

Observations

by the European Trade Union Confederation (ETUC)

New reporting system on the Council of Europe

European Social Charter

**– Reporting Cycle 2026 “1st Group of ESC provisions” –
to the European Committee of Social Rights (ECSR)**

PART I: International/European case law

(30.06.2026)

Overview

GENERAL OBSERVATIONS.....	3
INTRODUCTION	3
REPORTING OBLIGATIONS.....	4
INTERPRETATION OF ARTICLE 2§1.....	4
SPECIFIC COUNTRY OBSERVATIONS.....	9
GENERAL INFORMATION ABOUT THE REFERENCES TO THE CASE LAW OF INTERNATIONAL SUPERVISORY BODIES	9
BELGIUM	11
BULGARIA.....	16
CROATIA.....	17
CYPRUS	22
CZECHIA	26
FINLAND.....	32
FRANCE.....	37
GREECE	43
IRELAND	46
ITALY.....	51
NETHERLANDS	56
NORWAY	60
PORTUGAL.....	63
SLOVENIA	69
SPAIN.....	74
SWEDEN.....	78
ANNEX – LEGAL OPINION.....	82
1. INTRODUCTION: MONITORING HUMAN RIGHTS IMPLEMENTATION.....	83
2. NEW REPORTING SYSTEM.....	85
3. LEGAL ASSESSMENT	90
4. CONCLUSIONS.....	101
5. RECOMMENDATIONS	101
6. APPENDICES.....	103
TABLE OF CONTENTS	108
TABLE OF CONTENTS.....	110

General observations

The European Social Charter (ESC)¹ attributes a privileged role to the European Trade Union Confederation (ETUC) according to Article 27(2) ESC 1961. That is why the ETUC would like to contribute to the supervisory system of the ESC by providing the European Committee of Social Rights (ECSR) with the information aimed at serving to get a fuller picture of the situation in the countries under supervision.

Introduction

The ETUC fully supports the strengthening of the European Social Charter in general and its supervisory system in particular.² It is in this vein that the ETUC, for the fourth time, directly addresses its Observations to the ECSR.³

These ETUC Observations mainly serve to assist the ECSR in fulfilling its supervisory tasks. Indeed, the ECSR has at several occasions made it clear that it attributes important weight to international standards in general and their assessments of the situations in individual countries in particular.

In its Digest 2022 the ECSR stated i.a.

Interpretation of the Charter in the light of other international instruments

The Committee interprets the Charter in the light of other international treaties which are relevant in the field of rights guaranteed by the Charter as well in light of the interpretation given to these treaties by their respective monitoring bodies.⁴

Therefore, in relation to the rights which are examined by the ECSR currently, the ETUC focuses its Observations on the compilation of the assessments of the following main supervisory bodies in relation to the articles at stake (at least the 1st Group rights, not limited to the 'targeted questions' but including all provisions of the 1st Group rights) in this supervisory cycle:

- the United Nations (UN), in particular:
 - o the Committee on Economic, Social and Cultural Rights (CESCR),
 - o the Committee on the Elimination of Discrimination against Women (CEDAW Committee),
 - o the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW Committee),
- and the International Labour Organisation (ILO), i.e. the Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the Committee on Freedom of Association (CFA).

¹ Any reference to 'ESC' relates to its revised version of 1996 unless it is specified otherwise for the original version ('ESC 1961').

² See i.a. ['ETUC Resolution on the 60th Anniversary of the Council of Europe European Social Charter and the 25th Anniversary of the Revised'](#), adopted at the Executive Committee of 22-23 March 2021.

³ The first document was the 'Observations' concerning the supervision cycle XXII-3/2022 on 'Labour Rights' (O1.07.2022). The second document was the 'Observations' concerning the supervision cycle XXII-4 / 2023 on 'Children, families and migrants' (Updated 20.7.2023). The third document was the 'ETUC Submission' on the '1st ESC(R) Ad hoc Report on the "Cost-of-living crisis"' (July 2024).

⁴ ECSR, Digest of the Case Law of the European Committee of Social Rights, Council of Europe, June 2022, p 39, with the respective references to international supervisory bodies on pp 39 - 43.

If close to the reference period, judgments of the European Court of Human Rights (ECtHR) are also referred to.

Reporting obligations

Before going into details on the specific information, the ETUC would like to make some general observations on the current state of the reporting obligations by Contracting Parties.

Already in its previous Observations⁵ the ETUC had referred to Article 21 ESC 1961 requiring reports in the following terms:

The Contracting Parties shall send to the Secretary General of the Council of Europe a report at two yearly intervals, in a form to be determined by the Committee of Ministers, concerning the application of such provisions of Part II of the Charter as they have accepted.

and concluded that already ‘the current reporting system is not in line with the legal requirements of Article 21 ESC’ because the then four-years interval was contrary to the requested two-yearly interval for the periodicity of reports on ‘such provisions of Part II of the Charter as they have accepted’ i.e. all accepted provisions (and the competences of the Committee of Ministers (CM) are only related to the form not to the periodicity).’

The new reporting system even further limits the reporting obligations. The ETUC has elaborated a detailed ‘Legal Opinion’ (appended to these Observations as ANNEX)⁶ examining the new system against the background of Article 21 ESC 1961. In its Section 4 the ETUC concludes:

On the basis of the foregoing, in particular concerning the intermediate conclusions on

- Interpretation (3.2.4, para. 83),
- Application to the new system (3.3.4, para. 90) and finally
- (Possible) Counter-arguments (3.4.4, para. 120)

it has to be concluded that the new system evidently violates Article 21 ESC 1961.⁷

Moreover, in its Section 5 the ‘Legal Opinion’ contains Recommendations concerning first steps to bring the situation into conformity with the legal requirements of Article 21 ESC 1961.

Interpretation of Article 2§1

In its latest Statement of Interpretation concerning maximum working hours (Article 2§1), the ECSR has – on the basis of its previous case law allowing the maximum of 16 hours working hours daily and 60 working hours per week - allowed even further exceptions in the following terms:

As a general rule, the Committee considers that its case-law on the maximum limits of daily and weekly working time is still to be followed. However, the Committee considers that in certain sectors and in exceptional circumstances, workers performing specific functions may be allowed to exceed the 16 daily working hours limit or 60 weekly working hours limit.⁸

⁵ See n. 3.

⁶ It is also available on the [ETUCLEX](https://rm.coe.int/etuclex) website.

⁷ Ibid, para. 121.

⁸ Conclusions 2025 (General Introduction), p. 6; <https://rm.coe.int/general-intro-2025-rev-charter-e/48802aad0b>.

The ECSR's interpretation of Article 2§1 requires the following legal Observations. The provision reads as follows:

With a view to ensuring the *effective* exercise of the *right to just conditions of work*,⁹ the Parties undertake:

1. to provide for *reasonable* daily and weekly working hours, the *working week to be progressively reduced* to the extent that the increase of productivity and other relevant factors permit; ...¹⁰

General observations

While confirming its criticisms already vis-à-vis the previous case law the ETUC would like to make the following Observations which are briefly summarised as follows:

This new interpretation

- is issued without any legal reasons and even less justification for this further weakening of the workers' protection;
- contradicts
 - previous ECSR case law;
 - the principle of non-regression enshrined in Article 2§1 by the obligation to 'progressively' reduce working time;

Already the previous case law on the maximum of 16 hours per day and 60 hours per week was (and even more the new interpretation is) in contradiction with

- the principles enshrined in initial sentence for Article 2, in particular
 - the principles of 'effectiveness'
 - the right to just conditions of work,
- principle of 'reasonableness' enshrined in para. 1.

Interpretation according to the VCLT

Generally speaking, this interpretation has to be in line with the rules of interpretation provided for in Articles 31 and 32 of the Vienna Convention on the Law of Treaties (VCLT) codifying the customary international law as required by the ICJ in its Advisory Opinion of 21 May 2026.¹¹ Interpreting Article 2§1 according to these principles requires to take account of:

Reasonable working hours (Article 31(1) VCLT)

The general rule in Article 31(1) VCLT is composed of mainly three elements:

- The *ordinary meaning* of 'reasonable daily and weekly working hours' which cannot be said for the accepted maximum working hours; even less the obligation that 'working week to be progressively reduced' clearly contradicts any prolongation of a normal working week (since 1919 defined as 48-hours principle)
- The *context* of the 'right to just conditions of work' (heading of Article 2) requires that its 'effectiveness' is ensured for workers. Moreover, the following paras. 2 to 5 provide a further

⁹ All emphases in the following quotations in *italics* are added.

¹⁰ For the ESC the revised version of 1996 is referred to (<https://rm.coe.int/168007cf93>) unless clearly stated otherwise.

¹¹ ICJ, Advisory Opinion, Right to Strike under ILO Convention No. 87, 21.05.2026, General List No. 191, para. 62, <https://www.icj-cij.org/sites/default/files/case-related/191/191-20260521-adv-01-00-en.pdf>.

framework for limiting negative consequences of working time. Furthermore, Article 2 it is directly related to Article 3 ('The right to safe and healthy working conditions'), thus strengthening the need to keep workers safe and healthy by ensuring 'reasonable' working hours.

- Regarding the *object and purpose* of the ESC at least two paragraphs of the Preamble to the ESC state as general aim:
 - 'facilitating ... economic and social progress, in particular by the maintenance and further realisation of human rights and fundamental freedoms' (Recital 1),
 - 'secure to their populations the social rights specified therein in order to improve their standard of living and their social well-being' (Recital 3).

Accordingly, already the previous maximum of admitted working hours was not in conformity with Article 2(1) ESC; even less so the newly accepted exceptions.

Relevant rules of international law (Article 31(3)(c) VCLT)

Additionally, the relevant rules of interpretation in Article 31(3)(c) VCLT require that relevant rules of international law have to be taken into account. In this respect, the ICJ has specifically referred to the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹² Its Article 7(d) provides

Article 7

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of *just and favourable conditions of work* which ensure, in particular: ...

(d) Rest, leisure and *reasonable limitation of working hours* and periodic holidays with pay, as well as remuneration for public holidays.

In this respect, the ICJ further refers to case law of the relevant Committee on Economic, Social and Cultural Rights (CESCR).¹³ This Committee has elaborated on Article 7 in its General Comment No. 23 stating concerning working hours' reasonableness:

1. Limits on daily hours of work

35. Working days spent in all activities, including unpaid work, should be limited to a specified number of hours. While the *general daily limit (without overtime) should be eight hours*,¹⁴²⁸ the rule should take into account the complexities of the workplace and allow for *flexibility*, responding, for example, to different types of work arrangements such as shift work, consecutive work shifts, work during emergencies and flexible working arrangements. Exceptions should be strictly limited and subject to consultation with workers and their representative organizations. Where legislation permits longer working days, employers should compensate for longer days with shorter working days so that the average number of *working hours over a period of weeks does not exceed the general principle of eight hours per*

¹² Ibid., paras. 91 ff.

¹³ Ibid., para. 97.

¹⁴ Footnote ²⁸ in the original: '²⁸ See ILO Hours of Work (Industry) Convention, 1919 (No. 1), art. 2, and Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), art. 3. While very wide in scope, they do not cover all areas of economic activity, such as agricultural and domestic workers, that later ILO conventions and recommendations take on board.'

day.¹⁵ Requirements for workers to be on-call or on standby need to be taken into account in the calculation of hours of work.

36. Legislation should establish the maximum number of daily hours of work, which *could vary* in the light of the exigencies of different employment activities but *should not go beyond what is considered a reasonable maximum work day*. Measures aimed at assisting workers to reconcile work with family responsibilities should not reinforce stereotyped assumptions that men are the main breadwinners and that women should bear the main responsibility for the household. If substantive equality is to be achieved, both male and female workers with family responsibilities should benefit from the measures on an equal footing.¹⁶

2. Limits on weekly hours of work

37. The number of hours of work per week should also be limited through legislation. The same criteria as indicated for daily limits on working hours apply. The limitation should apply across all sectors and for all types of work, including unpaid work. Reduced working weeks may apply, for instance, in relation to arduous activities. The Committee is aware that *many States parties have opted for a 40-hour week and recommends that States parties that have not yet done so take steps progressively to achieve this target*¹⁷ should allow for some flexibility to go beyond the limited number of hours of work per week, corresponding to different working arrangements and sectors. However, as a general rule, the hours per week, averaged over a period of time, should meet the statutory standard working week....

Therefore, relevant rules of international law contain the general rules of an eight -hours working day and a maximum of 48-hours working week (with certain exceptions). Accordingly, already the previously defined maximum of admitted working hours was not in conformity with Article 2(1) ESC interpreted in line with the relevant rules of international law.

ILO supervisory bodies' pronouncements (Article 32 VCLT)

This is further confirmed by ILO case law as supplementary means of interpretation according to Article 32 VCLT to which the ICJ has referred in the following terms:

The supervisory bodies of the ILO differ from the expert treaty bodies with which the Court has previously dealt, owing to their specific characteristics (see paragraphs 41 to 44 above). However, the fact remains that both perform a similar function, namely monitoring the proper implementation of the provisions of the convention under their supervision. Consequently, the Court considers that it may, *mutatis mutandis*, ascribe “great weight” to the pronouncements of ILO supervisory bodies, as a supplementary means of interpretation of Convention No. 87. ...¹⁸

In this respect, the CEACR's General Survey 2005 - [Hours of Work](#) is of specific relevance. The most relevant parts are quoted below:

¹⁵ Footnote ²⁹ in the original: '²⁹ Adapted from ILO Hours of Work (Industry) Convention, 1919 (No. 1), art. 2 (c) (referring strictly to shift work).'

¹⁶ Footnote ³⁰ in the original: '³⁰ ILO Workers with Family Responsibilities Convention, 1981 (No. 156).'

¹⁷ Footnote ³¹ in the original: '³¹ See ILO, “Working time in the twenty-first century”, report for discussion at the Tripartite Meeting of Experts on Working-time Arrangements (17-21 October 2011), para. 40, which notes that 41 per cent of countries provide for a regular 40E/C.12/GC/23.'

¹⁸ ICJ, n. 11, para. 118.

914. The Committee wishes to raise a number of specific issues regarding the application of the instruments in national law and practice.

915. **Daily and weekly limits on normal hours of work.** Conventions Nos 1 and 30 set a *cumulative double daily and weekly limit* for hours of work in order to ensure that normal hours of work on average *do not exceed eight hours* a day over six days. The Committee ... urges all governments to take the necessary measures to ensure that both weekly and daily limits on normal hours of work are guaranteed in law and respected in practice. ...

917. **Averaging of working hours over reference periods longer than a week.** ... the Committee emphasizes the *importance of reasonable limits* and protective safeguards in devising such flexible arrangements so as to ensure that their implementation takes into account the need to protect the health and well-being of workers and to make it possible for them to reconcile work and private and family life. ...

924. **Enforcement of working-time provisions.** ... Without the *effective notification and recording* of working time and rest periods, it is not possible to assess compliance with the relevant standards. Moreover, it is important to ensure that effective mechanisms are in place to secure compliance with working-time provisions, primarily through labour inspection and the application of dissuasive penalties for non-compliance, as well as the other mechanisms referred to in this General Survey ...

925. ... the Committee considers, as it did in its 2005 General Survey, that the limitation of working hours and the regulation of other aspects of working time remain an important goal both to protect workers and to ensure a level playing field for enterprises. The Committee recalls that, in its general observation on the working-time Conventions published in 2014, it referred to the *conclusions* of the ILO Tripartite Meeting of Experts on Working-Time Arrangements, held in October 2011, which indicate that the provisions of *existing ILO standards relating to daily and weekly hours of work*, weekly rest, paid annual leave, part-time work and night work *remain relevant* in the twenty first century and should be promoted in order to facilitate decent work.«

The main elements might be summarised as follows: First, Article 7(d) ICESCR and, more specifically, CESCR the case law (the “*general daily limit (without overtime) should be eight hours*”, see above) are contradicting the ECSR’s interpretation by means of Article 31(3)(c) VCLT. Moreover, the “ILO’s Conventions Nos 1 and 30 set a *cumulative double daily and weekly limit* for hours of work in order to ensure that normal hours of work on average *do not exceed eight hours* a day over six days”, see above). This pronouncement confirms the international law (ICESCR) requirements by way of Article 32 VCLT. Accordingly, the normal rule should be eight working hours per day and 48 working hours per week (with only defined exceptions which do not undermine the rationale of the required limits, i.e. health and safety of workers).

Conclusions

In conclusion, the ECSR’s interpretation of Article 2§1 is not in conformity with the principles of interpretation developed by the ICJ and applied to the present problem.

Specific country observations

General information about the references to the case law of international supervisory bodies

The quotes and/or sources referred to below

- are limited to the (reference) period of 2022 – 2025.
- only cover the countries
 - concerned by this reporting cycle, i.e. the countries which have ratified the Collective Complaints Procedure Protocol,
 - for which specific information is available.

UN

Committee on Economic, Social and Cultural Rights (CESCR)

- The CESCR's 'Concluding Observations' refer mainly to Articles 3, 6, 7 and 8 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).
- Each observation includes the CESCR's concerns and its respective recommendations (as in the original version, recommendations are in **bold**).
- Generally speaking, the most relevant source for the interpretation of Articles 2 and 5 of the ESC will be the 'General comment' No. 23 on Article 7 ICESCR.¹⁹

Other Committees

For reasons of practicality and volume, the following compilation does not include sources/references from other UN Committees like the Human Rights Committee (CCPR) on the rights of trade unions and their members according in particular to Article 22 International Covenant on Civil and Political Rights (ICCPR) for the purpose of Article 5 ESC nor from the CEDAW Committee on the right to equal pay for the purpose of Article 4§3 ESC.²⁰ They might nevertheless provide also important information about current problems in the States concerned.²¹

Therefore, this compilation only contains general information by the CEDAW Committee (introductory paragraph of the respective 'Concluding Observations') as well as the information and recommendations provided by the CEDAW in the section of its Concluding Observations relating to 'Employment'.

Also, for CMW Committee only general information (introductory paragraph of the respective 'Concluding Observations') is provided as basically the whole Concluding Observations are dealing with migrant workers' rights (and thus linked to Article 19 ESC); in fact, in the (reference) period 2022-2026 and from the countries covered by this ESC reporting cycle, none of the countries is concerned.

¹⁹ General comment No. 23 (2016) on the right to just and favourable conditions of work (article 7 of the International Covenant on Economic, Social and Cultural Rights), 7 April 2016, E/C.12/GC/23. For the collective rights enshrined in Article 8 ICESCR a 'General comment' is still missing. That is why the references to the 'Concluding Observations' are of specific importance in respect of Articles 5 and 6 ESC.

²⁰ See below also on ILO Conventions No. 100 and 111.

²¹ The case be consulted at the UN Treaty Bodies Database available at https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/TBSearch.aspx.

ILO

CEACR

The following lists of 'Observations' and 'Direct Requests' by the CEACR contains the full range of ratified ILO Conventions by the respective country and this for the period 2022-2025. This full spectrum can be explained as a consequence of the 'Legal Opinion' appended to these 'Observations'. Indeed, as demonstrated therein, the ECSR should (according to Article 21 ESC 1961) examine all accepted provisions within the period of two years. Since the next examination of the 26 States (not having ratified the CCPP) is foreseen only after the period of two years all ESC provisions should be examined now. So, on the hypothesis of a general co-incidence of all ESC provisions and all ILO Conventions (which might not be pertinent only in very specific cases) all references to the ILO remarks are included.

CFA

The information below in relation to the CFA relates to cases submitted and/or reports/decisions delivered against concerned states during the (reference) period 2022 and 2025.

Belgium

UN

CEDAW

CEDAW Committee, [Concluding observations on the eighth periodic report of Belgium](#)²²

Employment

43. The Committee welcomes the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) in 2015. It notes the measures taken by the State party to address gender segregation in the labour market and improve women's access to careers in science and technology. It also notes the adoption of the Act of 15 March 2017 on practical and manageable work, which introduces a system of flexible working hours for employees; as well as the adoption in 2018 of a new and additional parental leave scheme, under which parents' working time may be reduced by 10 per cent. The Committee notes with concern, however:

(a) The persistent gender pay gap in the State party, vertical and horizontal segregation in the labour market, and women's concentration in part-time jobs in both the public and private sectors;

(b) The high number of complaints about employment discrimination based on pregnancy and maternity;

(c) The low number of cases of sexual harassment in the workplace investigated and where penalties were imposed;

(d) Reports on exploitation and abuse of women domestic workers by employers, and the persistence of inequality in the working conditions of domestic workers compared to other workers, in terms of remuneration, rest and leisure time, limits on working hours and protection in the face of unfair dismissal;

(e) The high unemployment rates and the additional obstacles faced by women from disadvantaged groups (such as migrant women, undocumented women, women with disabilities, Roma women and older women) in accessing, remaining in and securing promotions in the labour market.

44. **The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals, to achieve, by 2030, full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, and recommends that the State party:**

(a) **Review wages in all sectors, apply gender-sensitive analytical job classification and evaluation methods, conduct regular pay surveys, and encourage employers to publish a narrative with their gender pay gap data, with a view to better understanding the reasons behind the gender wage gap, and strictly enforce the principle of equal pay for work of equal value in order to narrow and ultimately close the gender pay gap;**

²² The Committee considered the eighth periodic report of Belgium ([CEDAW/C/BEL/8](#)) at its 1917th and 1918th meetings ([CEDAW/C/SR.1917](#) and [CEDAW/C/SR.1918](#)), held on 14 October 2022. ([CEDAW/C/BEL/CO/8](#), 1 November 2022)

(b) Prioritize the transition of women from part-time to full-time work, including by providing a sufficient number of adequate and accessible childcare facilities;

(c) Reinforce measures, including regular labour inspections and strengthening women's access to confidential and independent complaint mechanisms, to address employment discrimination against women based on pregnancy and maternity;

(d) Raise awareness among employers and employees of sexual harassment and the relevant provisions relating to protection against violence and moral or sexual harassment, ensure that all reports of sexual harassment are effectively investigated and that those responsible are adequately punished, and ratify the International Labour Organization Violence and Harassment Convention, 2019 (No. 190);

(e) Strengthen labour inspections to monitor the working conditions of women domestic workers and investigate and punish exploitative and abusive practices of employers; and ensure in legislation and in practice that women domestic workers have explicit, written terms of employment outlining their specific duties, hours, remuneration, days of rest and other conditions of work, in contracts that are free, fair and fully consented to, together with information on access to complaint mechanisms;

(f) Take all necessary measures, including temporary special measures, to combat the structural barriers faced by women from disadvantaged groups (such as migrant women, undocumented women, women with disabilities, Roma women and older women) to secure full and productive employment, decent work and equal pay for work of equal value.

