehabilitation and counselling measures do not exempt perpetrators from civil and criminal liability.

## Employers

*Total number of replies: 26*

*Yes: 14*

*No: 7*

*Other: 5*

## Comments

IOE, KEF, OEB: This should be recommended in a manner most suitable to national legal and institutional structures.

## Workers

*Total number of replies: 178*

*Yes: 173*

*No: 2*

*Other: 3*

## Comments

AEFIP, APOC, UEJN: With the assistance and monitoring of the union.

CATP, CGTP: It is indispensable for the perpetrator's reintegration into the workplace. In this case, it is important to evaluate the magnitude of the damage, since there are cases that merit the dismissal of the perpetrator.

CGTG, CONUSI, CTRP: This should not exempt the perpetrator from the corresponding sanction, according to the law.

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations and a majority of employers' organizations agree that the Recommendation should provide that perpetrators of violence and harassment should be assisted through counselling or other appropriate measures. Several governments agree that certain qualifications should be applied to the provision.

*In the light of the replies received, the Office proposes to replace in point 32 of the proposed Conclusions, "other appropriate measures" with "other measures, where appropriate", to indicate that, depending on the circumstances, not all measures will be appropriate. The Office further proposes to include in point 32 "in the world of work" following the term "violence and harassment".*

- Question 40** *Should the Recommendation provide that labour inspectors should have the mandate to address violence and harassment and be empowered to issue:*
- (a) interim orders of non-compliance in cases of violence and harassment; and*
  - (b) orders to stop work in cases of violence and harassment or an imminent and serious danger of violence and harassment?*
- If others please specify.*

### Governments

*Total number of replies: 80*

*Yes: 54*

*No: 16*

*Other: 10*

### Comments

*Czech Republic, Denmark, Jamaica, New Zealand:* These are tasks for the police rather than labour inspectors.

*Guatemala, Portugal:* In accordance with Conventions Nos 81 and 129.

*Mexico, Sweden:* This mandate must be compatible with the national legal system and practice.

*Switzerland, Trinidad and Tobago:* The power described in the above question should stay with the relevant court and not with the labour inspectors.

*Zimbabwe:* They should be given power to refer complex matters to the criminal court and specialized services in cases where the problem is beyond their competencies.

### Employers

*Total number of replies: 24*

*Yes: 6*

*No: 13*

*Other: 5*

### Comments

BUSA, IOE: In relation to work-related violence and harassment, yes.

EFP, GEA, TISK: This is a matter for the labour or appropriate courts where the labour inspectors may lodge complaints.

### Workers

*Total number of replies: 177*

*Yes: 167*

*No: 1*

*Other: 9*

### Comments

Consolidated response: Yes. The mandate for labour inspectors to address violence and harassment should also be recognized in the Convention.

## OFFICE COMMENTARY

A majority of governments and workers' organizations and a minority of employers' organizations agree with the statement, although several employers' organizations indicate that they would support its inclusion if it only applied in relation to work-related violence and harassment.

A number of governments point out that violence and some forms of harassment are criminal acts, and, therefore, it would be a matter for police investigation rather than labour inspection.

The Office notes that, while some forms of violence and harassment may be considered criminal (see the Office commentary for questions 9 and 26), addressing them only through police investigation and criminal proceedings may not be sufficient. The Office highlights that such powers of the labour inspectors (referred to in question 40) are already foreseen in the Labour Inspection Convention, 1947 (No. 81).

*Noting that the vast majority of workers' organizations suggest that the mandate for labour inspectors to issue orders, including interim orders, should be in the proposed Convention, and that Convention No. 81, which is highly ratified, includes empowering labour inspectors in this way, the Office proposes to move this provision to the proposed Conclusions with a view to a Convention, in point 13(g). To improve consistency with Convention No. 81, the Office proposes to change the language to refer to "issuing orders requiring measures with immediate executory force", instead of "to issue interim orders". To address the concern raised by a number of governments that "order to stop work" must be qualified for situations where life and health are threatened, the Office proposes to change point 13(g), in line with Convention No. 81, to refer to "imminent danger to life or health".*

**Question 41** *Should the Recommendation provide that labour inspectors should undergo gender-sensitive training with a view to identifying and addressing violence and harassment, psychosocial hazards and risks, gender-based violence, and discrimination against particular groups? If others please specify.*

**Governments**

*Total number of replies: 83*

*Yes: 73*

*No: 4*

*Other: 6*

**Comments**

*Argentina:* Female professionals should be assigned with a view to identifying and addressing gender-based violence.

*Belgium, Ghana, Indonesia, Mali:* The training should be extended to related authorities.

*Ecuador:* It is necessary for inspectors to know about issues related to specific groups, such as LGBTI persons.

*Germany, Iceland, India, Mexico, Norway:* In accordance with national administrative practices for training of inspectors.

## Employers

*Total number of replies: 22*

*Yes: 13*

*No: 7*

*Other: 2*

## Comments

*COPARMEX: Provide training in inspection procedures.*

*SLEF: Labour inspectors should also have recourse to professional support.*

## Workers

*Total number of replies: 178*

*Yes: 175*

*No: 1*

*Other: 2*

## Comments

Consolidated response: Yes. Such training should also include the ability to identify and address the effects of multiple and intersecting forms of discrimination.

*CLC: There should be labour inspectors of all genders.*

## OFFICE COMMENTARY

A large majority of governments and employers' and workers' organizations agree that the proposed Recommendation should provide that labour inspectors should undergo gender-responsive training with a view to identifying and addressing violence and harassment, psychosocial hazards and risks, gender-based violence, and discrimination against particular groups.

In response to a number of governments and workers' organizations that indicate that training should not be limited to gender issues, the Office notes that "gender-responsive" refers to the manner in which the training is given, but the training itself is focused on "psychosocial hazards and risks, gender-based violence, and discrimination against particular groups".

*In the light of the responses from several governments, the Office proposes to change the wording of point 33 of the proposed Conclusions to include training for other competent authorities. It is also proposed that "particular groups" be changed to "particular groups of workers".*

**Question 42** *Should the Recommendation provide that the mandate of national bodies responsible for occupational safety and health or equality and non-discrimination, including gender equality, should include violence and harassment in the world of work?*

### Governments

*Total number of replies: 81*

*Yes: 70*

*No: 5*

*Other: 6*

### Comments

*Canada:* Additionally, gendered and intersectional analysis tools should be incorporated in the work of these organizations to ensure appropriate, tailored measures and responses.

*Ecuador:* It should include a manual in which there are specifications about prevention, management, intervention, and reintegration of victims of gender-based violence.

*Mexico, Portugal, United Kingdom, Zimbabwe:* Existing national legislation and practice should be safeguarded.

### Employers

*Total number of replies: 21*

*Yes: 15*

*No: 4*

*Other: 2*

### Comments

BUSA, IOE: As appropriate in line with national law and practice.

### Workers

*Total number of replies: 178*

*Yes: 174*

*No: 0*

*Other: 4*

### Comments

AFL-CIO: It should also include that member States should ensure that these agencies receive adequate funding to address the issue.

## OFFICE COMMENTARY

The vast majority of governments and workers' organizations and the majority of employers' organizations agree with the statement.

With regard to the observations made by five governments and three employers' organizations on the necessity to safeguard existing national legislation and practice, the Office recalls that a Recommendation carries no substantive obligations and is framed on the basis that States will apply it as appropriate to their own circumstances.

*For the sake of clarity, it is proposed that the term “include” be changed to “cover” in point 34 of the proposed Conclusions.*

**Question 43** *Should the Recommendation provide that Members should collect and publish sex-disaggregated statistics on violence and harassment in the world of work, including gender-based violence?*

### Governments

*Total number of replies: 82*

*Yes: 79*

*No: 1*

*Other: 2*

### Comments

*Argentina:* It should provide for the creation of a national observatory with statistical data, to devise public policies aimed at the prevention and eradication of workplace violence.

*Bulgaria:* Data should be disaggregated by gender as well as by economic sector.

*Canada:* Statistics should be disaggregated beyond the male/female binary; options for a third gender marker (such as non-binary) should be included.

*Canada, Ecuador, Estonia, Ghana, Guatemala, Israel, Peru, Portugal, United Kingdom, Zimbabwe:* To create and measure public policy, to enable interventions and service planning, and to raise awareness.

*Malta, Portugal:* There is a need for qualitative research in addition to data collection and publication.

*Peru:* The incorporation of other variables, such as disability and ethnicity, is suggested.

*Spain:* Disaggregate by nationality and/or country of origin as well.

*Turkey:* It would be useful to build a common database on the subject.

*Ukraine:* Disaggregate by type of work as well.

### Employers

*Total number of replies: 22*

*Yes: 13*

*No: 3*

*Other: 6*

### Comments

*ACCI:* Unless a substantial proportion of ILO member States can collect such data and comply with such a requirement, it should be omitted.

*BusinessNZ:* A requirement to collect this kind of statistical material would impose a considerable burden on employers while having no necessary effect on the prevalence of workplace harassment and violence.

### Workers

*Total number of replies: 176*

*Yes: 172*

*No: 1*

*Other: 3*

## Comments

Consolidated response: Yes, data on the prevalence of workplace violence and harassment, though rarely collected and often not sex-disaggregated, is needed to inform law and policy.

ABPSA, CLC, PSI: “Gender-disaggregated” data rather than “sex-disaggregated”, as this would be inclusive of transgender or gender-nonconforming individuals.

ACTU, TUC (United Kingdom): Members must encourage employers to publish their analysis of the risks of workplace violence throughout their value chain and their preventive measures as part of their due diligence.

CUT (Brazil), CGT (Colombia), CTM, FESITUN: It should also have figures on disability, origin, race, and so on.

SEWA: Different methodology is needed to collect data in the informal economy.

## OFFICE COMMENTARY

Almost all governments and workers’ organizations and the majority of employers’ organizations support the statement.

