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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
Subject:	Proposal for a Council Decision inviting Member States to ratify, in the interest of the European Union, the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization - Statement by the Czech Republic

Delegations will find in the Annex a statement by the Czech Republic, in relation to the above-mentioned proposal.

**STATEMENT BY THE CZECH REPUBLIC CONCERNING
PROPOSAL FOR COUNCIL DECISION INVITING MEMBER STATES TO RATIFY THE
VIOLENCE AND HARASSMENT CONVENTION, 2019 (NO. 190) OF THE
INTERNATIONAL LABOUR ORGANIZATION**

The Czech Republic wishes to recall its position expressed on numerous occasions during the negotiations of the current, as well as previous Council decisions allowing, inviting or authorizing the EU Member States to ratify the ILO Conventions and Protocols. The Czech Republic has consistently interpreted these Council decisions as measures not imposing any obligation to ratify the international conventions in question. As such, they facilitate the possibility of ratification, while also upholding the principle of full respect for the EU Member States as independent constituents of the International Labour Organization (ILO). In this context, each Member State retains its discretion in initiating the ratification process, solely guided by its national decision-making procedure, without being subjected to measures concerning Treaty infringements.

The Czech Republic insists on the need for an explicit confirmation that would allow Member States to ratify voluntarily the ILO Convention 190 within their national jurisdiction. Without this premise and in the light of the absence of a clear legal interpretation at the Coreper meeting on 19 July 2023, the Czech Republic is not in a position to support the Council decision on ILO Convention 190 and consequently abstains from voting.

The Czech Republic takes note and appreciates the Commission's affirmations, expressed on multiple occasions, to maintain the existing practice concerning this and all previous Council Decisions that it will not take any steps to enforce the ratification of the ILO Conventions and Protocols by Member States.