ILO

CEACR

-
1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C099 - Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99) - Belgium
 2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C026 - Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) - Belgium
 3. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - Belgium
 4. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C150 - Labour Administration Convention, 1978 (No. 150) - Belgium
 5. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Belgium
 6. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C081 - Labour Inspection Convention, 1947 (No. 81) - Belgium
 7. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Belgium
 8. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Belgium

9. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Belgium
10. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Belgium
11. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C176 - Safety and Health in Mines Convention, 1995 (No. 176) - Belgium
12. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C115 - Radiation Protection Convention, 1960 (No. 115) - Belgium

13. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C174 - Prevention of Major Industrial Accidents Convention, 1993 (No. 174) – Belgium
14. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C170 - Chemicals Convention, 1990 (No. 170) - Belgium

15. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C139 - Occupational Cancer Convention, 1974 (No. 139) - Belgium
16. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C161 - Occupational Health Services Convention, 1985 (No. 161) - Belgium
17. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C184 - Safety and Health in Agriculture Convention, 2001 (No. 184) - Belgium
18. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C167 - Safety and Health in Construction Convention, 1988 (No. 167) - Belgium
19. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C162 - Asbestos Convention, 1986 (No. 162) - Belgium
20. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) - Belgium
21. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Belgium
22. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C171 - Night Work Convention, 1990 (No. 171) - Belgium
23. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C132 - Holidays with Pay Convention (Revised), 1970 (No. 132) - Belgium
24. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C175 - Part-Time Work Convention, 1994 (No. 175) - Belgium
25. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C001 - Hours of Work (Industry) Convention, 1919 (No. 1) - Belgium
26. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
P029 - Protocol of 2014 to the Forced Labour Convention, 1930 - Belgium
27. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C029 - Forced Labour Convention, 1930 (No. 29) - Belgium
28. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C168 - Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168) - Belgium
29. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C189 - Domestic Workers Convention, 2011 (No. 189) - Belgium

30. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C177 - Home Work Convention, 1996 (No. 177) - Belgium
31. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Belgium
32. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) - Belgium
33. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C113 - Medical Examination (Fishermen) Convention, 1959 (No. 113) - Belgium
34. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Belgium

35. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C097 - Migration for Employment Convention (Revised), 1949 (No. 97) - Belgium

36. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C149 - Nursing Personnel Convention, 1977 (No. 149) - Belgium
37. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C172 - Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172) - Belgium
38. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
MLC, 2006 - Maritime Labour Convention, 2006 (MLC, 2006) - Belgium
39. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Belgium
40. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Belgium
41. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C107 - Indigenous and Tribal Populations Convention, 1957 (No. 107) - Belgium
42. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Belgium
43. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - Labour Inspection Convention, 1947 (No. 81) - Belgium
44. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C122 - Employment Policy Convention, 1964 (No. 122) - Belgium
45. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Belgium
46. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Belgium

CFA

Case No 3415 (Belgium)

Case No 3415 (Belgium) - Complaint date: 06-DEC-21 Confederation of Christian Trade Unions (CSC), General Labour Federation of Belgium (FGTB) and General Confederation of Liberal Trade Unions of Belgium (CGSLB)

The complainants report that the Act of 26 July 1996 on the promotion of employment and protection of competitiveness, as amended by the Act of 19 March 2017, drastically limits the

possibility for the social partners to freely negotiate wage increases for workers in the private sector

[Report in which the committee requests to be kept informed of development - Report No 400, October 2022 \(110 - 14 \)](#)

Bulgaria

ILO

CEACR

1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C105 - Abolition of Forced Labour Convention, 1957 (No. 105) - Bulgaria
2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C029 - Forced Labour Convention, 1930 (No. 29) - Bulgaria
3. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - Bulgaria
4. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C183 - Maternity Protection Convention, 2000 (No. 183) - Bulgaria
5. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C181 - Private Employment Agencies Convention, 1997 (No. 181) - Bulgaria
6. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C177 - Home Work Convention, 1996 (No. 177) - Bulgaria
7. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
MLC, 2006 - Maritime Labour Convention, 2006 (MLC, 2006) – Bulgaria
8. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Bulgaria
9. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) – Bulgaria
10. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Bulgaria
11. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C113 - Medical Examination (Fishermen) Convention, 1959 (No. 113) - Bulgaria
12. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) - Bulgaria
13. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C032 - Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32) - Bulgaria
14. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C122 - Employment Policy Convention, 1964 (No. 122) - Bulgaria
15. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Bulgaria
16. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Bulgaria
17. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - Labour Inspection Convention, 1947 (No. 81) - Bulgaria
18. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - Labour Inspection Convention, 1947 (No. 81) - Bulgaria

Croatia

UN

ICESCR

CECSR, [Concluding observations on the second periodic report of Croatia](#)²³

Equality between men and women

20. The Committee is concerned about the persistence of gender pay and pension gaps, due to vertical and horizontal gender segregation in the labour market, and the overrepresentation of women in low-paid work, including domestic and care work, and in the informal economy. The Committee is also concerned about the absence of a comprehensive care system, which especially affects women (arts. 3, 6 and 10).

21. **Recalling its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights, the Committee recommends that the State Party:**

(a) **Take effective measures to increase women's participation in the labour market, especially in rural areas, and accelerate women's transition to formal work;**

(b) **Ensure that maternity protections for working women also apply to the informal economy;**

(c) **Accelerate efforts to close the gender pay gap and promote the equitable distribution of domestic and care work between women and men;**

(d) **Expand the use of parental leave by men, including flexible work arrangements, and increase efforts to ensure the availability, accessibility and affordability of childcare and education services throughout the State Party;**

(e) **Establish a comprehensive care system informed by a gender, intersectional, intercultural and human rights perspective.**

Right to work

22. The Committee is concerned about the rise in recent years in unemployment among women and girls with basic education and the high unemployment rates among Roma compared to the general population (arts. 2 (2) and 6).

23. **Recalling its general comment No. 18 (2005) on the right to work, the Committee recommends that the State Party increase its efforts to address unemployment among women, girls with basic education and Roma, for example by implementing targeted public-sector employment schemes, and that it continue its efforts to adjust education to meet the needs of the labour market, such as by expanding vocational training.**

24. The Committee is concerned about reports that persons with disabilities are overrepresented among the unemployed and underemployed relative to their portion of the population. It notes that that disparity is closely linked to a lack of accessible transportation to workplaces and limited awareness of the obligation to provide reasonable accommodation in the workplace, including flexible working hours. In addition, support for work assistants is reportedly infrequently provided and alternative work arrangements are rarely available for persons unable to work a full eight-hour day (arts. 2 (2), 6 and 7).

²³ The Committee considered the second periodic report of Croatia at its second and third meetings, held on 10 and 11 February 2025, and adopted the present concluding observations at its thirtieth meeting, held on 28 February 2025. ([E/C.12/HRV/CO/2](#), 10 March 2025)

25. The Committee recommends that the State Party continue to strengthen its employment policy for persons with disabilities in order to tackle the root causes of their unemployment and underemployment and to implement an action plan with precise, time-bound targets for regularly measuring progress, taking into account the specific needs of persons with disabilities, including ensuring the provision of reasonable accommodation.

Right to just and favourable conditions of work

26. While noting the legislative measures taken by the State Party to address unregistered work and precarious work, the Committee remains concerned about the inadequate enforcement of labour legislation. It also expresses deep concern over reports that migrant workers, in particular unskilled and low-wage earners in the construction, service, transportation and food-delivery sectors, frequently experience non-payment or the delayed payment of wages, the denial of rest breaks and failure to provide an employment contract. The Committee is also concerned about reports that many migrant workers do not seek remedies for labour rights violations due to fear of retaliation from employers, such as contract termination (arts. 2 (2) and 7).

27. Recalling its general comment No. 23 (2016) on the right to just and favourable conditions of work, the Committee recommends that the State Party:

(a) Increase the number and strengthen the capacities of labour inspectors and other enforcement authorities to prevent, identify and effectively address violations of labour rights, in particular among migrant workers in the construction, service, transportation and food-delivery sectors;

(b) Further improve the wage protection system by strengthening its monitoring, enforcement and remedial mechanisms to ensure that employers pay workers' wages on time and in full and impose sanctions against non-compliant employers;

(c) Take further measures to ensure accessible mechanisms for workers to file complaints about violations of labour rights, while ensuring their protection against retaliation by their employers.

ILO

-
1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C029 - Forced Labour Convention, 1930 (No. 29) - Croatia
 2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Croatia
 3. **Observation (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C162 - Asbestos Convention, 1986 (No. 162) - Croatia
 4. **Observation (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C161 - Occupational Health Services Convention, 1985 (No. 161) - Croatia
 5. **Observation (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Croatia
 6. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C162 - Asbestos Convention, 1986 (No. 162) - Croatia
 7. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C161 - Occupational Health Services Convention, 1985 (No. 161) - Croatia
 8. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Croatia

9. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977*
(No. 148) - **Croatia**
10. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C139 - *Occupational Cancer Convention, 1974* (No. 139) - **Croatia**
11. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C111 - *Discrimination (Employment and Occupation) Convention, 1958* (No. 111) - **Croatia**

12. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C111 - *Discrimination (Employment and Occupation) Convention, 1958* (No. 111) - **Croatia**

13. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C129 - *Labour Inspection (Agriculture) Convention, 1969* (No. 129) - **Croatia**
14. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C081 - *Labour Inspection Convention, 1947* (No. 81) - **Croatia**
15. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C129 - *Labour Inspection (Agriculture) Convention, 1969* (No. 129) - **Croatia**
16. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C081 - *Labour Inspection Convention, 1947* (No. 81) - **Croatia**
17. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976* (No. 144) - **Croatia**
18. **General Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
Croatia
19. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C029 - *Forced Labour Convention, 1930* (No. 29) - **Croatia**
20. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947* (No. 81) - **Croatia**
21. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C162 - *Asbestos Convention, 1986* (No. 162) - **Croatia**
22. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C161 - *Occupational Health Services Convention, 1985* (No. 161) - **Croatia**

23. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C155 - *Occupational Safety and Health Convention, 1981* (No. 155) - **Croatia**

24. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C111 - *Discrimination (Employment and Occupation) Convention, 1958* (No. 111) - **Croatia**
25. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C111 - *Discrimination (Employment and Occupation) Convention, 1958* (No. 111) - **Croatia**
26. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C162 - *Asbestos Convention, 1986* (No. 162) - **Croatia**
27. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C161 - *Occupational Health Services Convention, 1985* (No. 161) - **Croatia**
28. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C155 - *Occupational Safety and Health Convention, 1981* (No. 155) - **Croatia**
29. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977*
(No. 148) - **Croatia**

30. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C139 - Occupational Cancer Convention, 1974 (No. 139) - Croatia
31. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C045 - Underground Work (Women) Convention, 1935 (No. 45) - Croatia
32. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Croatia
33. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Croatia
34. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Croatia

35. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Croatia

36. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Croatia
37. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C081 - Labour Inspection Convention, 1947 (No. 81) - Croatia
38. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Croatia
39. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Croatia
40. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Croatia
41. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Croatia
42. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C162 - Asbestos Convention, 1986 (No. 162) - Croatia
43. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C161 - Occupational Health Services Convention, 1985 (No. 161) - Croatia
44. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Croatia
45. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C148 - Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148) - Croatia
46. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C139 - Occupational Cancer Convention, 1974 (No. 139) - Croatia

47. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C045 - Underground Work (Women) Convention, 1935 (No. 45) - Croatia

48. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Croatia
49. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - Labour Inspection Convention, 1947 (No. 81) - Croatia
50. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C162 - Asbestos Convention, 1986 (No. 162) - Croatia

51. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C161 - *Occupational Health Services Convention, 1985 (No. 161)* - **Croatia**
 52. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Croatia**
 53. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Croatia**
 54. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Croatia**
 55. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Croatia**
 56. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C182 - *Worst Forms of Child Labour Convention, 1999 (No. 182)* - **Croatia**
-

Cyprus

UN

ICESCR

CECSR, [Concluding observations on the seventh periodic report of Cyprus](#)²⁴

Equal rights of men and women

25. The Committee is concerned that gender disparities persist, in particular in relation to the gender pay gap. While noting the information provided by the delegation regarding the increase in the number of women members of the Council of Ministers in recent years, the Committee is also concerned that women's overall representation in senior positions in the public and private sectors remains unsatisfactory (arts. 3 and 7).

26. The Committee recalls its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights and recommends that the State party:

(a) Intensify its efforts to close the gender pay gap by, inter alia, addressing gender-based segregation in the labour market, reviewing its social and tax policies and addressing the factors that discourage women from continuing their careers or taking up full-time employment, including by ensuring the equal sharing of unpaid domestic work and childcare between women and men, by increasing the availability of affordable childcare and other care and support services and by increasing incentives for men to take paternity leave;

(b) Enhance women's participation in senior positions in the public and private sectors, including by considering the introduction of quotas.

Right to work

27. The Committee is concerned about the rise in female youth unemployment in recent years and the stark overrepresentation of young people and persons with disabilities among the unemployed (arts. 3 and 6).

28. The Committee recommends that the State party increase its efforts to address unemployment, for example by implementing targeted public sector employment schemes and by paying particular attention to unemployment among young people, in particular young women, and among persons with disabilities. The Committee also recommends that the State party continue to make the education system more responsive to the needs of the labour market, for example by expanding vocational training.

Right to just and favourable conditions of work

29. Noting the provisions on the minimum wage, the Committee is concerned about reports of deficiencies in enforcing labour laws and decrees, including inadequate monitoring of the working and living conditions of domestic workers. The Committee is also concerned about reports that many domestic workers endure exploitative conditions, such as excessively long working hours without breaks or days off, confiscation of their passports and mobile phones and instances of physical,

²⁴ The Committee considered the seventh periodic report of Cyprus at its 43rd and 44th meetings, held on 17 and 18 September 2024, and adopted the present concluding observations at its 59th meeting, held on 27 September 2024. ([E/C.12/CYP/7](#), 18 October 2024)

verbal or sexual abuse. Furthermore, the fact that domestic workers are not covered by the 2022 Minimum Wage Decree raises additional concerns about the State party's ability to oversee employers' compliance with legal requirements regarding salaries and allowances and its ability to effectively address any violations thereof (art. 7).

30. **The Committee recalls its general comment No. 23 (2016) on the right to just and favourable conditions of work and recommends that the State party:**

(a) **Increase the number of labour inspectors and strengthen their capacities, while removing any legal or administrative barriers impeding oversight of domestic workers' working conditions;**

(b) **Ensure the implementation of legal and practical protections against all forms of sexual harassment for domestic workers and provide effective avenues for recourse;**

(c) **Ensure seamless access to existing mechanisms for reporting abuse or exploitation, recognizing the challenges that some domestic workers face in accessing communication channels;**

(d) **Conduct thorough investigations into all allegations of human rights violations against domestic workers;**

(e) **Expand the scope of the 2022 Minimum Wage Decree to include domestic workers;**

(f) **Ratify the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.**

Trade union rights

31. The Committee is concerned about reports of the inconsistent enforcement of legislation providing for remedies for anti-union discrimination.

32. **The Committee recommends that the State party take all measures necessary to ensure the enforcement of legislation relating to anti-union discrimination. In this regard, the Committee recalls its joint statement with the Human Rights Committee on freedom of association, including the right to form and join trade unions.²⁵**

ILO

CEACR

-
1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Cyprus
 2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - Cyprus
 3. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C143 - Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) - Cyprus
 4. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C143 - Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) - Cyprus
 5. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C097 - Migration for Employment Convention (Revised), 1949 (No. 97) - Cyprus

6. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C097 - *Migration for Employment Convention (Revised)*, 1949 (No. 97) - **Cyprus**
 7. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C111 - *Discrimination (Employment and Occupation) Convention*, 1958 (No. 111) - **Cyprus**
 8. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C100 - *Equal Remuneration Convention*, 1951 (No. 100) - **Cyprus**
 9. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C111 - *Discrimination (Employment and Occupation) Convention*, 1958 (No. 111) - **Cyprus**
 10. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
P029 - *Protocol of 2014 to the Forced Labour Convention*, 1930 - **Cyprus**
 11. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C029 - *Forced Labour Convention*, 1930 (No. 29) - **Cyprus**
 12. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C187 - *Promotional Framework for Occupational Safety and Health Convention*, 2006 (No. 187) - **Cyprus**
 13. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C144 - *Tripartite Consultation (International Labour Standards) Convention*, 1976 (No. 144) - **Cyprus**
-
14. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C183 - *Maternity Protection Convention*, 2000 (No. 183) - **Cyprus**
 15. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C098 - *Right to Organise and Collective Bargaining Convention*, 1949 (No. 98) - **Cyprus**
 16. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C111 - *Discrimination (Employment and Occupation) Convention*, 1958 (No. 111) - **Cyprus**
 17. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C111 - *Discrimination (Employment and Occupation) Convention*, 1958 (No. 111) - **Cyprus**
 18. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C100 - *Equal Remuneration Convention*, 1951 (No. 100) - **Cyprus**
 19. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C088 - *Employment Service Convention*, 1948 (No. 88) - **Cyprus**
 20. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C106 - *Weekly Rest (Commerce and Offices) Convention*, 1957 (No. 106) - **Cyprus**
-
21. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C142 - *Human Resources Development Convention*, 1975 (No. 142) - **Cyprus**
 22. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C160 - *Labour Statistics Convention*, 1985 (No. 160) - **Cyprus**
 23. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C158 - *Termination of Employment Convention*, 1982 (No. 158) - **Cyprus**
 24. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention*, 1947 (No. 81) - **Cyprus**
 25. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention*, 1947 (No. 81) - **Cyprus**
 26. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C122 - *Employment Policy Convention*, 1964 (No. 122) - **Cyprus**

27. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006* (No. 187) - **Cyprus**
 28. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C170 - *Chemicals Convention, 1990* (No. 170) - **Cyprus**
 29. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C162 - *Asbestos Convention, 1986* (No. 162) - **Cyprus**
 30. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C155 - *Occupational Safety and Health Convention, 1981* (No. 155) - **Cyprus**
-

Czechia

UN

ICESCR

CECSR, [Concluding observations on the third periodic report of Czechia](#) 26

Equality between men and women

18. The Committee recognizes the State party's efforts to address gender inequality, which include the Gender Equality Strategy for 2021–2030, the Strategy +1 Initiative, and the programme “22% to Equality”. However, the Committee remains concerned that the gender pay gap persists, including due to vertical and horizontal gender segregation in the labour market and women's overrepresentation in part-time employment. It is also concerned by the much lower labour participation rate of women, the concentration of women in traditionally female-dominated professions and the continued underrepresentation of women in managerial and decision-making positions in the public and private sectors (arts. 3 and 7).

19. **The Committee recommends that the State party:**

(a) **Intensify its efforts to close the gender pay gap, by addressing the vertical and horizontal gender-based segregation in the labour market, reviewing its social and tax policies and addressing the factors that discourage women from continuing their careers or taking up full-time employment;**

(b) **Enhance efforts to guarantee equal opportunities for men and women to select non-traditional disciplines of education and job options, including by removing gender stereotypes;**

(c) **Develop strategies to increase labour participation of women, including through policies to better harmonize work, personal and family life;**

(d) **Promote increased representation of women at all levels of the public administration, particularly in decision-making positions, and promote their participation in management positions in the private sector;**

(e) **Take into account its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.**

Unemployment

20. The Committee welcomes the overall very low long-term unemployment rate and policies, such as the antivirus programme to mitigate the effects of the coronavirus disease (COVID-19) pandemic. Nevertheless, the Committee is concerned about significant discrepancies in the unemployment rate across regions. The Committee also expresses its concern that some groups face more difficulties in accessing work, many of which work in the informal sector of the economy and have been disproportionately affected by the COVID-19 pandemic. Furthermore, the Committee regrets the lack of statistics on informal employment and the limited protection for workers in this sector (art. 6).