*Noting the numerous replies proposing the inclusion of more forms of disaggregation, and taking into account that member States have different capacities with regard to resources and infrastructure, the Office proposes to change point 35 of the proposed Conclusions to provide for data to be further disaggregated by the form of violence and harassment (which would include gender-based violence), and economic sector, as well as in respect of the particular groups of workers referred to in point 10.*

### D. SUPPORT AND GUIDANCE AT THE NATIONAL LEVEL

**Question 44** *Should the Recommendation provide that national policies on occupational safety and health, equality and non-discrimination, including gender equality, and gender-based violence, including violence against women, should address violence and harassment in the world of work?*

## Governments

*Total number of replies: 82*

*Yes: 72*

*No: 5*

*Other: 5*

## Comments

*Germany:* Only in the case of hazards that fall within the employer’s sphere of influence.

*Peru:* An intersectional approach should be taken, taking into account the particular lack of protection faced by persons with intersecting identities, such as persons with disabilities, persons belonging to the LGBTI community, and so on. Violence and harassment in the workplace must be addressed from a gender perspective.

*Singapore:* Member States should have flexibility in deciding which policies should address violence and harassment in the world of work, in line with national circumstances.

## Employers

*Total number of replies: 22*

*Yes: 11*

*No: 6*

*Other: 5*

## Comments

BUSA, IOE: This should be aggregated, rather than be detailed in each type of legislative instrument.

BusinessNZ, DA: Should not include reference to gender-based violence.

CEOE: Equality and non-discrimination is a better area for raising awareness about this type of behaviour.

## Workers

*Total number of replies: 177*

*Yes: 173*

*No: 3*

*Other: 1*

## Comments

AEFIP, APOC, UEJN: Violence against specific sectors should be included.

CNTG: Policies should include informal economy workers.

KUCFAW, KUDHEIHA, KUSPAW: Add “and in the community” after “world of work”.

## OFFICE COMMENTARY

The vast majority of governments and workers’ organizations and the majority of employers’ organizations agree that national policies on occupational safety and health, equality and non-discrimination, including gender equality, and gender-based violence, including violence against women, should address violence and harassment in the world of work.

*Noting that the need for coherence with national laws and policies on occupational safety and health and equality and non-discrimination is reflected throughout the proposed Conclusions, recalling particularly points 10, 14 and 17, and considering that gender-based violence is an integral component of the definition of “violence and harassment” in point 3(a), the Office does not propose to include a specific point reflecting question 44.*

- Question 45** *Should the Recommendation provide that Members should develop, implement or disseminate, as appropriate:*
- (a) *programmes aimed at addressing factors that increase the likelihood of violence and harassment, including negative power relations, gender norms, cultural and social norms, and discrimination;*
  - (b) *gender-sensitive guidelines and training to assist judges, labour inspectors, police officers and other public officials in fulfilling their mandate regarding violence and harassment as well as to assist employers in preventing and addressing violence and harassment;*
  - (c) *model codes of practice, workplace policies and risk assessment tools, either general or sector-specific, for all forms of violence and harassment, taking into account the specific situations of disproportionately affected workers;*
  - (d) *awareness-raising campaigns that convey the unacceptability of violence and harassment, in particular gender-based violence, and address discriminatory attitudes and stigmatization of complainants and victims;*
  - (e) *gender-sensitive curricula at all levels of education;*
  - (f) *training programmes and materials for journalists and other media personnel on gender-based violence, including its underlying causes and risk factors; and*
  - (g) *campaigns aimed at fostering safe, healthy and harmonious workplaces free from violence and harassment?*

## Governments

*Total number of replies: 83*

*Yes: 77*

*No: 2*

*Other: 4*

## Comments

*Australia, Germany, New Zealand, Senegal:* The Recommendation should include options for member States to consider, not prescribe what actions may be taken.

*Austria:* (f) should not be specific to gender-based violence.

*Belgium:* In (a), it would be useful to add, as main risk factors, work stress and mismanagement of conflict situations. (b), (e) and (f) should not be limited to gender issues but should address the general problem of violence and harassment in the world of work. All elements are also important for domestic violence.

*Canada:* In addition to an awareness campaign, educational materials targeting both employers and employees could help foster a culture change in workplaces. Training programmes could include training on respectful/sensitive reporting practices in cases of workplace violence.

*France, Mexico:* The fight against situations of violence and harassment at work involves the creation of a set of preventive measures, according to the situation in each member State.

*Germany, Portugal:* Such programmes should take into account all forms of discrimination.

## Employers

*Total number of replies: 24*

*Yes: 16*

*No: 3*

*Other: 5*

## Comments

BusinessNZ, CNP: It should be left to individual member States to determine what kind of campaigns, programmes, training and so on are required.

## Workers

*Total number of replies: 176*

*Yes: 167*

*No: 0*

*Other: 9*

## Comments

Consolidated response: Regarding (b), this is important not only in terms of support and guidance, but also particularly in terms of enforcement and access to justice. Labour inspectors, judges and others involved in the enforcement and administration of justice are seldom provided with training on identifying risks of violence and harassment. This is especially relevant for gender-based violence, where there is often a gap in the knowledge, expertise and sensitivity of those entrusted with the enforcement of protections against such conduct.

AEFIP, APOC, UEJN: Include prevention and dispute resolution tools through collective agreements.

CCOO, FPRK, GTPCWU: In (b), it is important to guarantee access to and enforcement of justice. There is a need for better risk assessment.

CGTG: “In the various languages of the country” should be included in (d).

FFW: Prosecutors should be included under (b).

TUC (United Kingdom): Sufficient resources for administration of justice should be included under (b).

## OFFICE COMMENTARY

The vast majority of governments and workers’ organizations and the majority of employers’ organizations agree with this statement.

The Office notes the suggestions by several workers’ organizations to explicitly include minor additions to the proposed wording.

*In light of the replies, and for the sake of completeness, the Office proposes to include “prosecutors” in the list of public officials set out in point 36(b), as well as a reference to workers and their organizations. In point 36(d), the Office proposes to add that the awareness-raising campaigns should be in the various languages of the country, including those of the migrant workers residing in the country, and to include a reference to witnesses and whistle-blowers, in line with point 13(b)(iv). The addition of a reference to vocational training in point 36(e) has also been proposed. Changes are also proposed to point 36(a) to align it with the wording of point 24 (see the Office commentary under question 33).*

**Question 46** *Should the Recommendation provide that Members should provide resources and assistance for informal economy workers and their associations to prevent and address violence and harassment, including gender-based violence, in the informal economy?*

### Governments

*Total number of replies: 79*

*Yes: 59*

*No: 9*

*Other: 11*

### Comments

*Bulgaria:* Members should work to minimize the number of persons employed in the informal economy.

*Chad, Cyprus:* While accelerating the process of transition from the informal economy to the formal economy.

*Greece, Mexico:* This should be consistent with the text of Recommendation No. 204.

*Iceland, Norway:* The priority should be the transition to the formal economy.

*Saint Vincent and the Grenadines:* Most developing economies might lack adequate resources to provide assistance to informal economy workers in this regard.

*Seychelles, Uruguay:* A clear mechanism shall be in place in order to regulate the informal economy. A push to formalization is also needed.

### Employers

*Total number of replies: 24*

*Yes: 16*

*No: 5*

*Other: 3*

### Comments

BUSA, CNP, IOE: Where possible.

COPARMEX, OEB: While aiming to promote the transition of workers from the informal economy to the formal economy.

### Workers

*Total number of replies: 177*

*Yes: 173*

*No: 1*

*Other: 3*

### Comments

Consolidated response: This would be consistent with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), which calls for the adoption of an integrated policy framework to facilitate the transition to the formal economy that addresses, among others, the promotion of equality and the elimination of all forms of discrimination and violence, including gender-based violence, at the

workplace. Such integrated strategies should combine a broad range of policy areas to achieve the transition to formality, including improving national legal frameworks, strengthening occupational safety and health and labour inspection, organizing informal workers and extending the coverage of social protection.

CONUSI, CTM: In Spanish, the wording should be changed from “trabajadores de la economía informal” to “trabajadores en la economía informal”.

#### OFFICE COMMENTARY

The majority of governments and employers’ and workers’ organizations agree with the statement.

In response to the observation made by several governments that the provision should be consistent with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), the Office notes the consolidated reply from the workers’ organizations that, in its current form, the clause is consistent with Paragraph 11(f) of Recommendation No. 204, which calls for the adoption of an integrated policy framework to facilitate the transition to the formal economy that addresses, among others, “the promotion of equality and the elimination of all forms of discrimination and violence, including gender-based violence, at the workplace”.

*For the sake of enhanced clarity, the Office proposes to include in point 37 of the proposed Conclusions: “In facilitating the transition from the informal to the formal economy”. As the definition of “violence and harassment” set out in point 3(a) of the proposed Conclusions specifically includes gender-based violence, the Office proposes to delete this reference in point 37.*

#### VI. Special problems

**Question 47** *Are there unique features of national law or practice that are liable to create difficulties in the practical application of the instrument or instruments?*

##### Governments

*Total number of replies: 84*

*Yes: 23*

*No: 50*

*Other: 11*

##### Comments

*Bahrain, Republic of Korea, Mexico, Peru, Philippines, Zimbabwe: Need to modify national legislation.*

*Cameroon, Mali: The current treatment of LGBTI persons in law and practice.*

*Canada: In Canada, the constitutional division of powers between the Federal Government and the Provincial and Territorial Governments poses certain challenges.*

*Cook Islands: Lack of resources and capacity.*

*Costa Rica: Business in Costa Rica largely consists of micro-, small and medium-sized enterprises. This could be a particularity for businesses to comply with the provisions foreseen in the instrument.*

*Greece: Yes, in particular for domestic workers, due to restricted access to their workplaces for the labour inspectorate.*

*Jamaica, Saudi Arabia, Seychelles, Tunisia: Some traditional cultural beliefs and attitudes and engrained norms constitute difficulties in the practical application of the instrument or instruments.*

**Employers***Total number of replies: 27**Yes: 8**No: 17**Other: 2***Comments**

ACCI: Adequate resourcing of police and the judicial system.

**Workers***Total number of replies: 178**Yes: 67**No: 89**Other: 22***Comments**

BNS, CASC, CAT, CNTD, CNUS, CROC, CTV, FKTU, JTUC–RENGO, MTUC, UNTA: Legislative reform will be necessary.

CAT, CGT–FO, CUT (Brazil), CUT (Colombia): Lack of enforcement.

CATP, CGTP, CITUB, CLTM, CNTS Senegal, CTC (Colombia), FPPMSPU, GTUC, HMS, NOTU, TUC (United Kingdom): Failure to implement laws/conventions.

CATP, CGTP, KSBSI, USW: Social and cultural biases.

**OFFICE COMMENTARY**

Multiple governments and workers' organizations and one employers' organization expressed concern that legislation would need to be adopted or reformed to be in compliance with the proposed instrument or instruments in their current form. One government and numerous workers' organizations indicated that a lack of enforcement and implementation of national or international law may create difficulties.

Some governments and workers' organizations agree that cultural and social norms regarding women and other groups could pose difficulties in the practical application of the instrument or instruments, and two workers' organizations made reference to religious, traditional and alternative dispute settlement systems which may be in conflict with the provisions of the proposed new instrument or instruments.

**Question 48** *(For federal States only) In the event of an instrument or instruments being adopted, would the subject matter be appropriate for federal action or, wholly or in part, for action by the constituent units of the federation?*

**Governments***Total number of replies: 12**For federal action only: 2**Other: 10*

## OFFICE COMMENTARY

This question was answered by 12 respondents, given that not all States have a federal structure. Of these, respondents from two member States agree that the subject matter is appropriate for federal action (Argentina and Mexico), while five member States indicate that the subject matter would be appropriate both for federal action and for action by the constituent units. These constituent units are the provinces and territories in Canada, the *communautés* in Belgium, the states in Austria, the states and territories in Australia, and the regions and cantons in Switzerland.

In Germany, action in the area of labour inspection, occupational safety and health, and training and awareness-raising among the judiciary and other occupational groups would be appropriate subjects for actions of the *Länder*.

**Question 49** *Are there any other relevant problems or issues not covered by the present questionnaire that ought to be taken into consideration when drafting the instrument or instruments?  
If yes, please specify.*

### Governments

*Total number of replies: 84*

*Yes: 29*

*No: 55*

*Other: 0*

### Comments

*Belgium:* The role of the chain of command in the prevention and handling of acts of violence (monitoring, detection, early intervention, provision of information to workers on the enterprise's position on desired behaviours) should be emphasized more.

*Colombia:* Discriminatory acts as forms of violence, such as wage segregation, dismissal due to pregnancy or maternity leave, and discrimination on the grounds of civil status; the promotion of support for social services to allow parents to combine family obligations with responsibilities at work and the participation in the public life, especially by creating a network of child-care services; and remedies must include symbolic reparation measures that generate positive effects in the family, labour and social environment.

*Colombia, Ecuador:* Take into account the special case of pregnant women or women with family responsibilities.

*Czech Republic:* It might be useful to explore the issue in the context of related topics (such as exploitation of employees, equal pay for men and women, and direct and indirect discrimination), as a number of measures may also be relevant for other activities.

*France:* A clause could be added in relation to the effects of digitalization in the world of work.

*Iceland, Norway:* The recent ILO Conventions/Protocols have received quite a low number of ratifications. This should be taken into account when deciding on the form of the instrument or instruments in order to uphold the legitimacy and effectiveness of the standards system.

*Islamic Republic of Iran:* Certain criteria should be defined for the assessment and measurement of indicators for violence and harassment at the workplace that this questionnaire has not dealt with and need to be developed.

*Malta:* Funding for implementation purposes.

*Mexico:* The instrument should consider a reference to punishment of acts and omissions of public servants in any governmental institution who discriminate or have the aim to delay, frustrate or prevent the

enjoyment of human rights or who prevent access to public policies intended to prevent, treat, investigate, penalize and eliminate violence and harassment at work.

*Paraguay:* Emphasize, in the Spanish language, that “*trabajadores*” also includes “*trabajadoras*”.

*Seychelles:* Specific recommendations such as managerial practices, promoting an inclusive culture in the workplace by fostering an environment of professionalism, open communication and early dispute resolution.

*Spain:* Update and extend the definition of “workplace”, as new forms of work have appeared, such as telework, which can lead to situations such as cyberharassment.

*Sweden:* Regulations also exist in a European context, which should be considered when drafting instruments.

*Ukraine:* Domestic violence. (Domestic violence is a component of labour relations and collective agreements in that it seriously affects the capacity for work, the productivity and the career development of male and female workers.)

*United Kingdom:* The instrument could consider including incentives for good practice throughout global supply chains and reducing the risk of violence and harassment.

## Employers

*Total number of replies: 27*

*Yes: 10*

*No: 17*

*Other: 0*

## Comments

ACCI: Violence against non-striking workers, those choosing not to associate with workers’ organizations or take part in industrial action; violence against inspectors.

BUSA, IOE: Different national contexts and institutional structures have been inadequately considered in the proposals. In addition, new methodologies and the future world of work appear to have been inadequately considered in the formulation of recommendations.

## Workers

*Total number of replies: 178*

*Yes: 63*

*No: 113*

*Other: 2*

## Comments

BAK: Balance between the workload and staff.

BAK, UNT: Guarantee sufficient funding to address violence and harassment.

CGIL, CGT, CTM: Providing victims with employment security.

CIAWU, IDWF, UNTA: Mention domestic workers specifically, where appropriate.

CTAA, MTUC: Confidentiality of victims’ identity.

CTC (Colombia), CUT (Colombia): Protection against violence and harassment arising from unionized activity; inclusion of informal economy workers and sex workers.

IUF: Make workplaces safer for women and LGBTI workers, including through the provision of sanitary installations that are safe and gender-neutral, and appropriate working clothes.

TUC (United Kingdom): Add a reference to the Istanbul Convention.

UNT: Include financial penalties and suspension of activities on employers that tolerate violence and harassment.

## OFFICE COMMENTARY

Numerous respondents propose the inclusion of additional terms to be defined in the instrument or instruments, including conduct that constitutes violence and harassment and the role of third parties in its prevention. Two workers' organizations suggest the express inclusion of sex workers, and two governments propose including a specific mention of pregnant and breastfeeding workers and workers with family responsibilities. In addition, the need to consider the influence of new technologies in the world of work is underscored by two governments.

Regarding additional definitions of conduct constituting violence and harassment included in the instrument or instruments, the Office refers to the commentary on questions 9 and 13 and to point 3 of the proposed Conclusions. Regarding third parties, the Office refers to point 5 of the proposed Conclusions. In addition, the Office clarifies that sex workers are included under the definition of "worker" provided in point 3(d) of the proposed Conclusions, and that consideration of new technologies is reflected in point 4(e), which refers to work-related communication enabled through information and communication technologies.

*In the light of the comments received, the Office proposes to add "pregnant and breastfeeding workers, and workers with family responsibilities" in point 10(b) of the proposed Conclusions, and refers in this regard to the commentary under question 17.*

One workers' organization emphasizes the need to ensure that remedies for situations of violence and harassment are not harmful to victims (unlike resignation or work relocation). In this regard, one government emphasizes the importance of victims' reintegration to work. The Office notes the commentary on question 35 and the corresponding amendment to point 27 of the proposed Conclusions.

Regarding the concern from numerous employers' organizations about the lack of control employers have to prevent violence and harassment, the Office notes that this issue is addressed in the general observations at the beginning of this report.

## PROPOSED CONCLUSIONS

The following are the proposed Conclusions which have been prepared on the basis of the replies received which are summarized and commented on in this report. They have been drafted in the usual form and are intended to serve as a basis for discussion by the International Labour Conference of the fifth item on the agenda of its 107th Session (June 2018).

### A. FORM OF THE INSTRUMENTS

1. The International Labour Conference should adopt standards on violence and harassment in the world of work.

2. These standards should take the form of a Convention supplemented by a Recommendation.

### B. DEFINITIONS AND SCOPE

3. For the purposes of these standards:

- (a) the term “violence and harassment” should be understood as a continuum of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, having the aim or effect of causing physical, psychological, sexual or economic harm, and includes gender-based violence;
- (b) the term “gender-based violence” should be understood as violence and harassment that is directed at persons because of their sex or gender, or that affects persons of a particular sex or gender disproportionately;
- (c) the term “employer” should mean any person or entity that engages workers either directly or indirectly;
- (d) the term “worker” should cover persons in all sectors, both in the formal and informal economy, and whether in urban or rural areas, including:
  - (i) persons in any employment or occupation, irrespective of their contractual status;
  - (ii) persons in training, including interns and apprentices;
  - (iii) laid-off and suspended workers;
  - (iv) volunteers; and
  - (v) jobseekers and job applicants.

4. Violence and harassment in the world of work should cover situations occurring:

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid or takes a rest break or a meal;
- (c) when commuting to and from work;
- (d) during work-related trips or travel, training, events or social activities; and

- (e) through work-related communications enabled by information and communication technologies.

5. Victims and perpetrators of violence and harassment in the world of work can be employers, workers and third parties, including clients, customers, service providers, users, patients and the public.

### C. PROPOSED CONCLUSIONS WITH A VIEW TO A CONVENTION

6. The Convention should include a preamble with the following wording:

- (a) recalling that the Declaration of Philadelphia affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity;
- (b) reaffirming the relevance of the fundamental Conventions of the International Labour Organization;
- (c) recalling other relevant international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention on the Rights of Persons with Disabilities;
- (d) recognizing the right of everyone to a world of work free from violence and harassment, including gender-based violence;
- (e) recalling that violence and harassment in the world of work is a human rights violation, is a threat to equal opportunities, and is unacceptable and incompatible with decent work;
- (f) acknowledging that violence and harassment affects workers' psychological, physical and sexual health, dignity, family and social environment;
- (g) recognizing that violence and harassment also affects the quality of public and private services, and may prevent persons, particularly women, from accessing, and remaining and advancing in, the labour market;
- (h) noting that violence and harassment is incompatible with the promotion of sustainable enterprises and impacts negatively on workplace relations, worker engagement, enterprise reputation and productivity;
- (i) recognizing that an inclusive, integrated and gender-responsive approach which tackles underlying causes and risk factors, including gender stereotypes, is essential to ending violence and harassment in the world of work; and
- (j) recognizing that domestic violence and other forms of violence and harassment are relevant to the world of work when they have an impact on the workplace and that the world of work and its institutions can contribute to ending domestic violence.