21. **The Committee recommends that the State party:**

²⁶ The Committee considered the third periodic report of Czechia at its eighth, ninth and tenth meetings, held on 17 and 18 February 2022, and adopted the present concluding observations at its thirtieth meeting, held on 4 March 2022. ([E/C.12/CZE/3](#), 28 March 2022)

- (a) **Continue its efforts to reduce unemployment in all regions of the country;**
- (b) **Intensify its efforts to support Roma, persons with disabilities, women with children, young people, persons aged 50 and above, and migrants, in gaining access to employment, including by implementing targeted positive measures, facilitating their access to technical and vocational training opportunities and collecting data on their situation;**
- (c) **Ensure that programmes promoting the inclusion of the most disadvantaged and marginalized groups into the open labour market do not perpetuate their concentration in low-skilled jobs and the informal economy;**
- (d) **Undertake steps to facilitate the transition of workers from the informal sector to the formal sector of the economy, including by collecting data on their situation and ensuring that they are covered by labour laws and have access to social protection;**
- (e) **Take into account its general comment No. 18 (2005) on the right to work.**

Minimum wage

22. While recognizing the significant increase of the minimum wage in recent years, the Committee is concerned about its implementation, and that it remains one of the lowest in the region. The Committee also notes that the State party plans to introduce automatic indexing of the minimum wage so that it would not have to be renegotiated every year (art. 7).
23. **The Committee recommends that the State party:**
- (a) **Intensify its efforts to ensure that all workers are guaranteed the minimum wage and that it is set at a level sufficient to provide workers and their families with a decent living;**
 - (b) **Strengthen the capacities of labour inspections to guarantee the enforcement of the minimum wage;**
 - (c) **Take into account its general comment No. 23 (2016) on the right to just and favourable conditions of work.**

Sexual harassment in the workplace

24. The Committee is concerned about the instances of sexual harassment in the workplace that have been reported in surveys in the public sector, and the insufficient information concerning a strategy to tackle this problem in the public and private sectors, beyond a handbook for public authorities and the provision of awareness-raising courses. The Committee also regrets the lack of data on cases investigated and their outcomes (arts. 3 and 7).
25. **The Committee recommends that the State party:**
- (a) **Ensure that the laws against sexual harassment, including the Labour Code, are effectively enforced and that it adopts preventive and protective measures to combat sexual harassment in the workplace, including awareness-raising campaigns, a monitoring system and ongoing training;**
 - (b) **Ensure that reports of sexual harassment are duly investigated and prosecuted, that perpetrators are adequately punished and that victims have access to appropriate redress, including compensation.**

Trade union rights

26. The Committee is concerned about the absolute prohibition on the right to strike for a number of State employees, including members of the police, fire and rescue service, prison service and the Office for Foreign Relations and Information. It is also concerned that the voting requirement in the Collective Bargaining Act is high, requiring two-thirds to vote in favour of calling for a strike in disputes regarding the conclusion of collective agreements (art. 8).

27. **The Committee recommends that the State party:**

(a) **Revise the scope of the category of essential services to ensure that all those public servants whose services cannot reasonably be deemed as essential are entitled to their right to strike;**

(b) **Carry out a new consultation with social partners about the quorum required for conducting strikes, and consider an amendment to the Collective Bargaining Act to adjust it.**

CEDAW

CEDAW Committee, [Concluding observations on the seventh periodic report of Czechia](#)²⁷

Employment

33. The Committee notes with concern that:

(a) The gender pay gap in the State Party has increased since 2021, remaining among the highest in the European Union at approximately 18–19 per cent, and that existing equal pay initiatives rely largely on voluntary initiatives without enforcement mechanisms or dissuasive sanctions;

(b) With regard to childcare for children under three:

(i) Its availability is limited – only 9 per cent of children in this age group are enrolled in formal care, compared with the European Union average of 34.3 per cent – which prevents mothers (98 per cent of parental leave recipients) from returning to work, exacerbating the gender pay gap despite the broadly equal pay at labour-market entry prior to motherhood;

(ii) Children's groups fall outside the competence of the Ministry of Education and are not regulated by the Czech School Inspectorate;

(iii) Recent changes in subsidy allocations pose financial problems for smaller care providers;

(iv) Neighbourhood children's groups do not adequately remedy the scarce availability of childcare;

(c) Rates of paternal uptake of childcare responsibilities are low, and that the State Party has yet to fully transpose the European Union Work-Life Balance Directive, particularly regarding adequately paid, non-transferable paternity and parental leave and an enforceable right to request flexible working arrangements;

²⁷ The Committee considered the seventh periodic report of Czechia (CEDAW/C/CZE/7) at its 2192nd and 2193rd meetings (see CEDAW/C/SR.2192 and CEDAW/C/SR.2193), held on 11 February 2026. ([CEDAW/C/CZE/CO/7](#), 26 February 2026)

(d) It remains unclear whether the transposition of the European Union Pay Transparency Directive will mandate equal pay audits, corrective action and enforceable sanctions;

(e) There is pervasive vertical and horizontal segregation in the labour market, with women accounting for less than 16 per cent of persons in decision-making positions in publicly owned companies and only 13 per cent of specialists in the ICT sector;

(f) The number of labour discrimination cases filed by women is low, due to a lack of awareness as to what constitutes discrimination, the complexity of cases and the financial risks of litigation.

34. The Committee recommends that the State Party:

(a) **Take urgent measures to reverse and close the gender pay gap by strictly enforcing the principle of equal pay for work of equal value, in line with the ILO Equal Remuneration Convention, 1951 (No. 100);**

(b) **Increase the availability of childcare for children under the age of three as soon as possible, introduce a guaranteed place in a childcare facility for children at least from the age of two years, and transfer responsibility for the administration of children's groups from the Ministry of Labour to the Ministry of Education to ensure systematic quality childcare through appropriate monitoring and evaluation mechanisms by the Czech School Inspectorate;**

(c) **Fully implement the European Union Work-Life Balance Directive, introduce a non-transferable part of parental leave for the second parent of a minimum duration of two months, with appropriate compensation for lost earnings, in accordance with Articles 5 (2) and 8 (3) of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers; and adopt measures to challenge gender-role stereotypes in care and promote equal sharing of care responsibilities;**

(d) **Transpose the European Union Pay Transparency Directive without delay, ensuring that it includes mandatory pay gap audits and reporting, corrective action requirements, enforceable penalties and time-bound targets;**

(e) **Adopt targeted measures to eliminate horizontal and vertical occupational segregation, including through training opportunities, economic incentives and safeguards against discriminatory recruitment practices;**

(f) **Amend the Anti-Discrimination Act and related labour legislation to strengthen penalties for discrimination and ensure adequate remedies and compensation, and raise awareness among employers, employees and the general public about labour discrimination and the legal remedies available to challenge it;**

(g) **Ratify the ILO Workers with Family Responsibilities Convention, 1981 (No. 156).**

ILO

CEACR

1. **Direct Request (CEACR) - adopted 2025, published 114th ILC session (2026)**

C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Czechia

2. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) - Czechia
3. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C176 - Safety and Health in Mines Convention, 1995 (No. 176) - Czechia
4. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C161 - Occupational Health Services Convention, 1985 (No. 161) - Czechia
5. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Czechia
6. **Direct Request (CEACR)** - adopted 2025, published 113rd ILC session (2025)
C115 - Radiation Protection Convention, 1960 (No. 115) - Czechia
7. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C105 - Abolition of Forced Labour Convention, 1957 (No. 105) - Czechia
8. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - Czechia
9. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
P029 - Protocol of 2014 to the Forced Labour Convention, 1930 - Czechia
10. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C029 - Forced Labour Convention, 1930 (No. 29) - Czechia
11. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Czechia
12. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Czechia
13. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Czechia
14. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C171 - Night Work Convention, 1990 (No. 171) – Czechia
15. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C014 - Weekly Rest (Industry) Convention, 1921 (No. 14) - Czechia
16. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) - Czechia
17. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Czechia
18. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Czechia
19. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C001 - Hours of Work (Industry) Convention, 1919 (No. 1) - Czechia
20. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C142 - Human Resources Development Convention, 1975 (No. 142) - Czechia
21. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C154 - Collective Bargaining Convention, 1981 (No. 154) - Czechia
22. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Czechia

23. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Czechia**
-
24. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C160 - *Labour Statistics Convention, 1985 (No. 160)* - **Czechia**
-
25. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C087 - *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* - **Czechia**
26. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Czechia**
27. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C176 - *Safety and Health in Mines Convention, 1995 (No. 176)* - **Czechia**
28. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C161 - *Occupational Health Services Convention, 1985 (No. 161)* - **Czechia**
29. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Czechia**
30. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C115 - *Radiation Protection Convention, 1960 (No. 115)* - **Czechia**
31. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C135 - *Workers' Representatives Convention, 1971 (No. 135)* - **Czechia**
32. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Czechia**
33. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C132 - *Holidays with Pay Convention (Revised), 1970 (No. 132)* - **Czechia**
34. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C014 - *Weekly Rest (Industry) Convention, 1921 (No. 14)* - **Czechia**
35. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Czechia**
36. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C183 - *Maternity Protection Convention, 2000 (No. 183)* - **Czechia**
37. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C140 - *Paid Educational Leave Convention, 1974 (No. 140)* - **Czechia**
38. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C122 - *Employment Policy Convention, 1964 (No. 122)* - **Czechia**
39. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C105 - *Abolition of Forced Labour Convention, 1957 (No. 105)* - **Czechia**
40. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C181 - *Private Employment Agencies Convention, 1997 (No. 181)* - **Czechia**
41. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C088 - *Employment Service Convention, 1948 (No. 88)* - **Czechia**
42. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C001 - *Hours of Work (Industry) Convention, 1919 (No. 1)* - **Czechia**
- 43. Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C171 - *Night Work Convention, 1990 (No. 171)* - **Czechia**

Finland

UN

CEDAW

CEDAW Committee, [Concluding observations on the eighth periodic report of Finland](#)²⁸

Employment

31. The Committee welcomes the recent legislative amendments providing equal family leave for both parents and additional leave to single parents. It takes note of the State party's efforts to eliminate gender segregation in the labour market and its intention to reduce the gender pay gap to 12 per cent by 2025. The Committee nevertheless notes with concern:

(a) The persistent gender segregation in the labour market, where women are concentrated in traditionally "female" occupational sectors, such as care work, and the increased risk of gender segregation through the transition to teleworking;

(b) The persistent gender pay gap of 16 per cent, which adversely affects women's pension benefits;

(c) The difficulties experienced by women belonging to ethnic minorities, migrant women and women with disabilities in accessing secure, well-paid and full-time work;

(d) The discrimination against women based on pregnancy and maternity;

(e) The low percentage of men who take parental leave;

(f) The disproportionately low representation of women in decision-making processes and positions in the economic sector.

32. **With reference to its previous recommendations (CEDAW/C/FIN/CO/7, para. 27), the Committee recommends that the State party:**

(a) **Take legislative and policy measures, including temporary special measures in accordance with article 4 (1) of the Convention, such as quotas and financial incentives for employers, to promote women's representation in non-traditional career paths and to reduce gender segregation in the labour market, particularly in innovative sectors such as the digital sector, and consider developing a national plan to address these issues;**

(b) **Ensure salary transparency and that both public and private companies respect the principle of equal pay for work of equal value, and regularly review wages in sectors where women are concentrated and adopt measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys;**

(c) **Develop effective strategies and policies to improve women's access to secure, well-paid jobs with a particular emphasis on**

²⁸ The Committee considered the eighth periodic report of Finland ([CEDAW/C/FIN/8](#)) at its 1911th and 1912th meetings ([CEDAW/C/SR.1911](#) and [CEDAW/C/SR.1912](#)), held on 11 October 2022. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/FIN/Q/8](#), and the responses of Finland are contained in [CEDAW/C/FIN/RQ/8](#). ([CEDAW/C/FIN/CO/8](#), 1 November 2022)

disadvantaged groups of women, including migrant women, women from ethnic minority groups, single mothers, older women and women with disabilities;

(d) Strictly enforce the provisions of the Equality Act prohibiting discrimination against women based on pregnancy or maternity and provide adequate reparation to victims of such discrimination, including the possibility of reinstatement in their job in case of unfair dismissals;

(e) Implement measures to ensure the equal sharing of domestic responsibilities between women and men and encourage men to avail themselves of their full parental leave;

(f) Introduce relevant policies to significantly increase women's decision-making positions in the private sector, including in innovative sectors, such as the digital sector.

ILO

CEACR

-
1. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - Finland
 2. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
P029 - Protocol of 2014 to the Forced Labour Convention, 1930 - Finland
 3. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C029 - Forced Labour Convention, 1930 (No. 29) - Finland
 4. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
P081 - Protocol of 1995 to the Labour Inspection Convention, 1947 - Finland
 5. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Finland
 6. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C081 - Labour Inspection Convention, 1947 (No. 81) - Finland
 7. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) - Finland
 8. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Finland
 9. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Finland
 10. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Finland
 11. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Finland
 12. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C124 - Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124) – Finland
-
13. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C160 - Labour Statistics Convention, 1985 (No. 160) - Finland

14. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C135 - *Workers' Representatives Convention, 1971 (No. 135)* - **Finland**
15. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Finland**
16. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C158 - *Termination of Employment Convention, 1982 (No. 158)* - **Finland**
17. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C141 - *Rural Workers' Organisations Convention, 1975 (No. 141)* - **Finland**
18. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C087 - *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* - **Finland**
19. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C011 - *Right of Association (Agriculture) Convention, 1921 (No. 11)* - **Finland**
20. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C142 - *Human Resources Development Convention, 1975 (No. 142)* - **Finland**
21. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C094 - *Labour Clauses (Public Contracts) Convention, 1949 (No. 94)* - **Finland**
22. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C140 - *Paid Educational Leave Convention, 1974 (No. 140)* - **Finland**
23. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C122 - *Employment Policy Convention, 1964 (No. 122)* - **Finland**
24. [Replies received to the issues raised in a direct request which do not give rise to further comments \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C014 - *Weekly Rest (Industry) Convention, 1921 (No. 14)* - **Finland**

25. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C175 - *Part-Time Work Convention, 1994 (No. 175)* - **Finland**

26. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C132 - *Holidays with Pay Convention (Revised), 1970 (No. 132)* - **Finland**
27. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C047 - *Forty-Hour Week Convention, 1935 (No. 47)* - **Finland**
28. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C088 - *Employment Service Convention, 1948 (No. 88)* - **Finland**
29. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Finland**
30. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C184 - *Safety and Health in Agriculture Convention, 2001 (No. 184)* - **Finland**
31. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C176 - *Safety and Health in Mines Convention, 1995 (No. 176)* - **Finland**
32. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C174 - *Prevention of Major Industrial Accidents Convention, 1993 (No. 174)* - **Finland**
33. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C170 - *Chemicals Convention, 1990 (No. 170)* - **Finland**

34. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C167 - *Safety and Health in Construction Convention, 1988 (No. 167)* - **Finland**
35. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C162 - *Asbestos Convention, 1986 (No. 162)* - **Finland**
36. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C161 - *Occupational Health Services Convention, 1985 (No. 161)* - **Finland**
37. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Finland**
38. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)* - **Finland**
-
39. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C139 - *Occupational Cancer Convention, 1974 (No. 139)* - **Finland**
-
40. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C136 - *Benzene Convention, 1971 (No. 136)* - **Finland**
41. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C120 - *Hygiene (Commerce and Offices) Convention, 1964 (No. 120)* - **Finland**
42. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C119 - *Guarding of Machinery Convention, 1963 (No. 119)* - **Finland**
43. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C115 - *Radiation Protection Convention, 1960 (No. 115)* - **Finland**
44. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C181 - *Private Employment Agencies Convention, 1997 (No. 181)* - **Finland**
45. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C168 - *Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)* - **Finland**
46. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Finland**
47. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Finland**
48. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Finland**
-
49. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Finland**
-
50. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Finland**
51. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C150 - *Labour Administration Convention, 1978 (No. 150)* - **Finland**
52. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Finland**
53. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Finland**

CFA

Case No 3525 (Finland)

[Case No 3525 \(Finland\) - Complaint date: 10-APR-26](#) Finnish Aviation Union IAU, Central Organisation of Finnish Trade Unions (SAK) and the Finnish Confederation of Professionals (STTK)

France

UN

ICESCR

CECSR, [Concluding observations on the fifth periodic report of France](#) ²⁹

Equal rights of men and women

18. The Committee takes note of the introduction of the professional equality index aimed at eliminating the gender wage gap. Nevertheless, it notes with concern that the structural causes of gender inequality persist. The Committee notes that women continue to be overrepresented in fixed-term contracts, to work more on a part-time basis than men and to be concentrated in certain professions traditionally occupied by women, which hinders the closing of the gender wage gap (arts. 3 and 6).

19. **The Committee reiterates the recommendation made in its previous concluding observations and urges the State party to redouble its efforts to achieve substantive gender equality. It also recommends that the State party take adequate measures to increase women's participation in the labour market, to ensure that women have the opportunity to follow non-traditional career paths, in particular by combating gender stereotypes, and to promote equal sharing of family responsibilities between men and women. The Committee also refers the State party to its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.**

Right to work

20. The Committee welcomes the steady decline in the unemployment rate in recent years. However, it is concerned by reports that certain groups, in particular the Roma, persons with disabilities, persons belonging to minority groups, women, young persons and migrants, continue to experience difficulties in gaining access to work (art. 6).

21. **Reiterating the recommendations already made in its previous concluding observations, the Committee recommends that the State party continue to strengthen its employment policy in order to tackle the root causes of unemployment and to implement an action plan with precise, time-bound targets for regularly measuring progress, taking specific account of the needs of groups disproportionately affected by unemployment, including young persons, persons with disabilities, women and persons belonging to ethnic minorities, including Roma, and persons with a migration background, in particular those of North African and sub-Saharan origin. The Committee encourages the State party to take into account its general comment No. 18 (2005) on the right to work.**

Minimum wage

22. The Committee is concerned that, according to information received, the minimum wage remains insufficient to ensure a decent standard of living for workers and their families (art. 7).

²⁹ The Committee considered the fifth periodic report of France at its 41st and 43rd meetings, held on 2 and 3 October 2023, and adopted the present concluding observations at its 60th meeting, held on 13 October 2023. ([E/C.12/FRA/CO/5](#), 30 October 2023)

23. The Committee recommends that the State party strengthen its efforts to ensure that the minimum wage is sufficient to enable workers and their families to enjoy a decent standard of living, by indexing it to the cost of living.

Right to just and favourable conditions of work

24. The Committee is concerned about job insecurity, particularly the fact that low-wage jobs, part-time employment and temporary contracts are widespread. It is particularly concerned about the insecure working conditions and risks of abuse and exploitation to which workers are exposed (arts. 2, 3, 6 and 7).

25. The Committee recommends that the State party:

(a) Take all necessary measures to limit the use of temporary and low-wage jobs, in particular by creating decent employment opportunities that guarantee job security and adequate protection of workers' rights;

(b) Ensure that the rights of persons in part-time or low-wage jobs to employment and social security are fully guaranteed in law and in practice;

(c) Strengthen the labour inspectorate by providing it with sufficient material, technical and human resources to monitor working conditions in all sectors effectively and impartially;

(d) Ensure that workers have access to effective mechanisms for reporting all forms of abuse and exploitation;

(e) Take into account the Committee's general comment No. 23 (2016) on the right to just and favourable conditions of work.

Trade union rights

28. The Committee is concerned by the numerous reports of trade union leaders and workers being subjected to violence, harassment, intimidation and discrimination for exercising their union rights. It notes with concern that, in the context of the pension reform, many peaceful demonstrations organized by trade unions were banned and others were suppressed by force (art. 8).

29. The Committee reiterates the recommendation made in its previous concluding observations and urges the State party to take all necessary measures to ensure that the trade union rights of workers are fully respected and that trade union members and leaders are able to carry out their activities in a climate free of intimidation, violence, harassment and risks to their personal safety. The Committee recommends that the State party investigate cases involving the excessive use of force by law enforcement officials against trade union members who took part in recent peaceful demonstrations organized in response to the pension reform process, and bring those responsible to justice.

CEDAW

CEDAW Committee, [Concluding observations on the ninth periodic report of France](#)³⁰

Employment

35. The Committee notes Act No. 2018-771 of 5 September 2018 on the freedom to choose one's professional future, which requires companies to measure themselves against a gender equality index. The Committee also notes that, in 2023, 72 per cent of enterprises published their ratings; the

³⁰ The Committee considered the ninth periodic report of France ([CEDAW/C/FRA/9](#)) at its 2011th and 2012th meetings (see [CEDAW/C/SR.2011](#) and [CEDAW/C/SR.2012](#)), held on 17 October 2023. ([CEDAW/C/FRA/CO/9](#), 14 November 2023)

strong involvement of labour inspection services in the gender equality index; and the 695 formal notices and 49 penalty decisions notified to companies for failure to publish results or failure to define adequate and relevant corrective measures since 2019. It also notes the increase in paternity leave from 14 to 28 days, including 7 compulsory days to be taken upon the birth of the child, which took effect on 1 July 2021. The Committee nevertheless notes with concern:

(a) That women are overrepresented in front-line and care professions, and that the COVID-19 pandemic has exacerbated pre-existing inequalities in employment, especially among women in informal and part-time employment;

(b) The limited use of paternity leave by fathers;

(c) The persistent gender wage gap in the State party, and that employers are exempted from taking corrective measures if they score 75 points or more out of 100 on the gender equality index, while the indicators already leave considerable latitude to employers;

(d) The reproduction of gender biases by recruitment algorithms;

(e) The high rate of sexual harassment and underreporting by women, and weak implementation of the prevention legislation;

(f) The high unemployment rates among disadvantaged groups of women, including undocumented migrant women, women belonging to ethnic or religious minorities, women with disabilities and older women.

36. Drawing attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals, to achieve, by 2030, full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, the Committee recommends that the State party:

(a) Upgrade the evaluation grids and classification systems for professions predominantly exercised by women, particularly in the health-care, teaching and social sectors;

(b) Strengthen programmes to encourage men to avail themselves of paternity leave;

(c) Revise the gender equality index in order to raise the minimum score allowing exemption from corrective measures;

(d) Carry out impact studies to address the discriminatory effects of recruitment algorithms to the detriment of women and support research to develop measurement studies and bias prevention methodologies;

(e) Raise awareness among employers and employees of sexual harassment and the relevant provisions relating to protection against violence and moral or sexual harassment, ensure that all reports of sexual harassment are effectively investigated and that those responsible are adequately punished;

(f) Train law enforcement officials on the procedures for the prevention of sexual harassment in the workplace and reform legislation to increase the effectiveness of prevention procedures;

(g) Take measures to combat the structural barriers faced by women belonging to disadvantaged groups, such as migrant women, women belonging to ethnic or religious minorities, women with disabilities and older women, and ensure that they have access to formal

employment, enjoy decent conditions of work and receive equal pay for work of equal value;

(h) Reform the system for collecting data on women in the informal employment sector and on girls and migrant women in the labour sector;

(i) Ratify the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.

ILO

CEACR

-
1. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C097 - Migration for Employment Convention (Revised), 1949 (No. 97) - France
 2. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - France
 3. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - France
 4. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - France
 5. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - France
 6. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
P029 - Protocol of 2014 to the Forced Labour Convention, 1930 - France
 7. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C029 - Forced Labour Convention, 1930 (No. 29) - France
 8. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) - France
 9. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - France
 10. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C081 - Labour Inspection Convention, 1947 (No. 81) - France
 11. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - France
 12. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - France
 13. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C184 - Safety and Health in Agriculture Convention, 2001 (No. 184) - France
 14. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) - France
 15. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C078 - Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78) - France
 16. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C100 - Equal Remuneration Convention, 1951 (No. 100) - France

17. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **France**
18. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **France**
19. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **France**
20. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **France**
21. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)* - **France**
22. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C139 - *Occupational Cancer Convention, 1974 (No. 139)* - **France**
23. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C127 - *Maximum Weight Convention, 1967 (No. 127)* - **France**
24. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C115 - *Radiation Protection Convention, 1960 (No. 115)* - **France**

25. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C062 - *Safety Provisions (Building) Convention, 1937 (No. 62)* - **France**

26. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C087 - *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* - **France**
27. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **France**
28. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **France**
29. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **France**
30. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **France**
31. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C135 - *Workers' Representatives Convention, 1971 (No. 135)* - **France**
32. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C122 - *Employment Policy Convention, 1964 (No. 122)* - **France**
33. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C181 - *Private Employment Agencies Convention, 1997 (No. 181)* - **France**
34. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C142 - *Human Resources Development Convention, 1975 (No. 142)* - **France**

35. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C158 - *Termination of Employment Convention, 1982 (No. 158)* - **France**

36. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C140 - *Paid Educational Leave Convention, 1974 (No. 140)* - **France**

37. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C122 - *Employment Policy Convention, 1964 (No. 122)* - **France**
38. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C088 - *Employment Service Convention, 1948 (No. 88)* - **France**

CFA

Case No 3522 (France)

Case No 3522 (France) - Complaint date: 23-FEB-26 *SUD Energy Federation*

CoE

ECtHR

**CASE OF E.A. AND EUROPEAN ASSOCIATION FOR COMBATING VIOLENCE AGAINST
WOMEN AT WORK v. FRANCE**

30556/22 | Available in [English](#), [French](#), 1 more... | Judgment (Merits and Just Satisfaction) | Court (Fifth Section) | 04/09/2025

Greece

UN

CEDAW

CEDAW Committee, [Concluding observations on the combined eighth and ninth periodic reports of Greece](#)³¹

Employment

33. The Committee notes the legislative measures adopted by the State party, including Law No. 4808/2021, to improve labour standards and align them with international and European Union standards. However, the Committee notes with concern:

- (a) The persistent 10 per cent gender wage gap;
- (b) The concentration of women in lower-paid jobs and in the informal economy, where they are exposed to exploitation and have no access to social security systems;
- (c) The large number of women engaged in unpaid care work in the State party;
- (d) The high unemployment rates among rural women, women with disabilities and women belonging to ethnic minorities, including Roma women and women belonging to the Muslim minority in Thrace;
- (e) The underreporting of sexual harassment in the workplace owing to limited access to information on newly established reporting mechanisms.

34. **In accordance with target 8.5 of the Sustainable Development Goals, on achieving full and productive employment and decent work all women and men, the Committee recommends that the State party:**

- (a) **Effectively enforce the principle of equal pay for work of equal value in order to narrow and eventually close the gender pay gap by (i) conducting regular labour inspections; (ii) applying gender-neutral analytical job classification and evaluation methods; (iii) conducting regular pay surveys; and (iv) encouraging employers to publish a narrative with their gender pay gap data, with a view to better understanding the reasons behind the gender wage and pension gap, and to take appropriate remedial measures;**
- (b) **Enhance women's access to formal employment, targeting in particular disadvantaged groups of women, and extend social protection schemes to women employed in the informal economy;**
- (c) **Recognize, reduce and redistribute the burden of unpaid care work on women by providing affordable childcare facilities and care services for older persons and promoting equal sharing of domestic and family responsibilities between women and men;**
- (d) **Improve access to employment and training opportunities for disadvantaged groups of women, such as women belonging to ethnic**

³¹ The Committee considered the combined eighth and ninth periodic reports of Greece ([CEDAW/C/GRC/8-9](#)) at its 2041st and 2042nd meetings (see [CEDAW/C/SR.2041](#) and [CEDAW/C/SR.2042](#)), held on 6 February 2024. ([CEDAW/C/GRC/CO/8-9](#), 20 February 2024)

minorities, including Roma women and women belonging to the Muslim minority in Thrace, women with disabilities and migrant women;

(e) Provide mandatory training for employers and employees on the criminal nature of sexual harassment and on employers' responsibility to apply a zero-tolerance approach and prevent and report incidents, and ensure that employees have access to information on available confidential complaint mechanisms;

(f) Ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189).

ILO

CEACR

-
1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C150 - Labour Administration Convention, 1978 (No. 150) - Greece
 2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) - Greece
 3. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C115 - Radiation Protection Convention, 1960 (No. 115) - Greece
 4. **Replies received to the issues raised in a direct request which do not give rise to further comments (CEACR)** - adopted 2025, published 114th ILC session (2026)
C136 - Benzene Convention, 1971 (No. 136) - Greece
 5. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Greece
 6. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C103 - Maternity Protection Convention (Revised), 1952 (No. 103) - Greece
 7. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C001 - Hours of Work (Industry) Convention, 1919 (No. 1) - Greece
 8. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C106 - Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) - Greece
 9. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C014 - Weekly Rest (Industry) Convention, 1921 (No. 14) - Greece
 10. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C001 - Hours of Work (Industry) Convention, 1919 (No. 1) - Greece
 11. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Greece
 12. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Greece
 13. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C160 - Labour Statistics Convention, 1985 (No. 160) - Greece
 14. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C095 - Protection of Wages Convention, 1949 (No. 95) - Greece
-

15. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Greece**
 16. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Greece**
 17. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Greece**
 18. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C142 - *Human Resources Development Convention, 1975 (No. 142)* - **Greece**
 19. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Greece**
 20. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Greece**
 21. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Greece**
 22. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Greece**
 23. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C088 - *Employment Service Convention, 1948 (No. 88)* - **Greece**
 24. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C122 - *Employment Policy Convention, 1964 (No. 122)* - **Greece**
 25. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Greece**
 26. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Greece**
 27. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Greece**
 28. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)* - **Greece**
 29. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C154 - *Collective Bargaining Convention, 1981 (No. 154)* - **Greece**
-

Ireland

UN

ICESCR

CECSR, Concluding observations on the fourth periodic report of Ireland 32

Equal rights of women and men

24. The Committee expresses concern over the persistence of gender role stereotypes and substantive inequality between women and men in the State party, as also noted by the Human Rights Committee, impeding the enjoyment of economic, social and cultural rights, in particular by disadvantaged women. The Committee also expresses concern about the persistence of gender pay and pension gaps, due to vertical and horizontal gender segregation in the labour market, and the overrepresentation of women in part-time and low-paid work (art. 3).

25. The Committee recommends that the State party:

(a) **Take all measures necessary by, inter alia, ensuring effective gender mainstreaming and budgeting in all policies and programmes, to promote the full access of women, in particular migrant, Traveller and Roma women, women of African descent, women with disabilities and bisexual, lesbian, intersex and transgender women, to employment opportunities, social security, adequate housing, health care and services and education on an equal footing with men;**

(b) **Redouble its efforts to close the gender pay and pension gaps, including by addressing the gender-based segregation in the labour market, reviewing its social and tax policies and addressing the factors that discourage women from continuing their careers or taking up full-time employment;**

(c) **Take into account the Committee's general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights, as well as the recommendations on gender equality of the Human Rights Committee.**

Right to work

26. Despite an overall increase in the employment rate, the Committee is concerned that the most marginalized and disadvantaged persons and groups continue to be disproportionately affected by unemployment and underemployment in the State party (art. 6).

27. The Committee recommends that the State party:

(a) **Review its employment policies to address the root causes of unemployment, include in its action plan time-bound goals, focusing on young people, older persons, persons of African descent, migrants, Travellers and Roma and persons with disabilities, notably women belonging to one or more of those groups, and incorporate measures to overcome the structural and institutional barriers hindering their access to the labour market, and be guided by the Committee's general comment No. 18 (2005) on the right to work;**

(b) **Expedite the adoption of a time-bound Traveller and Roma training, employment and enterprise plan in partnership with Traveller and**

³² The Committee considered the fourth periodic report of Ireland at its 7th and 9th meetings, held on 15 and 16 February 2024, and adopted the present concluding observations at its 29th meeting, held on 1 March 2024. ([E/C.12/IRL/4](#), 20 March 2024)

Roma communities, ensuring the adequate allocation of financial, human and technical resources for its implementation;

(c) Improve the levels of employment of persons with disabilities, including by establishing incentives and special measures;

(d) Safeguard the right to work of and facilitate access to the labour market for migrants, refugees and asylum-seekers whose claims are being processed so as to protect them from abuse and situations of labour exploitation;

(e) Evaluate existing unemployment benefit schemes to assess their effectiveness in providing target groups with access to and retention in the labour market and in promoting hiring and job creation;

(f) Continue prioritizing high-quality technical and vocational training programmes tailored to labour market needs.

Minimum wage

28. While welcoming the announcement of the introduction of a national living wage by 2026, the Committee reiterates its concern that the minimum wage remains insufficient to ensure a decent living for workers and their families. It is also concerned that the Employment Equality Act provides for wage differentials on the basis of age and disability (art. 7).

29. The Committee recommends that the State party:

(a) Take effective measures to ensure that the minimum wage is sufficient to enable workers and their families to enjoy a decent living by indexing it to the cost of living;

(b) Ensure full compliance among employers with the minimum wage;

(c) Take measures to ensure that the minimum wage applies to all workers, all sectors and all forms of employment, including by repealing sections 34 (6), which provides for age-related remuneration, and 35 (1), on different rates of remuneration for persons with disabilities, of the Employment Equality Act.

Right to just and favourable conditions of work

30. The Committee is concerned about reports of a large number of workers engaged in various forms of precarious work who are exposed to poor working conditions, including excessive hours, low wages and limited employment security. The Committee is also concerned about reports of the adverse effects of insufficient consultation with affected workers during deliberations on reasonable accommodation, which affects the right to just and favourable working conditions for persons with disabilities. The Committee is further concerned about reports of substandard working conditions affecting domestic workers and live-in carers (art. 7).

31. The Committee recommends that the State party:

(a) Take all measures necessary to limit the use of part-time work, precarious self-employment and “zero-hour contracts”, in particular by creating decent employment opportunities that guarantee job security and adequate protection of workers’ rights, and be guided by the Committee’s general comment No. 23 (2016) on the right to just and favourable conditions of work;

(b) Ensure that the labour and social security rights of persons in precarious work, including part-time work, self-employment and “zero-hour contracts”, are fully guaranteed in law and practice;

(c) Take all measures necessary, including adopting legislation, to include the obligation for employers to consult with employees with disabilities when considering the provision of reasonable accommodation in the workplace;

(d) Adopt all measures necessary, including amending the Employment Equality Act, to ensure that all migrant workers, including domestic workers and live-in carers, enjoy equal rights with other workers as regards remuneration, protection against unfair dismissal, rest and leisure, limitation of working hours, social security, parental leave protection and joining trade unions;

(e) Strengthen the labour inspectorate by providing it with sufficient material, technical and human resources to monitor working conditions in all sectors effectively and impartially;

(f) Ensure that workers have access to effective mechanisms for reporting all forms of abuse and exploitation.

Trade union rights

32. The Committee reiterates its concern about the obstacles with respect to the rights to collective bargaining posed by the requirement for collective bargaining licences (art. 8).³³

33. The Committee recommends that the State party ensure respect for the trade union rights of all workers, in conformity with article 8 of the Covenant and with the provisions of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), of the International Labour Organization.

CEDAW

CEDAW Committee, [Concluding observations on the eighth periodic report of Ireland](#) ³⁴

Employment

37. The Committee welcomes the reduction of the gender pay gap to 9.6 per cent in 2022, the extension of gender pay gap reporting requirements, and the State Party's increased investment in childcare services and parental leave. However, the Committee notes with concern:

(a) That the gender wage gap persists in the State Party, despite improvements;

(b) The persistent gender pension gap of 36 per cent;

(c) That women continue to be concentrated in low-paid employment and constitute 60 per cent of low-paid workers, which adversely affects their career development and pension benefits;

(d) The high unemployment rate among Traveller and Roma women;

(e) The unequal distribution of unpaid care work between women and men in the State Party and the fact that high childcare costs continue to hinder women's labour force participation, particularly in rural areas;

³⁴ The Committee considered the eighth periodic report of Ireland ([CEDAW/C/IRL/8](#)) at its 2156th and 2157th meetings (see [CEDAW/C/SR.2156](#) and 2157), held on 20 June 2025. ([CEDAW/C/IRL/CO/8](#), 10 July 2025)

(f) That the majority of sexual harassment complaints are withdrawn during adjudication, and the lack of effective redress mechanisms;

(g) That the State Party has not yet ratified the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Maternity Protection Convention, 2000 (No. 183) of the International Labour Organization.

38. The Committee recommends that the State Party:

(a) **Close the gender pay gap, including by effectively enforcing the principle of equal pay for work of equal value; regularly reviewing wages in sectors where women are concentrated; adopting measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys; sanctioning non-compliance; monitoring the implementation of the minimum wage in all sectors; and ensuring alignment with the European Union Pay Transparency Directive by 2026;**

(b) **Adopt targeted measures to reduce the gender pension gap, including by recognizing and computing unpaid care work performed by women towards their pension benefits;**

(c) **Analyse root causes for women's concentration in low-paid employment and adopt targeted measures to enhance their access to formal employment and eliminate horizontal and vertical occupational segregation, including training opportunities and safeguards to protect women from discriminatory recruitment practices;**

(d) **Implement targeted interventions to reduce unemployment among Traveller and Roma women;**

(e) **Recognize, reduce and redistribute the burden of unpaid care work on women by providing access to affordable childcare facilities and care services for older persons in all regions, promote the use of shared parental leave to encourage men to participate equally in childcare responsibilities, and challenge stereotypes on traditional gender roles;**

(f) **Strengthen support for victims of workplace sexual harassment, investigate the reasons for withdrawals of complaints and ensure effective remedies and compensation for victims;**

(g) **Ratify the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Maternity Protection Convention, 2000 (No. 183) of the International Labour Organization without delay.**

Discrimination and harassment

26. The Committee welcomes the ratification by the State party of the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190). However, it is concerned about the increase in cases of discrimination and harassment in the workplace on the grounds of sexual orientation and gender identity (art. 7).

27. The Committee recommends that the State party redouble its efforts to enforce legislation on discrimination and the prevention of harassment in the workplace, as well as the ILO Violence and Harassment Convention, 2019 (No. 190), and that it provide victims with an effective remedy.

ILO

CEACR

1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C176 - *Safety and Health in Mines Convention, 1995 (No. 176)* - **Ireland**
2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Ireland**
3. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C139 - *Occupational Cancer Convention, 1974 (No. 139)* - **Ireland**
4. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C160 - *Labour Statistics Convention, 1985 (No. 160)* - **Ireland**
5. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Ireland**
6. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Ireland**
7. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C014 - *Weekly Rest (Industry) Convention, 1921 (No. 14)* - **Ireland**
8. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C014 - *Weekly Rest (Industry) Convention, 1921 (No. 14)* - **Ireland**
9. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C102 - *Social Security (Minimum Standards) Convention, 1952 (No. 102)* - **Ireland**
10. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C088 - *Employment Service Convention, 1948 (No. 88)* - **Ireland**
11. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C096 - *Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)* - **Ireland**
12. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C122 - *Employment Policy Convention, 1964 (No. 122)* – **Ireland**
13. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C142 - *Human Resources Development Convention, 1975 (No. 142)* - **Ireland**
14. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Ireland**
15. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Ireland**
16. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Ireland**
17. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Ireland**
18. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)* - **Ireland**
19. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C189 - *Domestic Workers Convention, 2011 (No. 189)* - **Ireland**

Italy

UN

ICESCR

CECSR, [Concluding observations on the sixth periodic report of Italy](#) 35

Equal rights of men and women

33. The Committee remains concerned that gender stereotypes persist and that women's representation in the judiciary and senior positions within the public administration remains unsatisfactory. The Committee is also concerned about the much lower labour market participation rate of women and the concentration of women in traditionally female-dominated professions, which contribute negatively to the gender pay gap (arts. 3 and 7).

34. **The Committee recommends that the State party increase its efforts to combat gender stereotypes, including by increasing the use of the media and awareness-raising campaigns and enhancing women's participation in the judiciary and senior public positions, including by considering quotas. The Committee also recommends that the State party intensify its efforts to close the gender pay gap, including by addressing the gender-based segregation in the labour market, reviewing its social and tax policies and addressing the factors that discourage women from continuing their careers or taking up full-time employment. In this regard, the Committee recalls its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights, and its previous recommendations.**

Unemployment

35. The Committee is particularly concerned that the youth unemployment rate for women has recently increased and remains stagnant compared to the previous periodic report. The Committee remains concerned that the unemployment rate remains high in the State party for youth, for persons with disabilities and for those living in the southern regions and on the islands (art. 6).

36. **Recalling its previous recommendations, the Committee recommends that the State party increase its efforts to address unemployment, including by implementing targeted employment schemes in the public sector, paying particular attention to youth, especially women, and to persons with disabilities, and by expanding localized employment programmes in the southern regions and on the islands.**

Informal economy, security in employment and social protection

37. The Committee reiterates its concern about the considerable proportion of workers in the informal economy in the State party, the inadequate coverage of such workers by labour and social protection laws, and the punitive approach taken by the State party towards such workers (arts. 7 and 9).

38. **The Committee reiterates its previous recommendation that the State party adopt a holistic approach in addressing the informal economy and take all measures necessary to reduce the extent of the informal economy and to increase employment opportunities in the formal labour market.**

³⁵ The Committee considered the sixth periodic report of Italy at its 38th and 39th meetings, held on 29 and 30 September 2022, and adopted the present concluding observations at its 60th meeting, held on 14 October 2022. ([E/C.12/ITA/6](#), 7 December 2022)

Working conditions

39. The Committee is concerned about the abuse of human rights relating to business activities – including inhumane living and working conditions, occupational health hazards, exposure to pollution and exploitative practices by employers – in the agriculture, construction, and garment and textile industries, especially against migrant workers (art. 7).

40. The Committee recommends that the State party adequately monitor conditions in the agriculture, construction, and garment and textile industries, including by raising the level of fines imposed on employers and increasing the number of unannounced inspections by the National Labour Inspectorate. In this regard, the Committee recalls its general comment No. 23 (2016) on the right to just and favourable conditions of work.

CEDAW

CEDAW Committee, [Concluding observations on the eighth periodic report of Italy](#)³⁶

Employment

37. The Committee welcomes the measures adopted by the State party to support the participation of women in the labour market and facilitate the reconciling of work and family life, such as the creation of the Gender Equality Certification System, the code for businesses in favour of motherhood, the new kindergarten bonus and the increase in the children's allowance from 30 per cent to 60 per cent of the salary of parents. It also notes the social security exemption for employers hiring unemployed women victims of gender-based violence and the ratification of the Violence and Harassment Convention, 2019 (No. 190) in 2021. The Committee notes, however, with concern:

(a) The extremely low level of female employment rates, the insufficient measures to promote the economic empowerment of women and the disproportionately high unemployment rate among women living in the southern regions of the State party;

(b) The persistent gender wage gap and its negative impact on women's pension benefits and the lack of information on the impact of Law No. 162 of 2021 on the gender wage gap and women's career development in both the public and private sectors;

(c) The high number of women leaving the workforce after childbirth due to barriers to re-entering the labour market, including the limited availability and accessibility of childcare facilities and babysitting and afterschool care services and the lack of targeted programmes to support mothers to re-enter the workforce;

(d) The low levels of women securing employment in the climate transition and innovation sectors, including the digital sector;

(e) The low number of fathers using parental leave and the lack of measures to address gender stereotypes that deter fathers from participating in parenting responsibilities.

38. The Committee recommends that the State party:

(a) **Reframe the national policy for equal opportunities at work and continue and further strengthen the measures aimed at increasing**

³⁶ The Committee considered the eighth periodic report of Italy ([CEDAW/C/ITA/8](#)) at its 2035th and 2036th meetings (see [CEDAW/C/SR.2035](#) and 2036), held on 1 February 2024. ([CEDAW/C/ITA/CO/8](#), 27 February 2024)

women's access to employment in the formal economy, including by providing further incentives to hire women, adopting temporary special measures to promote women's equal participation in the labour market and establishing special training programmes and counselling to support and promote women's entrepreneurship;

(b) Enforce the principle of equal pay for work of equal value, regularly review wages and benefits in sectors in which women are overrepresented and further strengthen measures to close the gender pay gap, including by means of gender-inclusive job classification and evaluation methods and regular pay surveys, and provide information on the impact of Law No. 162 of 2021 on the gender pay gap and women's career development in both the public and private sectors in its next periodic report;

(c) Promote the equal sharing of family and care responsibilities between women and men by introducing flexible working arrangements and introducing innovative measures to increase the social acceptance of men taking care of their children and of women choosing to return to work following childbirth, significantly increase the availability of affordable quality childcare facilities and services and adopt programmes aimed at supporting women seeking to re-enter the workforce after long career breaks;

(d) Implement specific programmes aimed at building women's capacity and increasing their access to work opportunities in the areas of climate transition and technology and innovation and ensure the allocation of the European Union funds for the implementation of national recovery and resilience plans to the consolidation of professional and wage equality between men and women;

(e) Dismantle gender stereotypes that deter fathers from sharing parental responsibilities equally and increase paid paternity leave or shared parental leave to promote the equal sharing of domestic and childcare responsibilities between women and men and responsible fatherhood.