7. Each Member which ratifies the Convention should recognize the right to a world of work free from violence and harassment and adopt, in consultation with representative employers' and workers' organizations, an inclusive and integrated approach for the elimination of violence and harassment in the world of work that includes:

- (a) prohibiting in law all forms of violence and harassment;
- (b) ensuring that relevant policies address violence and harassment;

- (c) adopting a comprehensive violence and harassment prevention strategy;
- (d) establishing enforcement and monitoring mechanisms;
- (e) ensuring access to remedies and support for victims;
- (f) providing for sanctions; and
- (g) developing tools, guidance and education and training.

### **Fundamental principles and rights at work and protection**

8. With a view to eliminating violence and harassment in the world of work, each Member should respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation.

9. Each Member should adopt national laws and regulations to prohibit all forms of violence and harassment in the world of work, in particular all forms of gender-based violence.

10. Each Member should adopt laws, regulations and policies ensuring the right to equality and non-discrimination for all workers, including women workers, as well as workers belonging to one or more groups disproportionately affected by violence and harassment, including:

- (a) younger and older workers;
- (b) pregnant and breastfeeding workers, and workers with family responsibilities;
- (c) workers with disabilities;
- (d) workers living with HIV;
- (e) migrant workers;
- (f) workers from indigenous and tribal peoples;
- (g) workers who are members of ethnic or religious minorities;
- (h) caste-affected workers; and
- (i) lesbian, gay, bisexual, transgender, intersex and gender-nonconforming workers.

### **Prevention measures**

11. Each Member should take measures to ensure the prevention of violence and harassment in the world of work, including:

- (a) identifying, in consultation with the employers' and workers' organizations concerned, sectors, occupations and work arrangements in which workers are more exposed to violence and harassment; and
- (b) taking measures to ensure that such workers are effectively protected.

12. Each Member should adopt national laws and regulations requiring employers to take steps to prevent all forms of violence and harassment in the world of work, and in particular to:

- (a) take into account violence and harassment and associated psychosocial risks in the organization of occupational safety and health;
- (b) adopt, in consultation with workers and their representatives, a policy on all forms of violence and harassment;

- (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and
- (d) provide workers with information and training on the identified hazards and risks of violence and harassment and the associated prevention and protection measures.

### **Enforcement, monitoring and victim support**

13. Each Member should:

- (a) take appropriate measures to ensure the monitoring and enforcement of national laws and regulations regarding violence and harassment in the world of work;
- (b) ensure that all workers have easy access to appropriate and effective remedies and safe, fair and effective dispute resolution mechanisms in cases of violence and harassment, including:
  - (i) complaint and investigation mechanisms at the workplace level;
  - (ii) dispute resolution mechanisms external to the workplace;
  - (iii) access to courts or tribunals;
  - (iv) protection against victimization of complainants, witnesses and whistle-blowers; and
  - (v) legal, social and administrative support measures for complainants;
- (c) provide for appropriate sanctions in cases of violence and harassment in the world of work;
- (d) adopt additional measures to ensure that victims of gender-based violence in the world of work have effective access to specialized dispute resolution mechanisms, support, services and remedies;
- (e) recognize the effects of domestic violence on the world of work and take measures to address them;
- (f) ensure that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to life or health due to violence and harassment without suffering undue consequences; and
- (g) ensure that labour inspectors are empowered to deal with violence and harassment, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life or health.

### **Support and guidance**

14. Each Member, in consultation with representative employers' and workers' organizations, should ensure that:

- (a) violence and harassment in the world of work is addressed in relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination and migration; and
- (b) guidance, resources, training and other tools are provided to employers and workers and their organizations, and to enforcement authorities; and initiatives, including awareness-raising campaigns, are undertaken.

### **Means of implementation**

15. The Convention should be applied by means of laws and regulations, as well as through collective agreements or other measures consistent with national practice, including by extending

or adapting existing occupational safety and health measures to cover violence and harassment and developing specific measures where necessary.

#### D. PROPOSED CONCLUSIONS WITH A VIEW TO A RECOMMENDATION

16. The Recommendation should include a preamble indicating that the provisions of the Recommendation should be considered in conjunction with those of the Convention.

#### FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK AND PROTECTION

17. In adopting an inclusive and integrated approach for the elimination of violence and harassment in the world of work, Members should address all forms of violence and harassment in the world of work in labour, occupational safety and health, and equality and non-discrimination law, as well as in criminal law where appropriate.

18. Members should ensure that all workers, including those in sectors, occupations and work arrangements in which they are more exposed to violence and harassment, fully enjoy freedom of association and the right to collective bargaining in accordance with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

19. Members should take measures to:

- (a) encourage collective bargaining at all levels as a means of preventing and addressing violence and harassment in the world of work and dealing with the effects of domestic violence on the world of work; and
- (b) facilitate such collective bargaining through the collection and dissemination of information on related trends and good practices regarding the negotiation process and the content of collective agreements.

20. Members should take legislative or other measures to protect migrant workers, and particularly women migrant workers, in origin, destination and transit countries, against violence and harassment.

21. Members should ensure that provisions on violence and harassment in national laws, regulations and policies take into account the equality and non-discrimination instruments of the International Labour Organization, including the Equal Remuneration Convention (No. 100) and Recommendation (No. 90), 1951, and the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958.

#### **Prevention measures**

22. Occupational safety and health provisions on violence and harassment in national laws, regulations and policies should take into account the occupational safety and health instruments of the International Labour Organization, including the Occupational Safety and Health Convention, 1981 (No. 155), and its Protocol of 2002; the Occupational Safety and Health Recommendation, 1981 (No. 164); the Occupational Health Services Convention (No. 161) and Recommendation (No. 171), 1985; the List of Occupational Diseases Recommendation, 2002 (No. 194); and the Promotional Framework for Occupational Safety and Health Convention (No. 187) and Recommendation (No. 197), 2006; and also the Night Work Convention (No. 171) and Recommendation (No. 178), 1990; the Maritime Labour Convention, 2006, as amended (MLC, 2006); and the Domestic Workers Convention (No. 189) and Recommendation (No. 201), 2011.

23. Members should specify that workers and their representatives should take part in the design, implementation and monitoring of the policy adopted by the employer on violence and harassment, referred to in point 12(b), and such policy should:

- (a) state that no form of violence and harassment will be tolerated;
- (b) establish violence and harassment prevention programmes with measurable objectives;
- (c) specify the rights and responsibilities of the workers and the employer;
- (d) provide that workers and their representatives are to be consulted, informed and trained, and define the relevant modalities;
- (e) contain information on complaint and investigation procedures; and
- (f) provide that all internal and external communications related to violence and harassment are to be duly considered and acted upon.

24. The workplace risk assessments referred to in point 12(c) should take into account factors that increase the likelihood of violence and harassment, in particular psychosocial hazards and risks, including those arising from third parties such as clients, customers, service providers, users, patients and the public, as well as from discrimination, the presence of unequal power relations, and gender, cultural and social norms that support violence and harassment.

25. Members should adopt specific measures for sectors, occupations and work arrangements in which workers are more exposed to violence and harassment, such as night work, work in isolation, services, health care, emergency services, domestic work, transport, education and entertainment.

26. Members should ensure that measures to prevent violence and harassment do not result in the restriction of the participation of women or the other groups of workers referred to in point 10 in specific jobs, sectors or occupations, or their exclusion therefrom.

### **Enforcement, monitoring and victim support**

27. The appropriate and effective remedies referred to in point 13(b) in cases of violence and harassment should not be limited to the right to resign with compensation and should include:

- (a) reinstatement;
- (b) compensation for material and non-material damages;
- (c) orders requiring the employer to take measures with immediate executory force to ensure that certain conduct is stopped or that policies or practices be changed; and
- (d) legal fees and costs.

28. Victims of violence and harassment should have access to compensation in cases of psychosocial or physical disability leading to incapacity to work.

29. The specialized dispute resolution mechanisms for gender-based violence referred to in point 13(d) should include:

- (a) courts with expertise in cases of gender-based violence;
- (b) expedited processes;
- (c) legal advice and assistance for complainants;
- (d) guides and other information resources available in the widely spoken languages of the country; and
- (e) shifting of the burden of proof.

30. The specialized support, services and remedies for victims of gender-based violence referred to in point 13(d) should include:

- (a) support to help victims re-enter the labour market;
- (b) counselling and information services, including at the workplace;
- (c) 24-hour hotlines;
- (d) emergency services;
- (e) medical care and treatment;
- (f) crisis centres, including shelters; and
- (g) specialized police units to support victims.

31. The measures to address the effects of domestic violence on the world of work referred to in point 13(e) should include:

- (a) paid leave for victims of domestic violence;
- (b) flexible work hours for victims of stalking and domestic violence;
- (c) temporary or permanent transfers of victims of domestic violence to other workplaces;
- (d) temporary protection from dismissal for victims of domestic violence;
- (e) workplace risk assessments specific to domestic violence;
- (f) a referral system to public mitigation measures for domestic violence, where they exist; and
- (g) awareness-raising about the effects of domestic violence.

32. Perpetrators of violence and harassment in the world of work should be assisted through counselling or other measures, where appropriate, with a view to preventing the reoccurrence of violence and harassment and facilitating their reintegration into work.

33. Labour inspectors and other competent authorities should undergo gender-responsive training with a view to identifying and addressing violence and harassment, psychosocial hazards and risks, gender-based violence, and discrimination against particular groups of workers.

34. The mandate of national bodies responsible for occupational safety and health and equality and non-discrimination, including gender equality, should cover violence and harassment in the world of work.

35. Members should collect and publish statistics on violence and harassment in the world of work disaggregated by sex, form of violence and harassment, and sector of economic activity, in particular in respect of the groups of workers referred to in point 10.