Women migrant workers

39. The Committee welcomes the measures taken by the State party to combat the labour exploitation of women migrant workers, in particular in the agricultural sector. The Committee nevertheless remains concerned about the persistent labour exploitation of women migrant workers, especially those employed in agriculture and in domestic labour.

40. In line with its general recommendation No. 26 (2008) on women migrant workers, the Committee recommends that the State party continue and further strengthen its measures to combat the labour exploitation of women migrant workers by increasing labour inspections and strengthening the capacity of the National Labour Inspectorate, facilitating access to regularization procedures for undocumented women migrant workers to reduce the prevalence of undeclared work and establishing confidential complaint procedures to enable women migrant workers to lodge complaints against their employers without fear of reprisal, arrest, detention or deportation, as previously recommended ([CEDAW/C/ITA/CO/7](#), para. 40). The Committee also recommends that the State party ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

ILO

CEACR

1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C095 - *Protection of Wages Convention, 1949 (No. 95)* - **Italy**
2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C181 - *Private Employment Agencies Convention, 1997 (No. 181)* - **Italy**
3. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C139 - *Occupational Cancer Convention, 1974 (No. 139)* - **Italy**
4. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C167 - *Safety and Health in Construction Convention, 1988 (No. 167)* - **Italy**
5. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C160 - *Labour Statistics Convention, 1985 (No. 160)* - **Italy**
6. **Observation (CEACR)** - adopted 2025, published 114th ILC session (2026)
C087 - *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* - **Italy**
7. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Italy**
8. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C118 - *Equality of Treatment (Social Security) Convention, 1962 (No. 118)* - **Italy**
9. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Italy**
10. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Italy**
11. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Italy**
12. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C150 - *Labour Administration Convention, 1978 (No. 150)* - **Italy**
13. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Italy**
14. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Italy**
15. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C094 - *Labour Clauses (Public Contracts) Convention, 1949 (No. 94)* - **Italy**
16. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C118 - *Equality of Treatment (Social Security) Convention, 1962 (No. 118)* - **Italy**
17. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Italy**
18. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Italy**
19. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Italy**

-
20. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Italy**
 21. **Observation (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Italy**
 22. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Italy**
 23. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Italy**
 24. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C149 - *Nursing Personnel Convention, 1977 (No. 149)* - **Italy**
 25. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C122 - *Employment Policy Convention, 1964 (No. 122)* - **Italy**
 26. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Italy**
 27. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Italy**
 28. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Italy**
 29. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Italy**
 30. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C189 - *Domestic Workers Convention, 2011 (No. 189)* - **Italy**

Netherlands

UN

CEDAW

CEDAW Committee, [Concluding observations on the seventh periodic report of the Kingdom of the Netherlands](#) ³⁷

Employment

36. The Committee notes that sex is among the most common grounds of workplace discrimination in the State Party. It notes with concern:

(a) The persistent vertical and horizontal occupational segregation, women's disproportionate care responsibilities leading to higher rates of part-time work and withdrawal from employment, and the resulting gender pay and pension gaps;

(b) The lack of initiatives to encourage active fatherhood and shared parental responsibility, the fact that employers discourage fathers from using parental leave, the delay of the planned introduction of universal near-free childcare until 2029, and insufficient accessible and affordable childcare facilities;

(c) The delayed transposition of the European Union Pay Transparency Directive into domestic law, which limits progress towards enforceable pay transparency and effective remedies and sanctions;

(d) Widespread and persistent pregnancy-related discrimination in recruitment, contract renewal, promotion and training, insufficient proactive regulatory measures to prevent and address such discrimination, and inadequate enforcement mechanisms and penalties;

(e) That women with disabilities are twice as likely to be unemployed and that the eligibility and remuneration criteria in the Jobs Agreement and Quota for Persons with Disabilities Act of the Netherlands perpetuate low-income employment and limit career progression for persons with disabilities.

37. **The Committee recommends that the State Party:**

(a) **Eliminate occupational segregation, including through targeted programmes to increase the participation of women in higher-paying sectors, address their concentration in part-time work and reduce barriers that lead women to exit employment owing to caregiving responsibilities;**

(b) **Adopt comprehensive measures to encourage active fatherhood and shared parental responsibility, including through awareness-raising campaigns and employer incentives, ensure that fathers can utilize parental leave without employer discouragement, accelerate implementation of affordable childcare and expand the availability of accessible and high-quality childcare facilities, including full-week early childhood education;**

³⁷ The Committee considered the seventh periodic report of the Kingdom of the Netherlands ([CEDAW/C/NLD/7](#)) at its 2186th and 2187th meetings (see [CEDAW/C/SR.2186](#) and [CEDAW/C/SR.2187](#)), held on 6 February 2026. ([CEDAW/C0/NLD/7](#), 27 February 2026)

(c) Accelerate the transposition of the European Union Pay Transparency Directive, including its provisions on effective penalties, and enforce the principle of equal pay for work of equal value through regular pay audits and adequate penalties for breaches;

(d) Adopt measures to prevent and address pregnancy-related discrimination, ensure regular inspections of workplaces and impose adequate penalties for discriminatory practices;

(e) Strengthen the labour market inclusion of women with disabilities through targeted employment support programmes and reform the Jobs Agreement and Quota for Persons with Disabilities Act to ensure adequate remuneration schemes and career progression opportunities for persons with disabilities.

ILO

CEACR

-
1. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Netherlands (Kingdom of the)
 2. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C135 - Workers' Representatives Convention, 1971 (No. 135) - Netherlands (Kingdom of the)
 3. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C122 - Employment Policy Convention, 1964 (No. 122) - Netherlands (Kingdom of the)
 4. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Netherlands (Kingdom of the)
 5. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C151 - Labour Relations (Public Service) Convention, 1978 (No. 151) - Netherlands (Kingdom of the)
 6. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Netherlands (Kingdom of the)
 7. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C081 - Labour Inspection Convention, 1947 (No. 81) - Netherlands (Kingdom of the)
 8. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Netherlands (Kingdom of the)
 9. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C081 - Labour Inspection Convention, 1947 (No. 81) - Netherlands (Kingdom of the)
 10. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Netherlands (Kingdom of the)
-
11. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C141 - Rural Workers' Organisations Convention, 1975 (No. 141) - Netherlands (Kingdom of the)
 12. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C177 - Home Work Convention, 1996 (No. 177) - Netherlands (Kingdom of the)

13. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C029 - Forced Labour Convention, 1930 (No. 29) - Netherlands (Kingdom of the)
14. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Netherlands (Kingdom of the)
15. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Netherlands (Kingdom of the)
16. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Netherlands (Kingdom of the)
17. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Netherlands (Kingdom of the)
18. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C097 - Migration for Employment Convention (Revised), 1949 (No. 97) - Netherlands (Kingdom of the)
19. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
MLC, 2006 - Maritime Labour Convention, 2006 (MLC, 2006) - Netherlands (Kingdom of the)
20. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C162 - Asbestos Convention, 1986 (No. 162) - Netherlands (Kingdom of the)
21. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C174 - Prevention of Major Industrial Accidents Convention, 1993 (No. 174) - Netherlands (Kingdom of the)
22. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C170 - Chemicals Convention, 1990 (No. 170) - Netherlands (Kingdom of the)
23. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C162 - Asbestos Convention, 1986 (No. 162) - Netherlands (Kingdom of the)
24. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Netherlands (Kingdom of the)
25. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C148 - Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148) - Netherlands (Kingdom of the)
26. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C139 - Occupational Cancer Convention, 1974 (No. 139) - Netherlands (Kingdom of the)
27. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C115 - Radiation Protection Convention, 1960 (No. 115) - Netherlands (Kingdom of the)
28. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C062 - Safety Provisions (Building) Convention, 1937 (No. 62) - Netherlands (Kingdom of the)
29. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C152 - Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152) - Netherlands (Kingdom of the)
30. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C183 - Maternity Protection Convention, 2000 (No. 183) - Netherlands (Kingdom of the)

31. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C183 - *Maternity Protection Convention, 2000 (No. 183)* - **Netherlands (Kingdom of the)**
32. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C188 - *Work in Fishing Convention, 2007 (No. 188)* - **Netherlands (Kingdom of the)**
-
33. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)* - **Netherlands (Kingdom of the)**
-
34. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Netherlands (Kingdom of the)**
35. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Netherlands (Kingdom of the)**
36. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Netherlands (Kingdom of the)**
37. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Netherlands (Kingdom of the)**
38. **Replies received to the issues raised in a direct request which do not give rise to further comments (CEACR)** - adopted 2022, published 111st ILC session (2023)
C131 - *Minimum Wage Fixing Convention, 1970 (No. 131)* - **Netherlands (Kingdom of the)**

Norway

UN

CEDAW

CEDAW Committee, [Concluding observations on the tenth periodic report of Norway](#)³⁸

Employment

40. The Committee welcomes that 76 per cent of women in the 20–66 age group are in formal employment in the State party, which is among the highest participation rates in the world. It also notes with appreciation that according to 2019 data, in companies where the State party had an ownership share, the average number of women Chief Executive Officers at the executive level and on boards was at 41 per cent and above 46 per cent, respectively. The Committee further welcomes the instauration of flexible working arrangements; the new initiative to encourage employers to provide full rather than part-time jobs, parental leave schemes and childcare facilities; as well as the job opportunity programme aimed at increasing the employment rate among minority women. The Committee is concerned, however, that:

(a) The labour market remains highly segregated based on gender, with women being overrepresented in certain lower-paying sectors and in public and part-time positions that are more reconcilable with their family responsibilities, and that women are underrepresented in the private sector and in managerial posts;

(b) According to the 2022 Norwegian Gender Balance Scorecard from the Centre for Research on Gender Equality, women only make up 27 per cent of executives and 32 per cent of board members of the 200 largest companies in the State party;

(c) Women carry a disproportionate care and child-raising burden, which hampers their career prospects;

(d) There is a gender wage gap resulting from occupational segregation;

(e) Women belonging to underrepresented groups, who are disadvantaged and marginalized because of discriminatory structures, institutions and systems and include migrant women, Sami women, women with disabilities and women victims of gender-based violence, face barriers to integrate into the labour market.

41. **The Committee recommends that the State party:**

(a) **Further strengthen its efforts to promote the equal sharing of child-raising and care responsibilities between women and men and to offer flexible working arrangements to women and men in all sectors;**

(b) **Adopt the draft gender equality law, which would require large companies to have their boards be least 40 per cent women, extend this quota to medium-scale companies and to the representation of women at the executive level, and conduct a study on the underrepresentation of women in managerial posts, with a view to**

³⁸ The Committee considered the tenth periodic report of Norway ([CEDAW/C/NOR/10](#)) at its 1945th and 1946th meetings ([CEDAW/C/SR.1945](#) and [CEDAW/C/SR.1946](#)), held on 9 February 2023. ([CEDAW/C/NOR/CO/10](#), 2 March 2023)

identifying potential gender bias and developing strategies to address it;

(c) Provide training and support programmes, combined with the active involvement of and incentives for employers, to facilitate access to the job market by women belonging to underrepresented groups, who are disadvantaged or marginalized because of discriminatory structures, institutions and systems, with a view to promoting their autonomy.

Sexual harassment in the workplace

42. The Committee welcomes the indication by the delegation that the Government is currently working on a white paper on sexual harassment to be submitted to Parliament in 2024. The Committee notes with concern, however, reports of sexual harassment of women in the workplace, in particular in certain sectors, notably the fishing industry and the armed forces. It also notes with concern that according to a 2018 survey, there were 43 cases of rape and 124 cases of attempted rape in the armed forces in 2017.

43. The Committee recommends that the State party:

(a) Ensure the effective implementation of criminal and administrative legislation for the prevention of sexual harassment in the workplace with special attention to sectors with an increased risk of sexual harassment;

(b) Provide capacity-building programmes to judges and law enforcement officials to facilitate effective access to protection and independent and confidential complaint mechanisms for victims of sexual violence and discrimination in the workplace;

(c) Ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization.

ILO

CEACR

-
1. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C189 - Domestic Workers Convention, 2011 (No. 189) - Norway

 2. **Direct Request (CEACR)** - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - Norway
 3. **Replies received to the issues raised in a direct request which do not give rise to further comments (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C149 - Nursing Personnel Convention, 1977 (No. 149) - Norway
 4. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Norway
 5. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C081 - Labour Inspection Convention, 1947 (No. 81) - Norway
 6. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169) - Norway

7. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) - Norway
 8. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Norway
 9. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169) - Norway
 10. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C137 - Dock Work Convention, 1973 (No. 137) - Norway
 11. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C029 - Forced Labour Convention, 1930 (No. 29) - Norway
 12. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C188 - Work in Fishing Convention, 2007 (No. 188) - Norway
 13. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C100 - Equal Remuneration Convention, 1951 (No. 100) – Norway
-
14. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C152 - Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152) - Norway
 15. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
MLC, 2006 - Maritime Labour Convention, 2006 (MLC, 2006) - Norway
 16. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C097 - Migration for Employment Convention (Revised), 1949 (No. 97) - Norway
 17. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C143 - Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) - Norway
 18. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C188 - Work in Fishing Convention, 2007 (No. 188) - Norway
 19. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C029 - Forced Labour Convention, 1930 (No. 29) - Norway
 20. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C137 - Dock Work Convention, 1973 (No. 137) - Norway
 21. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C183 - Maternity Protection Convention, 2000 (No. 183) - Norway
 22. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C168 - Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168) - Norway

CFA

Case No 3450 (Norway)

[Case No 3450 \(Norway\) - Complaint date: 17-OCT-23](#) *Union Education Norway (UEN) and the Education International (EI)* The complainants allege prohibition on the right to strike and the use of compulsory arbitration to settle a collective labour dispute

[Definitive Report - Report No 411, June 2025 \(470 - 511 \)](#)

Portugal

UN

ICESCR

CECSR, [Concluding observations on the fifth periodic report of Portugal](#) ³⁹

Equal rights for men and women

14. The Committee notes the efforts made by the State party to achieve gender equality, eliminate gender stereotypes and combat unequal representation of men and women in certain professions and in senior management positions. The Committee is nonetheless concerned by the persistence of stereotypes about roles of men and women in society which results in women bearing a disproportionate burden of unpaid domestic and care work, thus hindering their full participation in public life and in the labour market, in particular their access to certain positions and professions, including decision-making positions. The Committee is further concerned by the higher rate of digital illiteracy among women compared with that of men (arts. 3, 6 and 7).

15. **The Committee recommends that the State party:**

(a) **Continue to promote increased representation of women at all levels of public administration, in particular in decision-making positions, and promote their appointment to management roles in the private sector, including through the development of incentives for private companies;**

(b) **Ensure that unpaid work such as care work and domestic work, which is disproportionately performed by women, is appropriately recognized and compensated;**

(c) **Continue efforts to ensure equitable parental leave and continue to take the measures necessary to increase the capacity of childcare services;**

(d) **Adopt measures to generate comprehensive care systems from a gender, intersectional, intercultural and human rights perspective, to promote shared responsibility between men and women, as well as responsibilities in the care of children and other persons;**

(e) **Take into consideration general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights, in particular in situations of intersectionality, as well as the recommendations issued by the Committee on the Elimination of Discrimination against Women in this regard.**

Migrants, refugees and asylum-seekers

16. The Committee notes the lack of adequate resources to address the poor conditions, including overcrowding, in some asylum reception structures in a sustainable manner (arts. 2 (2) and 11).

17. **The Committee recommends that the State party:**

(a) **Increase the resources allocated to the reception of asylum-seekers, including by ensuring adequate reception solutions for asylum-seekers with special needs, and implement, in a structured, comprehensive and sustainable**

³⁹ The Committee considered the fifth periodic report of Portugal at its 8th and 10th meetings, held on 16 and 17 February 2023, and adopted the present concluding observations at its 30th meeting, held on 3 March 2023. ([E/C.12/PRT/5](#), 30 March 2023)

manner, policies and programmes at the national and local level to support asylum-seekers and refugees in obtaining access to housing;

(b) Take the necessary steps in law and in practice to ensure that migrants in irregular situations have access to all necessary health-care services, without discrimination, in accordance with articles 2 and 12 of the Covenant;

(c) Be guided by general comment No. 14 (2000) on the right to the highest attainable standard of health and by the statement on the duties of States towards refugees and migrants under the International Covenant on Economic, Social and Cultural Rights.

Right to work

18. The Committee welcomes the signing of the Medium-term Agreement on Improving Income, Wages and Competitiveness by the Government of Portugal and its social partners, and the decrease in the overall unemployment rate in recent years. The Committee is concerned, however, by the high unemployment rate among young people. It is also concerned by the lack of country-wide data on the impact of programmes established to improve the access of the Roma community to the labour market. The Committee is further concerned by the low level of integration of persons with disabilities into the labour market and the persistence of obstacles preventing asylum-seekers and refugees from gaining access to the official labour market when they are unable to produce original documentation regarding their academic qualifications (arts. 2, 3, 6 and 13).

19. **The Committee recommends that the State party:**

(a) Assess the effectiveness of measures taken to increase employment opportunities in general and for specific individuals and groups, notably women, persons with disabilities, youth, Roma, people of African descent, refugees and asylum-seekers. In doing so, the State party should work in partnership with the groups concerned to increase their participation in the labour market and create incentives for companies to employ them;

(b) Strengthen its efforts to address the needs of youth not engaged in education, employment or training and be guided by general comment No. 18 (2005) on the right to work in this regard;

(c) Adopt more comprehensive and flexible approaches for the recognition, validation and certification of academic and professional skills of asylum-seekers and refugees.

Right to just and favourable conditions of work

20. While the Committee acknowledges the numerous steps taken by the State party in this regard, it notes the insufficient means of monitoring the compliance of the safeguards put in place to address the gender pay gap, young people's overrepresentation in precarious work, the misuse of service contracts in false employment relationships, undeclared work and the trafficking and exploitation of undocumented migrant workers in agricultural and other sectors. The Committee is also concerned by the persistence of sexual harassment and discrimination in the workplace (arts. 2, 3, 6 and 7).

21. **The Committee recommends that the State party:**

(a) Expand the scope of labour inspections and ensure that the Authority for Working Conditions, the High Commission for Migration and any other authority in charge of inspecting labour conditions are equipped with sufficient capacity, resources and powers to enable them to initiate and undertake inspections more effectively;

(b) Take additional measures to combat the overrepresentation of young people and marginalized groups in precarious work;

(c) Intensify its efforts to effectively implement its legislation for the prevention of sexual harassment and discrimination in the workplace and provide victims with an effective remedy. The Committee also notes the recommendations of the Committee on the Elimination of Discrimination against Women in this regard.

CEDAW

CEDAW Committee, [Concluding observations on the tenth periodic report of Portugal](#) ⁴⁰

Employment

30. The Committee notes that the State party has adopted legislative and policy measures aimed at ensuring equal access to the labour market and equal pay for women and men for work of equal value (Law No. 60/2018). It remains concerned, however, about the persistent gender pay gap in the State party and the fact that women continue to carry a disproportionate burden of unpaid care and domestic work. The Committee is also concerned by the lack of effective implementation of legislation for the prevention of sexual harassment and discrimination in the workplace.

31. The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals, to achieve by 2030 full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, and recommends that the State party:

(a) Intensify its efforts to address the persistent gender pay gap by regularly reviewing wages in sectors where women are concentrated and adopting measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys, and promote equal sharing of household and childcare responsibilities between women and men, including by expanding the use of paternity leave and access to childcare facilities;

(b) Increase effective implementation of criminal and administrative legislation for the prevention of sexual harassment in the workplace and provide capacity-building programmes to judges and training for law enforcement agencies to facilitate effective access to protection measures for victims of sexual violence and discrimination in the workplace.