### **Support and guidance**

36. Members should develop, implement and disseminate:

- (a) programmes aimed at addressing factors that increase the likelihood of violence and harassment, including discrimination, unequal power relations, and gender, cultural and social norms that support violence and harassment;
- (b) gender-responsive guidelines and training programmes to assist judges, labour inspectors, police officers, prosecutors and other public officials in fulfilling their mandate regarding violence and harassment, as well as to assist employers and workers and their organizations in preventing and addressing violence and harassment;

- (c) model codes of practice, workplace policies and risk assessment tools, either general or sector-specific, for all forms of violence and harassment, taking into account the specific situations of disproportionately affected workers;
- (d) awareness-raising campaigns in the various languages of the country, including those of the migrant workers residing in the country, that convey the unacceptability of violence and harassment, in particular gender-based violence, address discriminatory attitudes and prevent stigmatization of victims, complainants, witnesses and whistle-blowers;
- (e) gender-responsive curricula at all levels of education and vocational training;
- (f) training programmes and materials for journalists and other media personnel on gender-based violence, including its underlying causes and risk factors; and
- (g) campaigns aimed at fostering safe, healthy and harmonious workplaces free from violence and harassment.

37. In facilitating the transition from the informal to the formal economy, Members should provide resources and assistance for informal economy workers and their associations to prevent and address violence and harassment in the informal economy.

## Appendix

### Replies to the questionnaire \*

Respondent type	Country name	Form of the instruments		Preamble					Definitions and scope					Content of a Convention	Content of a Convention: Fundamental principles and rights at work and protection				Content of a Convention: Prevention measures			Content of a Convention: Enforcement, monitoring and victim support			Content of a Convention: Support and guidance at the national level	Content of a Convention: Means of implementation
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Government	Algeria	Y	R	O	Y	Y	Y	Y	Y	Y	O	O	O	Y	O	Y	Y	Y	O	O	Y	O				
Government	Argentina	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Australia	Y	R	Y	Y	Y			Y	O	O	O	Y	N	O			N	Y	Y	Y	O	O	Y		O
Government	Austria	Y	R	O	Y	Y	Y	Y	Y	Y	O	O	O	N	Y	Y	Y	N	O	O	Y	Y	N	Y		Y
Government	Bahrain	Y	R	N	O	Y	Y	Y	N	Y	Y	O	Y	N	O	Y	Y	N	Y	Y	Y	Y	Y	Y		Y
Government	Bangladesh	Y	R	O	N	Y	Y	Y	O	Y	O	Y	Y	O												
Government	Belgium	Y	C-R	Y	Y	Y	Y	Y	Y	O	O		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y
Government	Bulgaria	Y	R	Y	Y	Y	Y	Y	N	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Government	Cameroon	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	O	Y	O	N	Y	N	Y	Y	Y	Y	Y	Y		Y
Government	Canada	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Government	Chad	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	O	O	N	O	Y	Y		O		Y		Y	Y		Y
Government	Chile	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y		Y
Government	Colombia	Y	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y												
Government	Cook Islands	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Government	Costa Rica	Y	C-R	Y	Y	Y	Y	Y	N	O	Y	N	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y		Y
Government	Cuba	Y	R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N												
Government	Cyprus	Y	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N												
Government	Czech Republic	Y	R	Y	Y	Y	Y	Y	N	Y	O	Y	Y	Y												
Government	Denmark	O	R	Y	Y	Y	Y	Y	N	Y	Y	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	Y		Y
Government	Ecuador	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y		Y
Government	Egypt	Y	R	Y	Y	Y	Y	Y	N	Y	O	N	O	N												
Government	Estonia	Y	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	O	Y	Y	Y	Y	Y	Y		Y
Government	Finland	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	O	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Government	France	Y	C-R	Y	Y	Y	Y	O	Y	N	O	O	O		Y	Y	Y	Y	O	Y	Y	O	Y	Y		Y
Government	Germany	O	R	Y	Y	Y	Y	Y	Y	O	O	O	O	N	O	O	O		O		O	O	N	O		O
Government	Ghana	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y

\* Y= Yes; N = No; O = Other; N/A = Not applicable, F = Federal.



Respondent type	Country name	Form of the instruments		Preamble					Definitions and scope					Content of a Convention	Content of a Convention: Fundamental principles and rights at work and protection			Content of a Convention: Prevention measures		Content of a Convention: Enforcement, monitoring and victim support			Content of a Convention: Support and guidance at the national level	Content of a Convention: Means of implementation			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
Government	Philippines	Y	R	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O
Government	Poland	Y	R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Portugal	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Romania	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Russian Federation	Y	O	Y	Y	Y	Y	Y	Y	Y	O	Y	O	Y	O	Y	O	N	O	O	Y	Y	O	Y	Y	Y	Y
Government	Saint Vincent and the Grenadines	Y	R	Y	N	Y	Y	O	Y	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y
Government	Saudi Arabia	Y	R	Y	Y	Y	Y	Y	Y	Y	O	Y	O	N	Y	Y	Y	O	O	Y	Y	Y	Y	Y	Y	Y	Y
Government	Senegal	Y	C-R	Y	O	N	Y	Y	N	Y	O	N	Y	N	Y	Y	Y	Y	O	Y	O	Y	N	Y	Y	Y	O
Government	Seychelles	Y	C-R	Y	O	Y	O	Y	N	Y	Y	Y	O	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Singapore	Y	R	Y	Y	Y	Y	Y	Y	Y	O	N	N	Y	N	Y	N	N	Y	N	Y	Y	N	Y	Y	Y	N
Government	Slovenia	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	South Africa	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Spain		R	Y	Y	Y	Y	Y	Y	Y	Y	O	O	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Sri Lanka	Y	C	Y	Y	Y	Y	Y	N	Y	O	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Suriname	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Sweden	Y	O	Y	Y	Y	Y	Y	N	Y	Y	Y	O	N	Y	Y	Y	Y	Y	O	Y	Y	N	Y	Y	Y	Y
Government	Switzerland	Y	O	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	O	O	N	O	Y	Y	Y	Y	Y	Y
Government	Thailand	Y	R	Y	Y	Y	Y	Y	N	O	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Trinidad and Tobago	Y	C-R	Y	O	Y	Y	Y	N	O	O	O	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Tunisia	Y	C-R	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	O	Y	Y	Y	Y	O	Y	Y	Y	N	Y	Y	Y
Government	Turkey	Y	C-R	Y		Y	Y	Y	N	Y	Y	Y	O	N	Y	Y	Y			Y	Y	Y	Y	Y	Y	Y	Y
Government	Ukraine	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	United Arab Emirates	Y	C-R	Y	N	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	United Kingdom	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	N	O	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	O	O
Government	Uruguay	Y	C-R	Y	Y	Y	Y	Y	Y	Y	O	N	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y
Government	Zambia	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Government	Zimbabwe	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Respondent type	Country name	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support									Content of a Recommendation: Support and guidance at the national level			Special problems		
		26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49
Government	Algeria		Y	Y			Y	O	O	Y	O	Y	O	O	Y	O	Y	O	Y	O	Y	O	N	N/A	N
Government	Argentina	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	F	N
Government	Australia	O	N	N	Y	N	Y	Y	O	Y	Y	Y	O	Y	Y	Y		O		O	Y		N	O	N
Government	Austria	Y	Y	Y	O	N	Y	O	O	Y	Y	Y	O	O	Y	N	Y	Y	Y	Y	Y	Y	N	O	N
Government	Bahrain	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	O	N	Y	N	Y	Y	Y	N/A	N
Government	Bangladesh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	O	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Belgium	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y
Government	Bulgaria	Y	Y	Y	N	Y	N	O	Y	Y	Y	Y	Y	N	Y	O	Y	Y	Y	Y	Y	O	N	N/A	N
Government	Cameroon	Y	N	Y	Y	Y	Y	Y	Y	Y	O	Y	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N/A	Y
Government	Canada	Y	O	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y
Government	Chad	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y			Y	Y	O	Y	Y	Y	Y	Y	N	N/A	N
Government	Chile	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N/A	N
Government	Colombia	Y	N	O	Y	Y	Y	Y	Y	Y	O	Y	O	O	Y	Y	Y	Y	Y	Y	Y	O	O	N/A	Y
Government	Cook Islands	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Costa Rica	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	N/A	N
Government	Cuba	Y	Y	Y	Y	Y	Y	O	Y	O	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Cyprus	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	O	O	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Czech Republic	Y	Y	Y	Y	O	Y	O	Y	O	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N/A	Y
Government	Denmark	Y	Y	Y	Y	O	Y	N	Y	O	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Ecuador	Y	N	N	Y	Y	Y	Y	Y	N	O		Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	N/A	N
Government	Egypt	Y	Y	O	N	Y	Y	O	Y	O	O	Y	O	O	Y	N	N	Y	Y	Y	Y	Y	N	N/A	N
Government	Estonia	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Finland	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	Y
Government	France	Y	O	O	O	Y	Y	Y	Y	O	O	O	O	Y	O	O	Y	Y	Y	Y	Y	Y		N/A	Y
Government	Germany	Y	Y	Y	N	O	O	Y	Y	O	O	Y	O	O		Y	O	Y		Y	Y		Y	O	N
Government	Ghana	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y		Y	Y		Y	Y	Y	Y	Y	Y	N	N/A	N