ILO

CEACR

-
1. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)

C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948
(No. 87) - Portugal

⁴⁰ The Committee considered the tenth periodic report of Portugal ([CEDAW/C/PRT/10](#)) at its 1881st and 1883rd meetings ([CEDAW/C/SR.1881](#) and [CEDAW/C/SR.1883](#)), held on 14 and 15 June 2022. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/PRT/Q/10](#), and the responses of Portugal are contained in [CEDAW/C/PRT/RQ/10](#). ([CEDAW/C/PRT/CO/10](#), 12 July 2022)

2. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C160 - Labour Statistics Convention, 1985 (No. 160) - Portugal
 3. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Portugal
 4. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Portugal
 5. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Portugal
 6. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Portugal
 7. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Portugal
 8. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C188 - Work in Fishing Convention, 2007 (No. 188) - Portugal
 9. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C122 - Employment Policy Convention, 1964 (No. 122) - Portugal
 10. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
P029 - Protocol of 2014 to the Forced Labour Convention, 1930 - Portugal
 11. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C029 - Forced Labour Convention, 1930 (No. 29) - Portugal
 12. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C131 - Minimum Wage Fixing Convention, 1970 (No. 131) - Portugal
 13. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) - Portugal
-
14. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C184 - Safety and Health in Agriculture Convention, 2001 (No. 184) - Portugal
 15. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C176 - Safety and Health in Mines Convention, 1995 (No. 176) - Portugal
 16. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C162 - Asbestos Convention, 1986 (No. 162) - Portugal
 17. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C155 - Occupational Safety and Health Convention, 1981 (No. 155) - Portugal
 18. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C148 - Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148) - Portugal
 19. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C139 - Occupational Cancer Convention, 1974 (No. 139) - Portugal
 20. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C127 - Maximum Weight Convention, 1967 (No. 127) - Portugal
 21. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C120 - Hygiene (Commerce and Offices) Convention, 1964 (No. 120) - Portugal
 22. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C115 - Radiation Protection Convention, 1960 (No. 115) - Portugal

23. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C045 - *Underground Work (Women) Convention, 1935 (No. 45)* - **Portugal**
24. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Portugal**
25. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C176 - *Safety and Health in Mines Convention, 1995 (No. 176)* - **Portugal**
26. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Portugal**
27. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C183 - *Maternity Protection Convention, 2000 (No. 183)* - **Portugal**
28. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
MLC, 2006 - *Maritime Labour Convention, 2006 (MLC, 2006)* - **Portugal**
29. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C001 - *Hours of Work (Industry) Convention, 1919 (No. 1)* - **Portugal**
30. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C171 - *Night Work Convention, 1990 (No. 171)* - **Portugal**
31. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C132 - *Holidays with Pay Convention (Revised), 1970 (No. 132)* - **Portugal**
32. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C106 - *Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)* - **Portugal**
33. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C014 - *Weekly Rest (Industry) Convention, 1921 (No. 14)* - **Portugal**
34. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C150 - *Labour Administration Convention, 1978 (No. 150)* - **Portugal**
35. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Portugal**
36. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Portugal**

37. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Portugal**

38. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Portugal**
39. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Portugal**
40. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C135 - *Workers' Representatives Convention, 1971 (No. 135)* - **Portugal**
41. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)* - **Portugal**
42. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C189 - *Domestic Workers Convention, 2011 (No. 189)* - **Portugal**

43. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)

C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948

(No. 87) - Portugal

CFA

Case No 3443 (Portugal)

[Case No 3443 \(Portugal\) - Complaint date: 23-MAR-23](#) Associação Sindical de Professores Licenciados (ASPL), la Federação Nacional dos Professores (FENPROF), la Federação Nacional da Educação (FNE), l'Associação Sindical PRÓ-ORDEM dos Professores, le Sindicato dos Educadores e Professores Licenciados pelas Escolas Superiores de Educação e Universidades (SEPLEU), el Sindicato Nacional dos Profissionais da Educação (SINAPE), el Sindicato Nacional e Democrático dos Professores (SINDEP), el Sindicato Independente de Professores e Educadores (SIPE) et el Sindicato Nacional dos Professores Licenciados pelos Politécnicos e Universidades (SPLIU) **The complainant organizations allege that the arbitration board in the education sector illegally established minimum services during two one-day strikes that they called in March 2023 in several districts of the country**

[Definitive Report - Report No 407, June 2024 \(405 - 426 \)](#)

Slovenia

UN

CEDAW

CEDAW Committee, [Concluding observations on the seventh periodic report of Slovenia](#) ⁴¹

Employment

37. The Committee welcomes the reduction of the gender pay gap to 3.1 points in 2020, one of the lowest in Europe; the amendments to the Parental Care and Family Benefits Act that will give each parent 60 days of non-transferable paid parental leave; and the development of guidelines for active fatherhood. It also welcomes the increase in the employment rate of women to 72.4 per cent in 2020. The Committee notes with concern, however:

- (a) The persistence of gender segregation in the labour market;
- (b) The significant salary difference between men and women of the same level of education, in the public and private sector, and the low remuneration of women employed in the care sector and women with disabilities;
- (c) The fact that 31.7 per cent of women employees experience sexual harassment in the workplace and the lack of information on the number of investigations and the penalties imposed in cases of sexual harassment, as well as on preventive measures taken by employers;
- (d) The lack of information on the number and outcome of complaints brought by women about discrimination in employment.

38. **The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals, to achieve, by 2030, full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, and recommends that the State party:**

- (a) **Take targeted measures, such as financial incentives for employers, to promote the equal participation of women in the labour market, particularly in innovative sectors such as the digital sector;**
- (b) **Enforce the principle of equal pay for work of equal value in order to narrow and ultimately close the gender pay gap, including by undertaking regular gender pay reviews in all occupational sectors, including the public service, in cooperation with employers' associations and trade unions, applying gender-sensitive analytical job classification and evaluation methods;**
- (c) **Raise awareness among employers and employees of the relevant provisions of the Labour Code prohibiting all forms of harassment, including sexual harassment, in the workplace, ensure that all reports of sexual harassment are effectively investigated and that**

⁴¹ The Committee considered the seventh periodic report of Slovenia ([CEDAW/C/SVN/7](#)), submitted under the simplified reporting procedure, at its 1955th and 1956th meetings ([CEDAW/C/SR.1955](#) and [CEDAW/C/SR.1956](#)), held on 16 February 2023. ([CEDAW/C/SVN/CO/7](#), 2 March 2023)

those responsible are adequately punished, and that employers take preventive measures against harassment and sexual harassment, and adopt in the penal code special preventive sanctions and create data indicators;

(d) Strengthen labour inspections and women's access to confidential and independent complaint mechanisms to address employment discrimination against women.

ILO

CEACR

1. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C122 - Employment Policy Convention, 1964 (No. 122) - Slovenia
2. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Slovenia
3. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Slovenia
4. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C029 - Forced Labour Convention, 1930 (No. 29) - Slovenia
5. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C013 - White Lead (Painting) Convention, 1921 (No. 13) - Slovenia
6. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C032 - Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32) - Slovenia
7. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) - Slovenia
8. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C100 - Equal Remuneration Convention, 1951 (No. 100) - Slovenia
9. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C106 - Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) - Slovenia
10. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C014 - Weekly Rest (Industry) Convention, 1921 (No. 14) - Slovenia
11. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C175 - Part-Time Work Convention, 1994 (No. 175) - Slovenia
12. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C132 - Holidays with Pay Convention (Revised), 1970 (No. 132) – Slovenia
13. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C183 - Maternity Protection Convention, 2000 (No. 183) - Slovenia
14. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C149 - Nursing Personnel Convention, 1977 (No. 149) - Slovenia
15. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129) - Slovenia
16. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C081 - Labour Inspection Convention, 1947 (No. 81) - Slovenia

17. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Slovenia**
18. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Slovenia**
19. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
MLC, 2006 - *Maritime Labour Convention, 2006 (MLC, 2006)* - **Slovenia**
20. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Slovenia**
21. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Slovenia**
22. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
P155 - *Protocol of 2002 to the Occupational Safety and Health Convention, 1981* - **Slovenia**
23. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Slovenia**
24. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C174 - *Prevention of Major Industrial Accidents Convention, 1993 (No. 174)* - **Slovenia**
25. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C162 - *Asbestos Convention, 1986 (No. 162)* - **Slovenia**
26. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C161 - *Occupational Health Services Convention, 1985 (No. 161)* - **Slovenia**

27. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Slovenia**

28. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)* - **Slovenia**
29. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C139 - *Occupational Cancer Convention, 1974 (No. 139)* - **Slovenia**
30. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C136 - *Benzene Convention, 1971 (No. 136)* - **Slovenia**
31. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C119 - *Guarding of Machinery Convention, 1963 (No. 119)* - **Slovenia**
32. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C143 - *Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)* - **Slovenia**
33. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Slovenia**
34. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
MLC, 2006 - *Maritime Labour Convention, 2006 (MLC, 2006)* - **Slovenia**
35. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C175 - *Part-Time Work Convention, 1994 (No. 175)* - **Slovenia**
36. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C174 - *Prevention of Major Industrial Accidents Convention, 1993 (No. 174)* - **Slovenia**

37. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C171 - *Night Work Convention, 1990 (No. 171)* - **Slovenia**
38. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C162 - *Asbestos Convention, 1986 (No. 162)* - **Slovenia**
39. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C161 - *Occupational Health Services Convention, 1985 (No. 161)* - **Slovenia**
40. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Slovenia**

41. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)* - **Slovenia**

42. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C139 - *Occupational Cancer Convention, 1974 (No. 139)* - **Slovenia**
43. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C136 - *Benzene Convention, 1971 (No. 136)* - **Slovenia**
44. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C132 - *Holidays with Pay Convention (Revised), 1970 (No. 132)* - **Slovenia**
45. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C121 - *Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)* - **Slovenia**
46. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C119 - *Guarding of Machinery Convention, 1963 (No. 119)* - **Slovenia**
47. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C106 - *Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)* - **Slovenia**
48. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C014 - *Weekly Rest (Industry) Convention, 1921 (No. 14)* - **Slovenia**
49. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C013 - *White Lead (Painting) Convention, 1921 (No. 13)* - **Slovenia**
50. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C151 - *Labour Relations (Public Service) Convention, 1978 (No. 151)* - **Slovenia**
51. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Slovenia**
52. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Slovenia**
53. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Slovenia**

54. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Slovenia**

55. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C154 - *Collective Bargaining Convention, 1981 (No. 154)* - **Slovenia**
56. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Slovenia**
57. [Direct Request \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C097 - *Migration for Employment Convention (Revised), 1949 (No. 97)* - **Slovenia**

58. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Slovenia**
59. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C154 - *Collective Bargaining Convention, 1981 (No. 154)* - **Slovenia**
60. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C151 - *Labour Relations (Public Service) Convention, 1978 (No. 151)* - **Slovenia**
61. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C149 - *Nursing Personnel Convention, 1977 (No. 149)* - **Slovenia**
62. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)* - **Slovenia**
63. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C143 - *Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)* - **Slovenia**
64. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C122 - *Employment Policy Convention, 1964 (No. 122)* - **Slovenia**
65. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Slovenia**
-
66. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Slovenia**
-
67. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Slovenia**
68. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Slovenia**
69. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Slovenia**
70. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C097 - *Migration for Employment Convention (Revised), 1949 (No. 97)* - **Slovenia**

Spain

UN

CEDAW

CEDAW Committee, [Concluding observations on the ninth periodic report of Spain](#)⁴²

Employment

32. The Committee commends the State party for the recognition of the right to social security in article 41 of its Constitution and the adoption of Royal Legislative Decree No. 2/2023 on urgent measures to extend the rights of pensioners, reduce the gender gap and establish a new framework for the sustainability of the public pension system, in March 2023. The Committee notes with appreciation the adoption of the strategic plan on equal opportunities and the plan for gender equality in the fisheries and aquaculture sector (2021–2027). It also welcomes progress made to facilitate the reconciliation of family responsibilities with employment, such as the innovative menstrual leave for women. The Committee also takes note of the adoption of Organic Law No. 19/2021 on the minimum living income in December 2021 and the State party's will to strengthen the principle of intersectionality in the promotion of gender equality for rural women and other disadvantaged women, such as Roma women and migrant and refugee women. However, the Committee is concerned that:

(a) The laws and policies referred to in paragraph 32 have been insufficiently effective, in the light of data showing that despite women being more educated than men, they are less represented in employment than men;

(b) Women remain disproportionately responsible for traditional care work, which frequently hampers the successful reconciliation of family responsibilities with work in the formal sector.

33. **The Committee recommends that the State party:**

(a) **Carry out an assessment of the impact of existing legislation designed to strengthen gender equality in the area of employment, with a view to improving the implementation thereof, including in the autonomous communities;**

(b) **Maintain and enhance efforts to remove wage inequalities, in particular with regard to female seasonal workers and migrant workers, and ensure access to social security for all women, through the effective implementation of Royal Legislative Decree No. 2/2023;**

(c) **Ensure the inclusion of the principles of co-parenting and co-responsibility for both women and men in workplace policies and the equal use of related measures by both women and men, such as flexible schedules, parental leave and access to childcare services, to increase women's access to employment and decision-making positions;**

(d) **Ensure that private companies with over 50 employees develop and adopt gender equality plans and monitor the effective implementation of these plans;**

⁴² The Committee considered the ninth periodic report of Spain ([CEDAW/C/ESP/9](#)) at its 1981st and 1982nd meetings (see [CEDAW/C/SR.1981](#) and [CEDAW/C/SR.1982](#)) held on 16 May 2023. The list of issues and questions prior to reporting is contained in [CEDAW/C/ESP/QPR/9](#). ([CEDAW/C/ESP/CO/9](#), 31 May 2023)

(e) **Improve women's access to employment in the police, fire and other protection services;**

(f) **Fight against all forms of discrimination at work through the effective implementation of existing legislation, such as Royal Legislative Decree No. 6/2019, Royal Decree No. 902/2020 and Royal Legislative Decree No. 32/2021;**

(g) **Develop artificial intelligence systems to better detect gender bias in recruitment with a view to eliminating gender bias more effectively.**

ILO

CEACR

-
1. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)* - **Spain**
 2. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C188 - *Work in Fishing Convention, 2007 (No. 188)* - **Spain**
 3. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Spain**
 4. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C087 - *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* - **Spain**
 5. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C160 - *Labour Statistics Convention, 1985 (No. 160)* - **Spain**
 6. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
MLC, 2006 - *Maritime Labour Convention, 2006 (MLC, 2006)* - **Spain**
 7. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
MLC, 2006 - *Maritime Labour Convention, 2006 (MLC, 2006)* - **Spain**
 8. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Spain**
 9. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* - **Spain**
 10. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C144 - *Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)* - **Spain**
-
11. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Spain**
 12. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Spain**
 13. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C176 - *Safety and Health in Mines Convention, 1995 (No. 176)* - **Spain**
 14. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C162 - *Asbestos Convention, 1986 (No. 162)* - **Spain**
 15. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Spain**

16. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)* - **Spain**
17. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C136 - *Benzene Convention, 1971 (No. 136)* - **Spain**
18. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C127 - *Maximum Weight Convention, 1967 (No. 127)* - **Spain**
19. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C120 - *Hygiene (Commerce and Offices) Convention, 1964 (No. 120)* - **Spain**
20. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C119 - *Guarding of Machinery Convention, 1963 (No. 119)* - **Spain**
21. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C115 - *Radiation Protection Convention, 1960 (No. 115)* - **Spain**

22. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C013 - *White Lead (Painting) Convention, 1921 (No. 13)* - **Spain**

23. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C137 - *Dock Work Convention, 1973 (No. 137)* - **Spain**
24. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C173 - *Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)* - **Spain**
25. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C131 - *Minimum Wage Fixing Convention, 1970 (No. 131)* - **Spain**
26. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C095 - *Protection of Wages Convention, 1949 (No. 95)* - **Spain**
27. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C153 - *Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153)* - **Spain**
28. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C132 - *Holidays with Pay Convention (Revised), 1970 (No. 132)* - **Spain**
29. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C106 - *Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)* - **Spain**
30. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C030 - *Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)* - **Spain**
31. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C014 - *Weekly Rest (Industry) Convention, 1921 (No. 14)* - **Spain**
32. [Observation \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C001 - *Hours of Work (Industry) Convention, 1919 (No. 1)* - **Spain**
33. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C152 - *Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)* - **Spain**
34. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C150 - *Labour Administration Convention, 1978 (No. 150)* - **Spain**
35. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Spain**

36. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Spain**

37. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C103 - *Maternity Protection Convention (Revised), 1952 (No. 103)* - **Spain**

38. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C122 - Employment Policy Convention, 1964 (No. 122) - Spain
39. [Observation \(CEACR\)](#) - adopted 2023, published 112nd ILC session (2024)
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) - Spain
40. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C151 - Labour Relations (Public Service) Convention, 1978 (No. 151) - Spain
41. [Observation \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C135 - Workers' Representatives Convention, 1971 (No. 135) - Spain
42. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C141 - Rural Workers' Organisations Convention, 1975 (No. 141) - Spain
43. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Spain
44. [Direct Request \(CEACR\)](#) - adopted 2022, published 111st ILC session (2023)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Spain

CFA

Case No 3517 (Spain)

[Case No 3517 \(Spain\) - Complaint date: 25-NOV-25](#) *Workers' Trade Union (U.S.O.)*

Case No 3514 (Spain)

[Case No 3514 \(Spain\) - Complaint date: 23-NOV-25](#) *Federation of Citizen Services of the Workers' Commissions (FSC - CCOO)*

Case No 3447 (Spain)

[Case No 3447 \(Spain\) - Complaint date: 26-MAY-23](#) *Asociacion Reclamación Salarial de Letrados de la Administración de Justicia (RECLAMALAJ)* **The complainant organization alleges violations of the right to collective bargaining and the right to strike of registrars in the administration of justice**
[Definitive Report - Report No 405, March 2024 \(328 - 367 \)](#)

CoE

ECtHR

[CASE OF ORTEGA ORTEGA v. SPAIN](#)

Key Case | 36325/22 | Available in [English](#), [German](#) | Judgment (Merits and Just Satisfaction) | Court (Fifth Section) | 04/12/2025

Violation of Article 14+8 - Prohibition of discrimination (Article 14 - Discrimination) (Article 8 - Right to respect for private and family life

Sweden

UN

ICESCR

CECSR, [Concluding observations on the seventh periodic report of Sweden](#)⁴³

Right to work

22. The Committee is concerned that persons with a migrant background, in particular persons of African descent and those perceived to be Muslim or of Middle Eastern descent, as well as persons with disabilities, the Roma and transgender people, continue to be disproportionately affected by discrimination in the labour market, including in recruitment, promotion and wages. There is also a large gap in employment between those born in Sweden and those born abroad (arts.2 (2), 6, 7).

23. The Committee recommends that the State party:

- (a) **Strengthen vocational training and the quality and accessibility of language courses, as well as diversity recruitment or retention programmes tailored to people belonging to groups at higher risk of discrimination, such as persons of a migrant background, of African descent and those perceived to be Muslim or of Middle Eastern descent, as well as persons with disabilities, the Roma and transgender people;**
- (b) **Take targeted measures to address the discrimination such persons face in the labour market;**
- (c) **Promote and protect civil society organizations and trade unions addressing employment discrimination;**
- (d) **Be guided by paragraph 12 of general comment No. 18 (2005) on the right to work.**

Right to just and favourable conditions of work

24. While noting that working conditions, including remuneration, are regulated by the social partners through collective agreements, the Committee is concerned that platform workers are not adequately covered by such agreements. Furthermore, the Committee is concerned about the growing problem of labour exploitation, which largely affects migrant workers and asylum-seekers working in sectors such as construction, agriculture and cleaning (arts. 2 (2), 6, 7).

25. The Committee recommends that the State party:

- (a) **Strengthen measures to ensure job security and adequate protection with respect to working conditions for all workers, including platform workers;**
- (b) **Take appropriate legislative and administrative measures to combat all forms of labour exploitation affecting, in particular, migrant workers and asylum-seekers and extend effective protection against violence and harassment to migrant workers and their families, including those working in the informal economy;**

⁴³ The Committee considered the seventh periodic report of Sweden at its 16th and 18th meetings, held on 21 and 22 February 2024, and adopted the present concluding observations at its 29th meeting, held on 1 March 2024. ([E/C.12/SWE/7](#), 22 March 2024)

- (c) **Take concrete measures to monitor working conditions in sectors with an increased risk of labour exploitation and to provide effective remedial mechanisms for complaints;**
- (d) **Be guided by general comment No. 23 (2016) on the right to just and favourable conditions of work.**

CEDAW

CEDAW Committee, [Concluding observations on the tenth periodic report of Sweden](#)⁴⁴

Employment

33. The Committee commends the State party for the high level of participation of women in the labour force, and notes that in the *Global Gender Gap Report 2021*, published by the World Economic Forum, the State party was ranked eleventh out of 156 countries for women's economic participation and opportunities. The Committee further welcomes the 2017 amendment to the Discrimination Law that provides for a salary mapping, in the context of efforts towards gender-equal salaries, to be conducted on a yearly basis for companies with at least 10 employees. The Committee notes with concern:

- (a) That according to a 2018 study of the European Union, the gender wage gap in the State party still stands at 12.2 per cent;
- (b) The risk of algorithm-driven gender-based discrimination in advertising and hiring practices in the labour market, in particular against women belonging to disadvantaged and marginalized groups;
- (c) That despite the high employment rate among women (72 per cent), women are still overrepresented in part-time positions, predominantly owing to the disproportionate burden of family responsibilities they bear;
- (d) The persistently low participation of migrant women, women belonging to minority groups, Sami women and women with disabilities in the labour market;
- (e) That the State party has not ratified the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.

34. **With reference to its previous recommendations (CEDAW/C/SWE/CO/8-9, para. 35), the Committee recommends that the State party:**

- (a) **Strictly enforce the principle of equal pay for work of equal value, in order to narrow and ultimately close the gender pay gap, by regularly reviewing wages in all sectors, applying gender-sensitive analytical job classification and evaluation methods and conducting regular labour inspections and pay surveys;**
- (b) **Implement measures to prevent gender-based discrimination in the design of algorithms used for job advertisements or recruitment;**
- (c) **Strengthen measures to eliminate occupational segregation and enhance access by women, including migrant women, women belonging to minority groups, indigenous women and women with**

⁴⁴ The Committee considered the tenth periodic report of Sweden ([CEDAW/C/SWE/10](#)) at its 1819th and 1820th meetings (see [CEDAW/C/SR.1819](#) and [CEDAW/C/SR.1820](#)), held on 22 October 2021. ([CEDAW/C/SWE/CO/10](#), 21 November 2021)

disabilities, to formal employment, encourage women and girls to select non-traditional career paths, and prioritize the transition of women from part-time to full-time work, including by providing a sufficient number of adequate and accessible childcare facilities;

(d) Collect comprehensive data on the participation of migrant women, women belonging to minority groups, indigenous women and women with disabilities in the labour market and include such information in the next periodic report;

(e) Ratify the Violence and Harassment Convention, 2019 (No. 190).