Respondent type	Country name	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support							Content of a Recommendation: Support and guidance at the national level			Special problems			
		26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
Government	Greece	Y	Y	Y	O	Y	Y	O	Y	Y		Y	O	N	O	Y	Y	Y	Y	Y	O	Y	N/A	Y
Government	Guatemala	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Hungary	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Iceland	Y	Y	Y	O	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	O	N/A	Y
Government	India	Y	N	O	N	Y	O	Y	O	Y	Y	O	O	Y	Y	Y	O	Y	Y	Y	Y	N	O	Y
Government	Indonesia	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Iran, Islamic Rep. of	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N/A	Y
Government	Iraq	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y
Government	Israel	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Italy	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	N	N/A	N
Government	Jamaica	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N/A	Y
Government	Japan	O	Y	O			Y	O				Y			O	Y		O				O	N/A	N
Government	Jordan	Y	N	Y	Y	Y	N	Y	Y	N	Y	Y	O	Y	Y	Y	O	Y	N	Y	N	Y	N/A	N
Government	Korea, Rep of	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	O	N	Y	Y	Y	N	Y	Y	Y	Y	N/A	N
Government	Kuwait	O	Y	Y	Y	Y	Y	Y		Y	Y	Y	O	O	Y		Y		O	O	O	N	N/A	Y
Government	Lao PDR	Y		Y	Y	Y	Y	Y	Y	Y	Y			Y			Y	Y	Y	Y	Y	Y	N/A	N
Government	Latvia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	N	Y	Y	Y	Y	O	Y	N	N/A	N
Government	Lithuania	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	N	N/A	
Government	Luxembourg	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Mali	Y	Y	Y	Y		Y	Y	Y	Y		Y			Y	Y	Y			Y	N	Y	N/A	N
Government	Malta	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	Y
Government	Mexico	Y	O	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N	Y	F	Y
Government	Montenegro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Myanmar	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N/A	N
Government	Namibia	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N	N/A	N
Government	Netherlands	Y	Y	Y	N	O	Y	Y	Y	Y	Y	Y	O	Y	O	O	Y	Y	Y	Y	O	O	N/A	N
Government	New Zealand	Y	Y	O	Y	Y	Y	N	N	N	O	O	O	O	Y	N	N	Y	Y	Y	N	O	N/A	Y
Government	Norway	Y	Y	Y	O	Y	Y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	O	O	O	N/A	Y
Government	Oman	Y		Y		Y		Y	O		Y	O	O	Y		Y		Y	Y	O	Y	N	N/A	N
Government	Panama	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N/A	N
Government	Paraguay	O	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y	N	Y	O	Y	O	Y	O	N/A	Y
Government	Peru	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N/A	N

Respondent type	Country name	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support									Content of a Recommendation: Support and guidance at the national level			Special problems		
		26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49
Government	Philippines	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N/A	N
Government	Poland	Y	Y	Y				Y	Y	Y	Y			O	Y	O	Y	N	Y	Y	Y	Y	N	N/A	Y
Government	Portugal	Y	Y	Y	N	O	Y	Y	Y	Y	Y	Y	O	Y	Y	O	O	Y	Y	Y	O	N	N/A	Y	
Government	Romania	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N/A	N
Government	Russian Federation	Y	Y	Y	N	N	Y	Y	Y	Y	O	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	O	Y	
Government	Saint Vincent and the Grenadines	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	O	O	Y	Y	Y	N	Y	N	Y	N	N	N/A	N	
Government	Saudi Arabia	Y	O	N	N	Y	Y	Y	Y	Y	Y	O	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	N/A	N	
Government	Senegal	Y	Y	Y	N	O	Y	N	Y	N	Y	N	N	N	N	N	Y	Y	Y	Y	O	N	N/A	N	
Government	Seychelles	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	O	N/A	Y	
Government	Singapore	Y	N	O	Y	N	Y	N	Y	N	Y	N	N	Y	N	N	Y	Y	N	Y	Y	N	N/A	N	
Government	Slovenia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N	
Government	South Africa	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N	
Government	Spain	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	Y	
Government	Sri Lanka	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N	
Government	Suriname	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N	
Government	Sweden	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	O	N	N	Y	Y	Y	Y	Y	Y	N	N	N	N/A	Y
Government	Switzerland	Y	Y	Y	Y		N	Y	Y	O	N		N	N	Y	N	Y	Y	Y	Y	N	N	O	N	
Government	Thailand	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	O	N	Y	N	Y	Y	Y	Y	Y	Y	N	N/A	N	
Government	Trinidad and Tobago	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N/A	Y
Government	Tunisia	Y	Y	Y		Y	Y	Y	Y	O	Y	Y	Y	Y	N	O	Y	Y	Y	Y	Y	Y	N/A	Y	
Government	Turkey	Y	Y	Y	Y	Y	Y	Y	Y							Y		Y				N	N/A	N	
Government	Ukraine	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	Y	
Government	United Arab Emirates	Y	O	O	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N	
Government	United Kingdom	Y	O	O	Y	O	O	Y	Y	O	Y	Y	O	Y	Y	Y	N	Y	Y	Y	O	N	N/A	Y	
Government	Uruguay	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	O	O	N	N/A	N	
Government	Zambia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N/A	N	
Government	Zimbabwe	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N/A	N	

Respondent type	Country name	Acronym	Form of the instruments		Preamble								Definitions and scope					Content of a Convention	Content of a Convention: Fundamental principles and rights at work and protection				Content of a Convention: Prevention measures		Content of a Convention: Enforcement, monitoring and victim support				Content of a Convention: Support and guidance	Content of a Convention: Means of implementation						
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25									
Employers	Australia	ACCI	O	O	O	N	O	O	N	Y	O	O	N	O	Y	O	Y	Y	N	O	O	Y	O	O	O	O	O	O	O	O	O	O	O	O	N	
Employers	Austria	IV	N	O	N	N	Y	N	O		O	O	N	O					Y	Y	N	Y	O	Y	Y					O				N		
Employers	Austria	WKÖ	N	O						N	O			N											O											
Employers	Cyprus	OEB	Y	R	N	N	N	Y	N	N	N	O	N	N	N				Y	N	N	N	O	N	N								N		O	
Employers	Denmark	DA	N	R	Y	Y	N	N	Y	N	Y	N	N	N	N				N	N	N	Y	N	N	Y							N		Y		
Employers	Estonia	ETK		R	Y	N	Y	Y		N	Y	Y	N	Y	N			O	N	N	N												Y		N	
Employers	Georgia	GEA		C-R	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	N			O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Employers	Germany	BDA	N	O						N	O	O	O	N				O	O	N	O	N	O	N	O	O							O		O	
Employers	Italy	Confcommercio	Y	R	O	Y	O	O		N	O	O	O	N				O	O	O	O	O	Y	O	O								O		Y	
Employers	Japan	Keidanren	N	O	Y	Y	Y	Y	Y	N	Y	Y	Y	O	N				N	N		N														
Employers	Korea, Rep. of	KEF	N	O	Y	Y	Y	Y	Y	N	Y	O	N	N	Y																					
Employers	Kyrgyzstan	NCEKR		C	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Employers	Lebanon	ALI	Y	C-R	Y	Y	Y	O	Y	Y	Y	O	Y	Y	Y			O	Y	Y	Y	Y	O	Y	Y							O		Y		
Employers	Luxembourg	FEDIL	N	O						N	N	N	N	O				N	N	N	O	O									N		N		N	
Employers	Mexico	CONCAMIN	Y	O	Y	Y	Y	Y	Y	N	O	O	N	O	N			O	N	O	O	O	O	N	N							O		O		
Employers	Mexico	COPARMEX	Y	R	Y	Y	Y	O	Y	Y	Y	O	N	N	N			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	O	
Employers	Montenegro	MEF	N																																	
Employers	New Zealand	BusinessNZ	O	O	O	N	O	O	O	N	N	N	O	N	Y			O	N	O	Y	Y	O	Y	Y	N	Y					Y		O		
Employers	Pakistan	EFP	Y	R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Employers	Saint Lucia	SLEF	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Employers	Senegal	CNP	Y	R	Y	Y	Y	Y	Y	N	Y	Y	N	O	N			Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Employers	Singapore	SNEF	N	N/A	Y	Y	Y	Y	Y	N	Y	O	N	N	N			N	Y	N	Y	N	Y	Y	N	Y						Y		N		
Employers	South Africa	BUSA	Y	R	Y	Y	Y	Y	N	N	Y	Y	N	Y	Y			N	Y	O	Y	O	Y	Y	N	Y						Y		Y		
Employers	Spain	CEOE	Y	R	N	N	O	O	Y	Y	O	O	N	O	N			N	N	O	O	Y	O	Y	O	O						O		O	N	
Employers	Turkey	TISK	Y	R	Y	Y	Y	Y	Y	N	Y	O	N	O	N																					
Employers	United States	USCIB	O	N/A						N				N																						
Employers	Uruguay	CNCS	Y	R					O	Y	N		N	N																						
Employers	Zimbabwe	EMCOZ	Y	C-R	Y	Y	Y	Y	Y	Y	O	O	Y	O	N			Y	Y	N	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	
Employers	World	IOE	N	O	N	N	Y	Y	Y	N	O	O	N	O	O			Y	Y	Y	N	Y	O	Y	Y	N	Y					O		Y		

Respondent type	Country name	Acronym	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support							Content of a Recommendation: Support and guidance			Special problems		
			26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47
Employers	Australia	ACCI	N	N	O	Y	O	Y	O	O	O	N	O	N	O	N	O	N	O	O	O	N	Y	Y
Employers	Austria	IV	Y	N	Y	N	N	N	O	N	N	O	Y	O	O	Y	O	Y	Y	Y	N	Y	Y	N
Employers	Austria	WKÖ										O	O	O		O							N	N
Employers	Cyprus	OEB	N	N	N	N	N	N	N	N	N	N	O	O	O	N	Y	N	O	N	Y	Y	Y	Y
Employers	Denmark	DA	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	Y	N	Y
Employers	Estonia	ETK		N	N			N												Y			N	N
Employers	Georgia	GEA	Y	Y	Y	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	N	N	N	Y	Y	Y	Y	Y
Employers	Germany	BDA				N			N	O		O	O	O	N								N	N
Employers	Italy	Confcommercio		O	O							Y		O	O		Y			Y		O	N	N
Employers	Japan	Keidanren	Y	Y	Y		N	Y	N	N	O	N	N	N	N	Y				Y		N	N	N
Employers	Korea, Rep. of	KEF	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N
Employers	Kyrgyzstan	NCEKR	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Employers	Lebanon	ALI	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	O	Y	Y	Y	Y	Y	Y	Y	Y	Y
Employers	Luxembourg	FEDIL		N	N	N		N	N	N	N	N	N	N	N						O	N	N	N
Employers	Mexico	CONCAMIN	Y	N	N	N	Y	Y	Y	O	O	O	N	O	O	Y	O	O	Y	Y	Y	Y	O	Y
Employers	Mexico	COPARMEX	Y	N	N	N	N	Y	O	N	N	O	O	Y	Y	Y	N	Y	Y	Y	N	O	N	Y
Employers	Montenegro	MEF																						
Employers	New Zealand	BusinessNZ	O	N	O	O	N	Y	N	N	N	O	O	O	N	Y	N	N	Y	N	N	N	N	Y
Employers	Pakistan	EFP	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	N
Employers	Saint Lucia	SLEF	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Employers	Senegal	CNP	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Employers	Singapore	SNEF	Y	N	O	Y	N	Y	Y	Y	Y	N	Y	N	N	Y	N	N	Y	Y	N	Y	Y	N
Employers	South Africa	BUSA	O	Y	N	N	N	N	N	O	N	O	Y	O	N	O	Y	Y	Y	O	O	Y	Y	Y
Employers	Spain	CEOE	O	N	Y	N	O	N	O	O	Y	O	O	O	O	O	O	O	O	O	O	O	N	Y
Employers	Turkey	TISK	Y	Y	Y	N	Y	Y	Y	Y	N	N	Y	O	O	Y	N	Y	Y	Y	Y	Y	N	N
Employers	United States	USCIB	N	N	N	N	N	Y	N	N	N		N	N	N	N	N	Y	N	O	Y	O	N	N
Employers	Uruguay	CNCS	O		O	O	N	N		N		O	N			N	N					Y	N	N
Employers	Zimbabwe	EMCOZ	Y		N	N	Y	N	O	Y	O	O	Y	O	Y	Y	N	Y	N	O	Y	O	Y	N
Employers	World	IOE	O	Y	N	N	N	N	N	N	O	O	Y	N	N	N	Y	Y	Y	O	O	Y	Y	Y

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			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25		
Workers	Albania	BSPSH	Y	C	Y	Y	Y	Y	Y	N	Y	O	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Angola	UNTA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Antigua and Barbuda	ABPSA	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Argentina	AEFIP	Y	R	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Argentina	APOC	Y	R	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Argentina	CTAA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Argentina	CGT-RA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Argentina	UEJN	Y	R	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Australia	ACTU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Austria	BAK	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Bahrain	GFBTU	Y	C	N	N	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Bangladesh	BJSD	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Bangladesh	BJSL	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Bangladesh	BLF	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Barbados	NUPW	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Belarus	BKDP	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Belgium	CGSLB	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Belgium	CSC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Belgium	FGTB	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Brazil	CONTRATUH	Y	C	Y	Y	Y	Y	Y	O	Y	Y	N	Y	Y	O	O	Y	Y	Y	Y	O	Y	O	Y	Y	Y		
Workers	Brazil	CUT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Brazil	UGT	Y	C-R	Y	Y	Y	Y	O	N	Y	O	Y	O	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Bulgaria	CITUB	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Burkina Faso	CNTB	Y	C-R	Y	Y	Y	O	Y	N	Y	O	N	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O		
Workers	Burkina Faso	CSB	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Burundi	CSB	Y	C-R	Y	Y	Y	Y	Y	Y	O	N	O	Y	Y	O	Y	Y	O	Y	O	Y	O	Y	O	Y	Y		
Workers	Cameroon	CCT	Y	C-R	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Cameroon	CSAC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Canada	CLC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Chad	UST	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		

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			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25		
Workers	Chile	CUT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Colombia	CGT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Colombia	CTC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Colombia	CUT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Comoros	CTTC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Cook Islands	CWA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Costa Rica	CSJMP	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Costa Rica	CTRN	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Costa Rica	CUT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Costa Rica	FENATSEA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Costa Rica	FEREPRODIS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Côte d'Ivoire	UGTCI	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Cyprus	PEO	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	O	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Czech Republic	CMKOS	O	R	Y	Y	O	O	Y	N	O	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	O	Y		
Workers	Democratic Rep. of the Congo	CSC	Y	C-R	Y	O	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	O	Y	Y	Y	Y	Y	Y		
Workers	Denmark	LO	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Dominican Rep.	CASC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Dominican Rep.	CNTD	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Dominican Rep.	CNUS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Dominican Rep.	FENAMUTRA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Ecuador	CEDOCUT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	El Salvador	CATS	Y	C	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	N	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	El Salvador	CNTS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Fiji	FTUC	Y	C	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	France	CGT	Y	C-R	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	France	CGT-FO	Y	C-R	Y	Y	Y	O	Y	Y	N	Y	Y	Y	N	Y	Y	N	Y	Y	O	Y	Y	Y	Y	Y	O		
Workers	Gabon	COSYGA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Gabon	FLETAIG	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Gabon	USYZPOG	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		

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			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		16	17	18	19	20	21	22	23	24			25							
Workers	Georgia	GTUC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Germany	DGB	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Germany	NGG	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Ghana	GTPCWU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Ghana	TUC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Greece	GSEE	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Guatemala	CGTG	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Guatemala	CUSG	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Guatemala	FESTRAS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Guatemala	UNSTRAGUA Histórica	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Guinea	CNTG	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	N	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Haiti	CTH	Y	C-R	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Hong Kong, China	HKCTU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	India	HMS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	India	INTUC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	India	SEWA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Indonesia	KSBSI	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Indonesia	KSPI	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Iraq	GFITU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Israel	Histadrut	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Italy	CGIL	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Italy	UIL	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Japan	JTUC-RENGO	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Jordan	FITU-J	Y	C-R	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Kazakhstan	FPRK	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Kenya	COTU	Y	C	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Kenya	KUCFAW	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Kenya	KUDHEIHA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Kenya	KUSPAW	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

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			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25			
Workers	Korea, Rep. of	FKTU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Kyrgyzstan	FTU	Y	C-R	Y	Y	Y	Y	Y	N	Y	O	O	O	Y	O	Y	O	Y	Y	Y	O	Y	Y	O	Y	Y	O	Y	
Workers	Latvia	LBAS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Lithuania	LPSK	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Luxembourg	LCGB	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Luxembourg	OGBL	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Malawi	CIAWU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Malawi	HFPCWU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Malawi	MCTU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Malaysia	MTUC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mauritania	CGTM	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mauritania	CLTM	Y	C-R	Y	Y	Y	Y	O	Y	Y	Y	O	O	Y	Y	Y	O	Y	O	O	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mauritania	SNTIA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mexico	CAT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mexico	CROC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mexico	CROM	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	
Workers	Mexico	CTM	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mexico	UNT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Moldova	MOLDSINDCOOPMERT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Moldova	CNSM	Y	C	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Moldova	SindLUCAS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Mongolia	CMTU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Montenegro	CTUM	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Montenegro	UFTUM	Y	C	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Morocco	UGTM	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Nepal	ANTUF	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Nepal	NTUC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Netherlands	CNV	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Netherlands	FNV	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Netherlands	VCP	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	



Respondent type	Country name	Acronym	Form of the instruments		Preamble								Definitions and scope					Content of a Convention	Content of a Convention: Fundamental principles and rights at work and protection			Content of a Convention: Prevention measures		Content of a Convention: Enforcement, monitoring and victim support				Content of a Convention: Support and guidance at the national level	Content of a Convention: Means of implementation
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25		
Workers	Suriname	Ravaksur	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Sweden	HRF	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Switzerland	UNIA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Switzerland	USS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Switzerland	Travail.Suisse	Y		Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Tanzania	TUCTA	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Tunisia	UGTT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Turkey	HAK-IS	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Turkey	KESK	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Uganda	NOTU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Ukraine	FPPMSPU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	United Kingdom	TUC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	United States	AFL-CIO	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	United States and Canada	UFCW	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	United States and Canada	SEIU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	United States and Canada	USW	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Uruguay	PIT-CNT	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Venezuela, Bolivarian Rep. of	CTASI	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Venezuela, Bolivarian Rep. of	CTV	Y	R	Y	Y	Y	Y	Y	O	Y	Y	O	N	O														
Workers	Zimbabwe	FFAWUZ	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Zimbabwe	ZCTU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	Zimbabwe	ZDAWU	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	BWI	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	IDWF	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	IFJ	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	IndustriALL	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	ITF	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	ITUC	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	IUF	Y	C-R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Workers	World	PSI	Y	C-R	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		

Respondent type	Country name	Acronym	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support							Content of a Recommendation: Support and guidance at the national level			Special problems				
			26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	49	
Workers	Albania	BSPSH																				O	N	N		
Workers	Angola	UNTA	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Antigua and Barbuda	ABPSA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N	
Workers	Argentina	AEFIP	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Argentina	APOC	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Argentina	CTAA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	N	Y	
Workers	Argentina	CGT-RA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N	
Workers	Argentina	UEJN	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Australia	ACTU	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Austria	BAK	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	
Workers	Bahrain	GFBTU	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Bangladesh	BJSD	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Bangladesh	BJSL	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Bangladesh	BLF	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Barbados	NUPW	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Belarus	BKDP	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Belgium	CGSLB	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Belgium	CSC	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Belgium	FGTB	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Brazil	CONTRATUH	Y	Y		Y	Y	Y	O	Y	O		Y		Y	Y		Y		Y				Y	N	N
Workers	Brazil	CUT	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Brazil	UGT	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Bulgaria	CITUB	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Burkina Faso	CNTB	Y	Y	Y	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	O	Y	N	N
Workers	Burkina Faso	CSB	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Burundi	CSB	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	O	O	Y	O	O	Y	Y	Y	Y	Y	O	O	Y
Workers	Cameroon	CCT	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Cameroon	CSAC	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Canada	CLC	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Chad	UST	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N

Respondent type	Country name	Acronym	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support							Content of a Recommendation: Support and guidance at the national level			Special problems		
			26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47
Workers	Chile	CUT	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	N	N
Workers	Colombia	CGT	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Colombia	CTC	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Colombia	CUT	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Comoros	CTTC	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Cook Islands	CIWA	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Costa Rica	CSJMP	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Costa Rica	CTRN	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Costa Rica	CUT	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Costa Rica	FENATSEA	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N
Workers	Costa Rica	FEREPRODIS	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N
Workers	Côte d'Ivoire	UGTCI	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Cyprus	PEO	Y	O	Y	Y	O	Y	Y	Y	O	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Czech Republic	CMKOS	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N	N	Y	O	O	O	O	N	N
Workers	Democratic Rep. of the Congo	CSC	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	O	O	Y	O	O	Y	Y	Y	O	Y	O	Y
Workers	Denmark	LO	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Dominican Rep.	CASC	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Dominican Rep.	CNTD	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Dominican Rep.	CNUS	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Dominican Rep.	FENAMUTRA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Ecuador	CEDOCUT	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	El Salvador	CATS	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	El Salvador	CNTS	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Fiji	FTUC	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	N	O
Workers	France	CGT	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	France	CGT-FO	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Gabon	COSYGA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Gabon	FLETAIG	Y	O	Y	O	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Gabon	USYTZPOG	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y





Respondent type	Country name	Acronym	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support							Content of a Recommendation: Support and guidance at the national level			Special problems					
			26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	49		
Workers	New Zealand	NZCTU	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y
Workers	Nicaragua	FESITUN	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Niger	CNT	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Niger	SNTIN	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Nigeria	NLC	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Oman	GFOTU	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Pakistan	PWF	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	N
Workers	Panama	CONATO	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Panama	CONUSI	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Panama	CTRP	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Paraguay	CUT-A	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Peru	CATP	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Peru	CGTP	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Peru	CUT	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Philippines	FFW	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Workers	Philippines	TUCP	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Poland	NSZZ	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Romania	BNS	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Rwanda	COTRAF	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Senegal	CNTS	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Senegal	SYGAS	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Senegal	UDTS	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Sierra Leone	SLLC	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Singapore	SNTUC	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N
Workers	South Africa	COSATU	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	South Africa	SACCAWU	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Spain	CCOO	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Spain	UGT	Y	O	Y	O	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Sri Lanka	CWC	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Workers	Sri Lanka	JSS	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Workers	Sri Lanka	SLNSS	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N

Respondent type	Country name	Acronym	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support							Content of a Recommendation: Support and guidance at the national level				Special problems							
			26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	49					
Workers	Suriname	Ravaksur	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N			
Workers	Sweden	HRF	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N		
Workers	Switzerland	UNIA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N			
Workers	Switzerland	USS	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N			
Workers	Switzerland	Travail.Suisse	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N			
Workers	Tanzania	TUCTA	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y			
Workers	Tunisia	UGTT	Y	O	Y	O		Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N			
Workers	Turkey	HAK-IS	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N			
Workers	Turkey	KESK	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N		
Workers	Uganda	NOTU	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	O			
Workers	Ukraine	FPPMSPU	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		O	Y		Y	Y	N	N		
Workers	United Kingdom	TUC	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
Workers	United States and Canada	AFL-CIO	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
Workers	United States and Canada	UFCW	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N		
Workers	United States and Canada	SEIU	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N		
Workers	United States and Canada	USW	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Workers	Uruguay	PIT-CNT	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	
Workers	Venezuela, Bolivarian Rep. of	CTASI	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N	N	N	
Workers	Venezuela, Bolivarian Rep. of	CTV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	O	Y	Y	Y	Y	Y	N	O	Y		Y	Y	Y	N	N	
Workers	Zimbabwe	FFAWUZ	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Zimbabwe	ZCTU	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	Zimbabwe	ZDAWU	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	World	BWI	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	World	IDWF	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Workers	World	IFJ	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
Workers	World	IndustriALL	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
Workers	World	ITF	Y	O	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
Workers	World	ITUC	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
Workers	World	IUF	Y	O	Y	O	Y	Y	Y	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	Y		Y	N	N	Y	N	N
Workers	World	PSI	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N

## Summary of replies

Governments	Form of the instruments		Preamble						Definitions and scope						Content of a Convention	Content of a Convention: Fundamental principles and rights at work and protection				Content of a Convention: Prevention measures			Content of a Convention: Enforcement, monitoring and victim support				Content of a Convention: Support and guidance at the national level	Content of a Convention: Means of implementation
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25			
Responses Convention		2																										
Responses Recommendation		30																										
Responses Convention and Recommendation		48																										
Responses Federal																												
Responses N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
Responses Yes	79	0	80	74	82	79	79	44	69	55	55	50	36	55	67	67	52	58	58	67	63	58	61	67	60			
Responses No	0	0	1	3	1	0	0	39	2	1	16	4	44	5	2	3	8	0	3	1	3	10	3	1	2			
Responses Other	4	5	4	7	2	4	4	1	14	29	12	30	4	16	3	2	10	15	12	6	7	5	7	9				
TOTAL OF RESPONSES without N/A	83	85	85	84	85	83	83	84	85	85	83	84	84	76	72	72	70	73	73	74	73	73	71	74	71			
Blank	2	0	0	1	0	2	2	1	0	0	2	1	1	9	13	13	15	12	12	11	12	12	14	11	14			

Governments	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support									Content of a Recommendation: Support and guidance at the national level			Special problems		
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49
Responses Convention																								
Responses Recommendation																								
Responses Convention and Recommendation																								
Responses Federal																								
Responses N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	73	0
Responses Yes	78	63	73	63	67	74	73	77	64	66	76	48	47	71	54	73	70	79	72	77	59	23	0	29
Responses No	1	11	3	12	4	6	4	2	7	4	2	5	12	8	16	4	5	1	5	2	9	50	0	55
Responses Other	5	9	9	5	9	3	8	4	11	11	2	24	19	1	10	6	6	2	5	4	11	11	10	0
TOTAL OF RESPONSES without N/A	84	83	85	80	80	83	85	83	82	81	80	77	78	80	80	83	81	82	82	83	79	84	12	84
Blank	1	2	0	5	5	2	0	2	3	4	5	8	7	5	5	2	4	3	3	2	6	1	0	1

Employers	Form of the instruments		Preamble						Definitions and scope					Content of a Convention	Content of a Convention: Fundamental principles and rights at work and protection			Content of a Convention: Prevention measures		Content of a Convention: Enforcement, monitoring and victim support				Content of a Convention: Support and guidance	Content of a Convention: Means of implementation
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Responses Convention		1																							
Responses Recommendation		11																							
Responses Convention and Recommendation		4																							
Responses N/A	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Responses Yes	13	0	16	16	17	15	16	7	14	8	7	7	6	7	12	9	6	13	7	16	10	8	13	10	10
Responses No	10	0	4	7	2	2	4	19	4	3	16	6	19	4	6	8	13	3	8	2	3	10	4	4	6
Responses Other	3	10	3	0	4	7	2	0	7	14	3	12	1	9	2	4	3	6	9	2	7	4	3	8	5
TOTAL OF RESPONSES without N/A	26	26	23	23	23	24	22	26	25	25	26	25	26	20	20	21	22	22	24	20	20	22	20	22	21
Blank	3	1	6	6	6	5	7	3	4	4	3	4	3	9	9	8	7	7	5	9	9	7	9	7	8

Employers	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support							Content of a Recommendation: Support and guidance			Special problems			
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	49
Responses Convention																							
Responses Recommendation																							
Responses Convention and Recommendation																							
Responses N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Responses Yes	13	10	11	8	9	14	8	9	7	5	13	6	7	14	6	13	15	13	11	16	16	8	10
Responses No	5	13	10	14	12	10	12	11	11	8	8	8	9	7	13	7	4	3	6	3	5	17	17
Responses Other	5	1	5	2	2	0	5	5	5	12	4	11	9	5	5	2	2	6	5	5	3	2	0
TOTAL OF RESPONSES without N/A	23	24	26	24	23	24	25	25	23	25	25	25	25	26	24	22	21	22	22	24	24	27	27
Blank	6	5	3	5	6	5	4	4	6	4	4	4	4	4	3	5	7	8	7	7	5	2	2

Workers	Form of the instruments		Preamble						Definitions and scope						Content of a Convention	Content of a Convention: Fundamental principles and rights at work and protection			Content of a Convention: Prevention measures		Content of a Convention: Enforcement, monitoring and victim support				Content of a Convention: Support and guidance at the national level	Content of a Convention: Means of implementation
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
Responses Convention		9																								
Responses Recommendation		5																								
Responses Convention and Recommendation		164																								
Responses N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Responses Yes	177	0	177	176	178	175	176	160	173	168	167	161	45	169	175	173	168	171	173	175	174	177	177	171	176	
Responses No	0	0	1	1	0	0	0	17	2	3	7	0	34	0	0	4	2	0	0	0	0	0	0	0	0	
Responses Other	1	0	1	2	1	4	3	2	4	6	2	16	99	6	3	0	7	4	4	2	3	1	1	5	2	
TOTAL OF RESPONSES without N/A	178	178	179	179	179	179	179	179	177	176	177	178	175	178	177	177	175	177	177	177	178	178	178	176	178	
Blank	1	1	0	0	0	0	0	0	0	2	3	2	1	4	1	2	2	4	2	2	2	1	1	3	1	

Workers	Content of a Recommendation: Fundamental principles and rights at work and protection					Content of a Recommendation: Prevention measures				Content of a Recommendation: Enforcement, monitoring and victim support									Content of a Recommendation: Support and guidance at the national level			Special problems	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	49
Responses Convention																							
Responses Recommendation																							
Responses Convention and Recommendation																							
Responses N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Responses Yes	178	76	174	81	174	177	175	175	174	103	177	165	168	173	167	175	174	172	173	167	173	67	63
Responses No	0	2	0	1	0	0	0	0	1	0	0	1	1	2	1	1	0	1	3	0	1	89	113
Responses Other	0	99	3	96	3	0	3	2	3	73	1	9	8	3	9	2	4	3	1	9	3	22	2
TOTAL OF RESPONSES without N/A	178	177	177	178	177	178	177	178	178	176	178	175	177	178	177	178	176	177	176	177	178	178	178
Blank	1	2	2	1	2	2	1	2	1	3	1	4	2	1	2	1	1	3	2	3	2	1	1