ILO

CEACR

-
1. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Sweden
 2. [Observation \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Sweden
 3. [Direct Request \(CEACR\)](#) - adopted 2025, published 114th ILC session (2026)
MLC, 2006 - Maritime Labour Convention, 2006 (MLC, 2006) - Sweden
 4. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C152 - Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152) - Sweden
 5. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C189 - Domestic Workers Convention, 2011 (No. 189) - Sweden
-
6. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C047 - Forty-Hour Week Convention, 1935 (No. 47) – Sweden
 7. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C160 - Labour Statistics Convention, 1985 (No. 160) – Sweden
 8. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) – Sweden
 9. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C184 - Safety and Health in Agriculture Convention, 2001 (No. 184) – Sweden
 10. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C176 - Safety and Health in Mines Convention, 1995 (No. 176) - Sweden
-
11. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C174 - Prevention of Major Industrial Accidents Convention, 1993 (No. 174) - Sweden
 12. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C170 - Chemicals Convention, 1990 (No. 170) - Sweden
 13. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C167 - Safety and Health in Construction Convention, 1988 (No. 167) - Sweden
 14. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C162 - Asbestos Convention, 1986 (No. 162) - Sweden
 15. [Direct Request \(CEACR\)](#) - adopted 2024, published 113rd ILC session (2025)
C161 - Occupational Health Services Convention, 1985 (No. 161) - Sweden

16. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Sweden**
17. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C148 - *Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)* - **Sweden**
18. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C139 - *Occupational Cancer Convention, 1974 (No. 139)* - **Sweden**
19. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C119 - *Guarding of Machinery Convention, 1963 (No. 119)* - **Sweden**
20. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C115 - *Radiation Protection Convention, 1960 (No. 115)* - **Sweden**
21. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C013 - *White Lead (Painting) Convention, 1921 (No. 13)* - **Sweden**
22. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C187 - *Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)* - **Sweden**
23. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C155 - *Occupational Safety and Health Convention, 1981 (No. 155)* - **Sweden**
24. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C029 - *Forced Labour Convention, 1930 (No. 29)* - **Sweden**
25. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C100 - *Equal Remuneration Convention, 1951 (No. 100)* – **Sweden**
26. **Direct Request (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Sweden**
27. **Observation (CEACR)** - adopted 2024, published 113rd ILC session (2025)
C111 - *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)* - **Sweden**
28. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C081 - *Labour Inspection Convention, 1947 (No. 81)* - **Sweden**
29. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C168 - *Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)* - **Sweden**
30. **Direct Request (CEACR)** - adopted 2023, published 112nd ILC session (2024)
C129 - *Labour Inspection (Agriculture) Convention, 1969 (No. 129)* - **Sweden**
31. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C087 - *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* - **Sweden**
32. **Direct Request (CEACR)** - adopted 2022, published 111st ILC session (2023)
C135 - *Workers' Representatives Convention, 1971 (No. 135)* - **Sweden**
33. **Observation (CEACR)** - adopted 2022, published 111st ILC session (2023)
C098 - *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)* - **Sweden**

ANNEX – LEGAL OPINION



Legal Opinion

Is the current reporting system of the European Social Charter in conformity with Article 21 ESC 1961?

(19.06.2025)

Overview

1	<u>INTRODUCTION: MONITORING HUMAN RIGHTS IMPLEMENTATION</u>	83
1.1	<u>GENERAL IMPORTANCE</u>	83
1.2	<u>SPECIFIC IMPORTANCE IN THE COUNCIL OF EUROPE</u>	83
1.3	<u>PARTICULARLY IN RELATION TO THE EUROPEAN SOCIAL CHARTER (ESC)</u>	84
2	<u>NEW REPORTING SYSTEM</u>	85
2.1	<u>DESCRIPTION</u>	85
2.2	<u>CONSEQUENCES</u>	87
2.3	<u>INTERIM CONCLUSIONS</u>	89
3	<u>LEGAL ASSESSMENT</u>	90
3.1	<u>INTRODUCTION</u>	90
3.2	<u>INTERPRETATION</u>	90
3.3	<u>APPLICATION TO THE CURRENT SYSTEM</u>	96
3.4	<u>(POSSIBLE) COUNTER-ARGUMENTS</u>	97
4	<u>CONCLUSIONS</u>	101
5	<u>RECOMMENDATIONS</u>	101
6	<u>APPENDICES</u>	103
6.1	<u>TABLE OF NUMBERED PROVISIONS</u>	103
6.2	<u>TABLE OF STATES HAVING RATIFIED THE CCPP</u>	104
6.3	<u>CM DECISION</u>	104
	<u>TABLE OF CONTENTS</u>	108

Executive Summary

From 2024 onwards a new system of reporting has been introduced by the Committee of Ministers (CM) of the Council of Europe (CoE) in relation to the European Social Charter (ESC).⁴⁵ This ‘Legal opinion’ examines its compliance with the respective Article 21 ESC 1961⁴⁶ defining the reporting obligations by the Contracting Parties and concludes, as already highlighted by the ETUC in different meetings of the Governmental Committee of the European Social Charter and European Code of Social Security (GC) as well as the dedicated GC “Reform” Working Group, that it is in evident violation of this provision.

1. Introduction: Monitoring human rights implementation

- 1 Human rights without effective monitoring risk to become meaningless and toothless. This is all the more true in relation to social, workers and trade union rights which are also human rights. In this respect reports of Contracting Parties to (social) human rights treaties play a central role as the beginning of independent examination proceedings with important involvement of other actors, notably trade unions.⁴⁷

1.1. General importance

- 2 At global level, the general importance of monitoring is recognised.⁴⁸ In United Nations (UN)-terms: *‘To ensure human rights standards and commitments are in place around the world, monitoring is a critical component of human rights work’*.⁴⁹ Important examples of human rights monitoring based mainly on State reports are the Committee on Economic, Social and Cultural Rights (CESCR) examining compliance with the UN International Covenant on Economic, Social and Cultural Rights (ICESCR) and the ILO supervisory bodies, in particular the Committee of Experts on the Application of Conventions and Recommendation (CEACR).⁵⁰

1.2. Specific importance in the Council of Europe

- 3 As the **guarantor of human rights** at European level, the CoE attributes great importance to monitoring. It *‘strives not only to develop common rules and standards, but also to establish a system for enforcing these standards by anticipating any malfunctioning’*.⁵¹ Monitoring *‘is carried out by*

⁴⁵ All provisions without further indication relate to the Revised European Social Charter of 1996 unless the context clearly provides otherwise (the original ESC version will be called ‘ESC 1961’).

⁴⁶ Respectively Article C ESC.

⁴⁷ In order to improve the monitoring there have been important developments by supplementing reporting systems by ‘complaints systems’.

⁴⁸ See, for example, UN, Basic principles of human rights monitoring <https://www.ohchr.org/sites/default/files/Documents/Publications/Chapter02-MHRM.pdf>

⁴⁹ <https://www.ohchr.org/en/instruments-and-mechanisms>

⁵⁰ For the other (‘complaints’) system, see the procedures provided for in Articles 24 and 25 ILO Constitution (representations) and Articles 26 seq. (complaints); specifically on issues of Freedom of Association the Committee on Freedom of Association (CFA).

⁵¹ CoE, Practical impact of the Council of Europe monitoring mechanisms in improving respect for human rights and the rule of law in member states, Strasbourg, Foreword by M. Boillat, 2014,

*several well-established independent bodies with recognised expertise and professionalism that enable the Council of Europe to identify areas of non-compliance and address recommendations to its member states’.*⁵²

- 4 According to its basic principles, the CoE is also the **guarantor of the rule of law**. That means that especially within its own activities, it has to follow this principle even more accurately.

1.3. Particularly in relation to the European Social Charter (ESC)

- 5 As human rights treaty in the social field at pan-European level, the ESC complements the European Convention on Human Rights (ECHR) in relation to civil and political rights.

1.3.1. The general idea of the reporting system

- 6 The general idea of the ESC reporting system has to be confronted with the monitoring of the ESC’s counter-part on civil and political rights, the ECHR. From its entering into force a judicial organ, the European Court of Human Rights (ECtHR) has been entrusted with the monitoring function on the basis of individual applications (complaints system). For the ESC such a system was refused. Instead, its monitoring was based on a reporting system, with reports from the Governments on the implementation of the accepted provisions being examined by the European Committee of Social Rights (ECSR).⁵³ Accordingly, the reporting system had the very crucial function to compensate the denial of judicial redress.

1.3.2. The development of the reporting system

- 7 The monitoring of the implementation of the rights guaranteed in the ESC has from the beginning been defined by the reporting obligations in Article 21 ESC 1961. It was inspired by the ILO reporting system for ratified Conventions.
- 8 The reporting system had started with a system based on one report every two years for all provisions or the half of the provisions every two years. Until the adoption of the [Amending Protocol of 1991 reforming the supervisory mechanism](#) (CETS No. 142, ‘Turin Protocol’)⁵⁴ it had not been changed. This is all the more significant as its Preamble states: ‘*Being resolved to take some measures to improve the effectiveness of the Charter, and particularly the functioning of its supervisory machinery*’ (Recital 1).
- 9 The main issue was the clear separation of roles of the two bodies: the ECSR was attributed the role of legal assessment whereas the GC was limited to the preparatory role for (political) decisions by the CM. Indeed, the role of the ECSR has been defined in clear terms by Article 24(2) ESC: ‘*2. With regard to the reports referred to in Article 21, the Committee of Independent Experts shall assess from a legal standpoint the compliance of national law and practice with the obligations arising from the Charter for the Contracting Parties concerned.*’
- 10 This means that the reporting system in relation to the reporting obligations of the Governments worked reasonably well. Any attempt to weaken it would have been rejected.
- 11 Nevertheless, the reporting system has over the years been changed mainly by prolongation of the periodicity (two to four years) as well by ‘simplifying’ or reducing the reporting burden by limiting the

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806d22c8>, p. 6.

⁵² <https://www.coe.int/en/web/human-rights-rule-of-law/monitoring-mechanism>

⁵³ Named in the pertinent provision of Article 25 ESC 1961 ‘Committee of Experts’.

⁵⁴ Protocol amending the European Social Charter, Turin, 21.X.1991, European Treaty Series - No. 142, <https://rm.coe.int/168007bd24> (not yet entered formally into force).

information to be provided (selection of articles, targeted questions, ...). The previous reporting system was based on provisions separated in four groups (I – IV) of ESC rights every year, for countries having ratified the [Additional Protocol of 1995 providing for a system of collective complaints](#) (CETS No. 158 – Collective Complaints Procedure Protocol – CCPP) every two years.

- 12 The latest reports for Group III, on labour rights including trade union and workers representatives' rights (and which largely coincides with this new "1st Group of ESC articles" but also including articles from other previous Group I, II and IV), were examined by the European Committee of Social Rights (ECSR) in 2022. It identified numerous violations and allowed the GC to vote (in favour) of multiple individual Recommendations.

2. New reporting system

- 13 The new and currently applied reporting system for the ESC is based on a [decision of 27 September 2022 of the Ministers' Deputies](#) (CM decision) concerning the reform of the system of presentation of reports relating to the application of the European Social Charter in 2022 (the 'new system').⁵⁵ It is in force since 2023 with the following main elements in relation to the reporting system.⁵⁶
- 14 According to this decision, the authorities of those states parties have been invited to submit a report on the [first group](#) of provisions (see below para. 19)⁵⁷ until 30 December 2024. The ECSR and the GC have defined a limited number of [targeted questions](#) (see below para. 29 in relation to the provisions concerned) to be answered in the report.

2.1. Description

2.1.1. Different categories of States and provisions

- 15 The 42 Contracting Parties to the ESC have been divided into two categories of States (by 31/12/2024):
- 16 26 States not having ratified the CCPP:
- Albania, Andorra, Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Denmark, Estonia, Georgia, Germany, Hungary, Iceland, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, North Macedonia, Poland, Romania, Serbia, Slovak Republic, Türkiye, Ukraine, United Kingdom;
- 17 16 States having ratified the CCPP:
- Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Finland, France, Greece, Ireland, Italy, the Netherlands, Norway, Portugal, Slovenia, Spain and Sweden.⁵⁸
- 18 The 98 provisions of the ESC have been divided into two groups:
- 19 First Group:

⁵⁵ CM, 27 September 2022, 1444th meeting, item 4.4 Implementation of the Report on Improving the European Social Charter system, [decision of 27 September 2022 of the Ministers' Deputies](#) (see also 6.2)

⁵⁶ The problem of 'first' reports after ratification of the ESC 1996 and/or acceptance of (new) provisions does not appear to be addressed specifically.

⁵⁷ Any cross-references in the text or in the footnotes referring to a para. or to a numbered (sub-)section may be used by clicking on them in order to find more easily.

⁵⁸ See for the chronological order of ratification 6.2)

Total of 50 provisions:⁵⁹ Article 1 - Article 2 - Article 3 - Article 4 - Article 5 - Article 6 - Article 8 - Article 9 - Article 10 - Article 18 - Article 19 - Article 20 - Article 21 - Article 22 - Article 24 - Article - 25 - Article 28 - Article 29 (adjusted as necessary for the 1961 Charter and 1988 Protocol).

20 Second Group:

Total of 48 provisions:⁶⁰ Article 7 - Article 11 - Article 12 - Article 13 - Article 14 - Article 15 - Article 16 - Article 17 - Article 23 - Article 26 - Article 27 - Article 30 - Article 31 (adjusted as necessary for the 1961 Charter and 1988 Protocol).

2.1.2. Limitations in terms of periodicity

21 The **periodicity** and the contents vary according to those two categories:

- The first category of States (see above para. 16) has to report in a **four** years interval on all (accepted) provisions (the first group (see above para. 19) in the first two years and the second group (see above para. 20) in the second two years)
- The second category of States (see above para. 17) has to report in an **eight** years interval on all (accepted) provisions (the first group (see above para. 19) in the first four years and the second group (see above para. 20) in the second four years).

2.1.3. Further limitations

22 For **States not having ratified the CCPP** (see above para. 16) further limitations on reporting obligations have been introduced:

- ‘A **short report** shall be submitted by States Parties every two years’ (para. 1 of the CM decision);⁶¹
- The ECSR ‘and the Governmental Committee of the European Social Charter and European Code of Social Security (GC) shall **define a limited number of targeted questions to be answered**’⁶² (para. 2);⁶³
- Only ‘[w]here **absolutely necessary** for a proper assessment of the situation, the ECSR may, during the examination of the report, address **a limited number of specific questions** to a State Party’ (para. 3).
- ‘**The number of themes or topics** to be covered in one report **should in principle not exceed about a dozen**’. (para. 3)
- ‘In its conclusions about a particular provision, the **ECSR is invited not to ask additional questions for response in the next report** on that subject.’ (para. 4)
- ‘**Other issues requiring further clarification** as regards the implementation of the Charter **shall be the subject of direct dialogue** between the ECSR and the competent national authorities.’ (para. 4).

⁵⁹ As result of the calculation this number is not correct: the articles mentioned contain 59 provisions (see 6.1 below).

⁶⁰ As result of the calculation this number is not correct: the articles mentioned contain 39 provisions (see 6.1 below).

⁶¹ The paras. mentioned in paras. 22 and 23 refer to the CM decision of 27 September 2022 (see above para. 13 and below 6.2). For the provisions covered by the ‘targeted questions’ see below para. 29.

⁶² All emphases (***bold italics***) in all quotations are added.

⁶³ The paras. mentioned refer to the CM decision of 27 September 2022 (see above). For the provisions covered by the ‘targeted questions’ see below para. 29.

- 23 For **States having ratified the CCPP** (see above para. 17) further limitations on reporting obligations have been introduced:
- 'shall be asked to submit only one **short** report (...) every four years' (para. 5)
 - The 'targeted questions (...) should also take into account complaints which have been lodged invoking the provisions. **Where appropriate, no targeted questions would be posed on such provisions.**' (para. 5)
- 24 The introduction of 'ad hoc reports' (without legal assessments) in 2023 have led to a further prolongation of the 'normal' periodicity (extension of one year) because no other reports were due in 2023.

2.2. Consequences

- 25 The consequences of the new system may be described as follows:

2.2.1. In quantitative terms

- 26 In quantitative terms the analysis of the consequences of the new system refers to the totality of the 98 numbered provisions of the ESC.

In relation to the 'two yearly intervals'

- 27 The two years interval is
- relevant only for the first group of provisions (see above para. 19) (and only in relation to those countries not having ratified the CCPP (see above para. 16)) and is even
 - prolonged by the inclusion of 'ad hoc reports' (without any legal assessment) for the year 2023.

In relation to the provisions

- 28 By providing exact figures the compilation in the Appendix shows the following:
- 29 According to the 'targeted questions' only 9 provisions have to be reported on:
- Article 2(1) Reasonable daily and weekly working hours
 - Article 3(1) Health and safety and the working environment
 - Article 3(2) of the Revised Charter (Article 3§1 ESC 1961) Health and safety regulations
 - Article 3(3) of Revised Charter (Article 3§2 ESC 1961) Enforcement of health and safety health regulations
 - Article 4(3) Right of men and women to equal pay for work of equal value
 - Article 5 Right to organise
 - Article 6(1) Joint consultation
 - Article 6(2) Collective bargaining
 - Article 6(4) Collective action
 - Article 20 – Right to equal opportunities between women and men.
- 30 This means that out of the 98 numbered provisions only less than 10% of them have to be addressed by the Governments concerned.⁶⁴

⁶⁴ This number is even less than the envisaged as usual maximum of 12 ('The number of themes or topics to be covered in one report should in principle not exceed about a dozen.', para 3).

2.2.2. In qualitative terms

- 31 There are several dimensions by which the new reporting system has negative consequences in substantive terms.
- 32 The first dimension deals with the **inequality between the two groups** provisions. While the description of the new system suggests that there is a balance between them in terms of provisions covered (50 provisions in the first group (see above para. 19) and 48 provisions in the second group (see above para. 20)) this assumption is not correct. As already pointed out (and detailed in the table under 6.1) the first group (see above para. 19) covers 59 provisions whereas the second covers only 39 provisions (see above para. 20) (about 3/5 to 2/5). The consequence is only a more limited number of employment rights can be monitored. This imbalance is to the detriment of labour and trade union/workers' representative rights.
- 33 The second dimension relates to the **exclusion of certain 'hard core' provisions from the reporting procedure**. Article A(1)(b) has defined the most important substantive ESC provisions, i.e. Articles 1, 5, 6, 7, 12, 13, 16, 17, 19 and 20. Whereas in principle in the first group Articles 1, 5, 6, 19 and 20 (and in the second group the remaining Articles 7, 12, 13, 16 and 17) would be addressed, the limitation by the 'targeted questions' (see above para. 29) leads to the reporting obligations only in relation to Article 5, 6 (with exclusion of its para. 3) and 20 meaning that the right to work (Article 1) and the protection of migrant workers (Article 19) are totally excluded from being examined in the first group.
- 34 The third dimension deals with the provisions which were introduced by the ESC 1996. The new system leads to the **exclusion of nearly all new (ESC 1996) provisions from the reporting procedure**. Apart from Article 20 ESC 1996 all other newly introduced provisions are not covered by the 'targeted questions' (ie in the first group: Articles 2(6) and (7), 3(4), 10(4), 19(11) and (12), 21 and 22, 24 and 25, 28 and 29). This list does not include the improvements being introduced in other provisions.⁶⁵
- 35 The fourth dimension (also in relation to the 'targeted questions' (see above para. 29) for the first group) looks at **specifically important employment rights being excluded** from reporting. In this respect the following provisions are particularly relevant:
- Article 1(2): on the 'right of the worker to earn his living in an occupation freely entered upon';⁶⁶
 - Article 2(3): on the 'minimum of four week's annual holiday with pay';⁶⁷
 - Article 4(1): on 'the right of workers for a remuneration such as will give them and their families a decent standard of living' which forms a (if not the) most needed protection for workers;
 - Article 19(4): on the non-discrimination of migrant workers;
 - Articles 21 and 22 as well as Articles 28 and 29 dealing with rights of information and consultation and the respective representatives and their protection;
 - Article 24: on the 'right to protection in cases of termination of employment'.

⁶⁵ For example, the extension of minimum paid leave from two to four weeks (Article 2(3) ESC).

⁶⁶ In this respect it should be recalled that the whole issue of forced labour but also on the 'Prohibition of all forms of discrimination in employment' as well as data-protection at the workplace are considered by the ECSR as being covered by this provision (see Digest 2022, <https://rm.coe.int/digest-ecsr-prems-106522-web-en/1680a95dbd>, p. 47 seq. and 54, respectively) is thus excluded from reporting.

⁶⁷ For its specific importance see the jurisprudence of the Court of Justice of the European Union (CJEU) on the respective Article 7 Directive 2008/33.

- 36 In sum, substantially very important provisions of the ESC are excluded from reporting (and thus from being examined by the ECSR).

2.2.3. In functional terms

- 37 A reporting system in the human rights context has obviously the function of monitoring the implementation of international obligations at national level.
- 38 First, there is the **temporal** dimension. As already mentioned, the examination intervals vary from four to eight years of periodicity. As such, these periods are not appropriate to supervise the developments in the States concerned because those periods are not able to allow a supervision which is close to developments. This is all the more the case in relation to social rights. The legal framework as well as the practical implementation is changing very fast, for example, the consequences of the financial crisis, the climate change, the COVID-19 pandemia etc. to mention only general developments.
- 39 Second, the **comparability** (and coherence) of the monitoring results is an important element of the supervision function thus allowing to get an overall overview and the same approach for all States, but the new system undermines comparability in several respects:
- this tears the supervision of the same provisions into slices: first group of rights covered by the ‘targeted questions’ are dealt with by the ECSR not synchronically but in different years in relation to the two categories of States (see above para. 15);
 - being totally unclear what will be the ‘targeted questions’ in the next cycle (of four or eight years, respectively) in relation to the coverage of provisions and the content of the questions any comparability in terms of results is very much endangered.
- 40 Summing up, the new system undermines the function of the supervision by State reports in a fundamental way.

2.2.4. In impact reduction terms for privileged organisations (in particular for trade unions)

- 41 The reduction of reporting obligations has not only the consequence of limiting the possibility of examination by the competent body, i.e. the ECSR, but it limits also the possible impact of the privileged organisations at two levels:
- at international/European level: the international organisations of employers and trade unions and their members (see Article 27(2) ESC 1961)
 - at national level: organisations being member of the former which are provided with the possibility to comment on the reports of their respective Governments (Article 23 ESC 1961).
- 42 Indeed, the principal idea of the reporting system is that the representative trade unions have the possibility to raise all problems they see in relation to any provision of the ESC which has been accepted by their country. Even if the nine provisions contained in the ‘targeted questions’ (see above para. 29) deal mainly with employment rights (including the collective rights in Articles 5 and 6 (with the exception of Article 6(3) ESC) this possibility is denied (at least indirectly) for all other (than the nine) provisions.

2.3. Intermediate conclusions

- 43 Over the years reporting obligations have been reduced to an enormous extent. This tendency has culminated in the last change by the CM in its decision in 2022. The consequences of this new system

lead to very important limitations in quantitative, qualitative, functional and further reductive terms. Looking only to the quantitative aspect shows that only less than 10% of provisions are examined within the two yearly interval, thus leading to an undermining of the reporting system necessary to monitor the implementation of accepted provisions.

3. Legal assessment

- 44 On the basis of the description of the new reporting system (see 2) the following legal assessment aims at its evaluation against the legal background of the reporting obligations provided for in the ESC.

3.1. Introduction

- 45 The current reporting system has to be evaluated against the obligations deriving from Article 21 ESC 1961. According Article C it applies also to the ESC 1996.
- 46 The pertinent Article reads as follows:

Part IV

Article 21 – Reports concerning accepted provisions

The Contracting Parties shall send to the Secretary General of the Council of Europe a **report at two yearly intervals**, in a **form to be determined by the Committee of Ministers**, concerning the application of such **provisions** of Part II of the Charter as they have **accepted**.⁶⁸

- 47 Before assessing compliance of the new system with Article 21 ESC 1961 it should be recalled that there is no procedure to challenge this new system in legal (judicial) terms, nor is there a judicial body empowered to deal with this question. Neither the ECtHR nor the CoE's Administrative Tribunal (ATCE) can do so; the only (but quasi-)judicial body would be the ECSR, but which has been, however, together with the GC, a main actor in developing the new system and putting it to the CM for adoption and can thus hardly be considered as impartial and independent in this particular respect.
- 48 Therefore, the question of conformity will have to be examined and assessed according to the (interpretative) rules which apply:

3.2. Interpretation

- 49 In order to be able to assess whether the current reporting system is in conformity with the requirements established by the ESC (Article 21) it has first to be clarified according to which rules this provision is to be interpreted.

3.2.1. Principles – Applicability of Article 31 and 32 Vienna Convention on the Law of Treaties

- 50 The 'General rule of interpretation' for international treaties is contained in Article 31 (and 32) of the Vienna Convention on the Law of Treaties (VCLT)⁶⁹ stating in its **main provision**:

SECTION 3. I INTERPRETATION OF TREATIES

Article 31 - General rule of interpretation

⁶⁸ <https://rm.coe.int/168006b642>

⁶⁹ 23 May 1969, https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf.

1. A treaty shall be interpreted in **good faith** in accordance with the **ordinary meaning** to be given to the terms of the treaty in their **context** and in the light of its **object and purpose**.⁷⁰

- 51 Independent of Articles 4⁷¹ and 5⁷² VCLT the **International Court of Justice (ICJ)** has applied these rules as ‘rules of customary international law’:

by applying the rules on treaty interpretation enshrined in Articles 31 and 32 of the Vienna Convention on the Law of Treaties (hereinafter the “Vienna Convention”). Although that Convention is not in force between the Parties and is not, in any event, applicable to treaties concluded before it entered into force, such as CERD, it is well established that **Articles 31 and 32 of the Vienna Convention reflect rules of customary international law**.⁷³

- 52 In more concrete terms, the **ECSR** explicitly recognises the interpretative role of the VCLT, more particularly Article 31 VCLT, in the following terms:

The **Committee interprets the Charter in the light of the rules set out in the Vienna Convention on the Law of Treaties** of 23 May 1969, among which its Article 31§3(c), which indicates that account is to be taken of “any relevant rules of international law applicable in the relations between the parties”. Indeed, the Charter cannot be interpreted in a vacuum. The Charter should so far as possible be interpreted in harmony with other rules of international law of which it forms part, including in the instant case those relating to the provision of adequate shelter to any person in need, regardless whether s/he is on the State’s territory legally or not.⁷⁴

- 53 More generally the ECSR used Article 31(1) and (3) VCLT for interpretation purposes:

Beyond the letter of paragraph 1 of the Appendix, the restriction on personal scope should be interpreted in **good faith** in accordance with the **ordinary meaning** to be given to the terms of the treaty in their **context** and in the light of its **object and purpose** and in **harmony with other relevant and applicable rules of international law** (Vienna Convention on the Law of Treaties, 23 May 1969, **Article 31, paragraphs 1 and 3**), (...) ⁷⁵

- 54 Importantly, the European Court of Human Rights (ECtHR) has in a long list of authorities referred to these provisions for interpretation purposes. Besides other VCLT provisions, it stated in relation to Article 31:

“(a) As an international treaty, the Convention **must be interpreted in the light of the rules of interpretation provided for in Articles 31 to 33 of the Vienna Convention** on the Law of Treaties of 23 May 1969 (...). In accordance with those provisions, the Court is required to ascertain the ordinary

⁷⁰ In the current context, paras. 2 – 4 of Article 31 VCLT are not as relevant as its quoted para. 1.

⁷¹ Article 4 - Non-retroactivity of the present Convention

Without prejudice to the application of any rules set forth in the present Convention to which treaties would be subject under international law independently of the Convention, the Convention applies only to treaties which are concluded by States after the entry into force of the present Convention with regard to such States

⁷² Article 5 - Treaties constituting international organizations and treaties adopted within an international organization

The present Convention applies to any treaty which is the constituent instrument of an international organization and to any treaty adopted within an international organization without prejudice to any relevant rules of the organization.

⁷³ ICJ, [4 February 2021, Application of the International Convention on the Elimination of All Forms of Racial Discrimination \(Qatar v. United Arab Emirates\)](#), para. 75 (referring to several previous judgments).

⁷⁴ ECSR, 20 October 2009, No.47/2008, *Defence for Children International (DCI) v. the Netherlands*, para. 35. <https://hudoc.esc.coe.int/eng/?i=cc-47-2008-dmerits-en>.

⁷⁵ ECSR, 23 October 2012, No. 69/2011, *Defence for Children International (DCI) v. Belgium*, para. 29.

meaning to be given to the words in their context and in the light of the object and purpose of the provision from which they are drawn. (...)”⁷⁶

55 Moreover, the ATCE also recognised these interpretation rules:

Even where Council of Europe internal rules are concerned, the Tribunal **has to be guided by Articles 31 to 33 of the Vienna Convention** on the Law of Treaties of 23 May 1969, which primarily contain generally accepted principles of international law, referred to by the European Court of Human Rights in its case-law (see ECHR, *Golder v. United Kingdom* judgment of 21 February 1975, Series A No. 18, p. 14, para. 29; ATCE No. 266/1996 of 24 April 1997, *Zimmermann v. Secretary General*, para. 24).⁷⁷

56 Accordingly, based on case law of the ECSR and the jurisprudence of the relevant judicial bodies of the CoE, the general rules of interpretation as provided for in Article 31 (3.2.2) and Article 32 VCLT (3.2.3) apply also to the provisions of the ESC 1961 and 1996 and have, consequently, to be interpreted pursuant to these rules.

3.2.2. Article 31 VCLT – General rule of interpretation

57 The central provision of Article 31(1) VCLT (see above para. 50) contains at least four fundamental elements which have to be taken into account when interpreting a provision in an international treaty such as the ESC:

Ordinary meaning

58 For the determination of the ‘ordinary meaning’ of the main content of Article 21 ESC 1961 the preliminary question to be answered is related to its structure: How do the three main elements relate one to another:

- (1) report at **two yearly** intervals,
- (2) concerning the **application** of such **provisions** of Part II of the Charter as they have **accepted**
- (3) in a **form** to be determined by the Committee of Ministers.

59 Are they of the same substantive value? At first glance, one can see that the first two elements, are different from the third which is related to the form of the report whereas the first define the (temporal (1) and the substantive (2) framework for the reports to be submitted by the State concerned. Consequently, they form the substance, whereas the third element deals (only) with the ‘form’.

60 Having clarified the relationship between the first two elements on the one side and the third element on the other side they have to be considered individually.

61 The first element contains a clear quantitative definition: the report is defined to be submitted ‘**at two yearly intervals**’, meaning that it must be submitted regularly in periods of two years. It is closely related to the second element concerning the content of the report:

62 Indeed, according to the second element, the report has to deal with ‘the application of such **provisions** of Part II of the Charter as they have **accepted**’. Even if the question would arise whether the report could be limited to any of the accepted provisions or whether it must cover the totality of them, the ordinary meaning would also appear to be very clear: There is nothing to suggest any sort

⁷⁶ ECtHR (GC), 9 April 2024, No. 53600/20, *Verein Klimaseniorinnen Schweiz e.a. v. Switzerland*, para. 17, referring i.a. to its judgment ECtHR (GC), 8 November 2016, No. [18030/11](#), *Magyar Helsinki Bizottság v. Hungary*, paras. 118-22 and 125.

⁷⁷ ATCE, 29 January 1998, Nos. 231-238/1997, *Fuchs e.a. v. Secretary General*, para. 49; see also ATCE, 4 March 1999, No. 248/1998, *X v. Secretary General*, para. 44; ATCE, 24 April 1997, No. 226/1996, *Zimmermann v. Secretary General*, para. 24.

of limitation. Conversely, a report which could just deal with an undefined (or limited) content would run counter the whole idea of reporting on the application of the accepted provisions.

- 63 In summing up, these two elements have to be interpreted strictly according to their (clear) ordinary meaning.
- 64 Finally, it has to be defined what the '*form*' of the report (third element) means. The answer to this question defines in the end the competence of the CM in this respect. Does this mean an unlimited competence to define all elements concerning reports (the periods covered, the intervals for submission, the provisions to be reported on etc.). Again, there is nothing to suggest that the CM has this unlimited power. If so, it would have to be formulated differently, i.e. not mentioning any precision on the intervals to be observed or on the provisions to be reported on.

Context

- 65 There are several elements of the context to be taken into account specifically:
- 66 First, for the most important question on the definition of the competences of the CM the result arrived at above (see above paras. 59 and 64) is confirmed clearly by the wording of the following **Article 22** which deals with reports on provisions not having been accepted. Here, the competence of the CM is enlarged to the temporal aspect, i.e. the CM can request reports at intervals it may define on its own:

Article 22 – Reports concerning provisions which are not accepted

The Contracting Parties shall send to the Secretary General, *at appropriate intervals as requested by the Committee of Ministers*, reports relating to the provisions of Part II of the Charter which they did not accept at the time of their ratification or approval or in a subsequent notification. The Committee of Ministers shall determine from time to time in respect of which provisions such reports shall be requested and the form of the reports to be provided.

- 67 This clearly shows that there is an obvious distinction in relation to the powers of the CM. For accepted provisions the CM can only 'determine' the 'form', for non-accepted provisions it has a wider power to define the intervals for the reports to be submitted.
- 68 The second element is the **principle of effectiveness** which is specifically relevant for practically **all substantive articles** of the ESC. Indeed, nearly all of them with the introductory words 'With a view to ensuring the effective exercise of the right (...)'.⁷⁸ This principle has surely a substantive but also a procedural dimension. Without effective implementation (let alone enforcement) substantive rights which have to be effective cannot be ensured. For the purpose of ensuring the ESC rights an effective monitoring is therefore indispensable.
- 69 Further elements of the context such as the Preamble (see Article 31(2) VCLT) are dealt with under the object and purpose (see below).

Object and purpose

- 70 In clear terms the ECSR has defined in impressing formulations the deeper purpose and objectives of the ESC. One important element is to give a 'meaning (...) to the fundamental social rights of all human beings'. Without effective monitoring this object is undermined:

The Charter is a human rights treaty which aims to implement at a European level, as a complement to the European Convention on Human Rights, the rights guaranteed to all human beings by the Universal

⁷⁸ The principle of effectiveness (but to the contrary effect) appears for justification purposes also and is dealt with below (see paras. 113 seq.).

Declaration of Human Rights of 1948. The purpose of the Charter, as a living instrument dedicated to the values of dignity, equality and solidarity, is **to give life and meaning** in Europe **to the fundamental social rights of all human beings**.⁷⁹ It is precisely in the light of that finding that a teleological approach should be adopted when interpreting the Charter, i.e. it is necessary to seek the interpretation of the treaty that **is most appropriate in order to realise the aim and achieve the object** of this treaty, **not that which would restrict the Parties' obligations to the greatest possible degree**.⁸⁰

- 71 The ECSR has also clarified that it is not an object of this treaty 'that which would restrict the Parties' obligations to the greatest possible degree'. Exactly this is the case in relation to the current reporting system, in particular when putting all the restrictions to the reporting obligations together (cumulating effect).
- 72 For the definition of the object and purpose of the ESC the **Preamble** should be particularly taken account of:

Preamble

The governments signatory hereto, being members of the Council of Europe,

[1] Considering that the aim of the Council of Europe is the achievement of greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and of **facilitating** their economic and **social progress**, in particular by the maintenance and **further realisation of human rights** and fundamental freedoms; (...)

[4] Being resolved to make every effort in common to **improve the standard of living and to promote the social well-being** of both their urban and rural populations by means of appropriate institutions and action, (...).

- 73 The elements highlighted in the wording of the Preamble show clearly the objective of the ESC to facilitate 'social progress', to 'further' realise human rights, to 'improve the standard of living and to promote the social well-being'. As common denominator it can be derived that all these elements show a **dynamic character**, thus being contrary to a reduction of monitoring of those rights.

Good faith

- 74 Good faith interpretation can be considered as the overall approach to be followed.⁸¹ In the words of the ICJ: 'The principle of good faith obliges the Parties to apply it in a reasonable way and in such a manner that its purpose can be realized.'⁸²

Intermediate conclusions

- 75 According to Article 31(1) VCLT Article 21 1961 ESC has to be interpreted in its two substantive requirements strictly because of their (clear) ordinary meaning, the context and the object and purpose of the ESC. Accordingly, they do not allow for any flexibility by way of interpretation. They are forming the minimum requirements for the reporting obligations for the Governments concerned.

⁷⁹ ECSR, 8 September 2004, No. 14/2003, *International Federation of Human Rights Leagues v. France*, paras. 27 and 29.

⁸⁰ ECSR, 7 December 2004, No. 18/2003, *World Organisation against Torture v. Ireland*, para. 60.

⁸¹ See, for example, S Reinhold, [Good Faith in International Law](#), UCL Journal of Law and Jurisprudence 2013, 40-63, Bonn Research Paper on Public International Law No. 2/2013.

⁸² ICJ, *Certain Norwegian Loans (France v Norway) (Jurisdiction)* [1957] ICJ Rep 9, 53; ICJ, *Gabčíkovo-Nagymaros Project (Hungary v Slovakia) (Merits)* [1997] ICJ Rep 7, 79; see H R Basaran, *The Principle of Good Faith in International Law*, Hong Kong law journal, August 2021, p. 589, fn. 6.

- 76 A certain flexibility is only allowed for the CM concerning the 'form' (not the substantive requirements).

3.2.3. Article 32 - Supplementary means

- 77 The result of interpretation according to Article 31 VCLT is confirmed by the *travaux préparatoires*. According to Article 32 VCLT they can be used as 'supplementary means of interpretation', mainly 'in order to confirm the meaning resulting from the application of article 31':

Article 32 - Supplementary means of interpretation

Recourse may be had to supplementary means of interpretation, including the preparatory work of the treaty and the circumstances of its conclusion, **in order to confirm the meaning resulting from the application of article 31**, or to determine the meaning when the interpretation according to article 31:

- (a) leaves the meaning ambiguous or obscure; or
- (b) leads to a result which is manifestly absurd or unreasonable.

- 78 An important start of the content of reporting obligations was made by the Parliamentary Assembly (PACE)⁸³ in its Recommendation 104 of 1956 on the 'European Convention on Social Rights'.⁸⁴ The respective Article 14(1) aimed at 'annual reports':

The High Contracting Parties undertake to submit (...) annual reports (...)

- 79 It was the Belgian delegation which in 1957 suggested a wording (very closely to the finally adopted wording (i.e. containing already the three relevant elements: annual interval, accepted provisions, and form of report defined by the CM):

Articles of Implementation

(a) Any Member ratifying this Charter undertakes to submit to the Secretary-General of the Council of Europe an **annual report**, in a **form** to be determined by the Committee of Ministers, on the **provisions to which it has adhered**.⁸⁵

- 80 Following the suggestion of the Norwegian delegation the interval was changed from an annual to 'two yearly intervals'.⁸⁶ Accordingly, the new wording read as follows:

Article (A)

The H.C.P. [High Contracting Party] undertake to send **a report** to the Secretary-General of the Council of Europe at **two yearly intervals**, in a **form** to be determined by the Committee of Ministers, concerning the **provisions** of the second Part of the Charter **which it has accepted**.⁸⁷

- 81 With some editorial changes this version has become the content of Article 21 ESC 1961.
- 82 Th history just described shows that it was clear from the beginning that reports would have to be submitted within 'two yearly intervals' on all the provisions the Contracting Parties have accepted. The

⁸³ Formerly named 'Consultative Assembly'.

⁸⁴ PACE, 26.10.1956, [European Convention on Social and Economic Rights](#), Recommendation 104.

⁸⁵ Memorandum of the Belgian delegation, Strasbourg, 16 May 1956, CE/SOC (57) 8; according to [Collected edition of the "Travaux préparatoires" Volume 4 \(1957\)](#), p. 106.

⁸⁶ Social Committee, 6th Session Report of the Working Party, 10.10.1957, CE/SOC (57) 18 Final, para. 55; according to [Collected edition of the "Travaux préparatoires" Volume 4 \(1957\)](#), p. 204.

⁸⁷ Social Committee, 6th Session Report of the Working Party, 10.10.1957, CE/SOC (57) 18 Final, Appendix V – Draft Articles adopted by the Working Party relating to the implementation of the Social Charter; according to [Collected edition of the "Travaux préparatoires" Volume 4 \(1957\)](#), p. 218.

prolongation from one to two years is more to be interpreted as maximum than as the possibility to go beyond at the discretion of the CM.

3.2.4. Intermediate conclusions

- 83 The first two elements of Article 21 ESC 1961 (i.e. the reports in ‘two yearly intervals’ and concerning all accepted provisions) form the substance of the reporting obligations and have to be applied strictly. Not endangering the substance, certain flexibility is permitted only in relation to the ‘form’ of the reports which is to be determined by the CM.

3.3. Application to the current system

- 84 After having developed the principles and contents to be observed according to Article 21 ESC 1961 and on the basis of the consequences of the new system (2.2) the legal assessment of the new reporting system will now apply them to the application of the main (three) elements contained therein:

3.3.1. ‘Two yearly interval’

- 85 At first glance, the ‘two-yearly interval’ appears secured through the obligation to report in this interval about (certain) provisions of the ESC.
- 86 However, this is not the case at least in relation to
- all accepted provisions, i.e. only Group 1 rights (see below 3.3.2),
 - (most importantly:) the four years interval for the States having ratified the CCPP (see above para. 17),
 - the fact that the reporting mentioned in both previous indents leads to situations that even no report at all is due in 2027, 2031 and 2035,
 - further prolongation of the periods to be reported on by the newly introduced ‘ad hoc’ reports (in 2023).
- 87 In conclusion, the new system is in non-conformity with the requirement of ‘two yearly intervals’.

3.3.2. ‘accepted provisions’

- 88 This negative assessment is strongly enhanced by combining the periodicity with the requirement of report on all accepted provisions (see above 3.3.1). The drastic limitation of provisions to be reported on (2.1.2 and 2.1.3) and the negative consequences in particular in quantitative (2.2.1), qualitative (2.2.2) and functional terms (2.2.3) are violating Article 21 ESC 1961.

3.3.3. ‘form’ to be determined by the CM

- 89 Not jeopardizing the minimum substantive requirements for the reporting obligations (see above) the CM is permitted to determine the ‘form’ of reports. This means that the content of the questions for all accepted provisions to which Contracting Parties have to reply can in principle be defined by the CM. However, the questions must allow the ECSR to accurately assess whether the accepted provision is implemented in law and practice by the public authorities (at least in their legislative, judicial and administrative dimensions).

3.3.4. Intermediate conclusions

- 90 The above legal assessment has shown that the current reporting system is violating the reporting obligations provided for by Article 21 ESC 1961 in several respects:
- In terms of **differentiation of States** (instead of uniform obligations for all States);
 - In terms of **reporting periods**: ('two yearly intervals')
 - o Four years interval (instead of two) for states not having ratified the CCPP (see above para. 16),
 - o Eight years (instead of two) for states having ratified the CCPP (see above para. 17);
 - In terms of **content** (provisions accepted): only nine out of the 98 provisions have to be reported on by states not having ratified the CCPP (see above para. 16);
 - In terms of **further limiting the questions** to be answered (see 2.1.3), i.a. that questions
 - o 'should not exceed about a dozen of topics and themes', which is additionally a very unclear formulation leading to further disputes,
 - o should not be asked as additional questions for the next report: 'ECSR is invited not to ask additional questions for response in the next report'.

The different elements have to be considered not only separately, but in their totality, especially in their culminating effect.

3.4. (Possible) Counter-arguments

- 91 Before arriving at the final Conclusions (see 4.) the arguments should be addressed which have been advanced (or which are most probably behind the new reporting system and thus most likely to be put forward) in order to justify the new system. Before going more in substance, it should be noted that there is an important lack in relation to a transparent and coherent argumentation in this respect.

3.4.1. Justification in competence terms

- 92 The most prominent legal argument will be that the CM is free to define the reporting obligations. However, as demonstrated above (see in particular paras. 59, 66 and 67) this is not the case. It has at least to respect the fundamental time ('two-yearly intervals') and content (all accepted provisions) dimensions. But taking the other elements into account ('object and purpose' and the principle of effectiveness) even further requirements would have to be respected.
- 93 Moreover, the direct interference into the (fundamental elements of the) monitoring reporting system raises serious problems in relation to the principle of **separation of powers** at least in two respects.
- 94 First, the CM does not respect the separation between the legislative and the executive function. By introducing the new system, it transgresses the border line by using legislative functions. The main idea behind is its adoption by a unanimous decision. It has done so previously in relation to the 'Turin Protocol' which has not yet entered formally into force.⁸⁸ However, the decision of the CM provides the most relevant *conditio sine qua non*: 'in so far as the text of the Charter will allow':

The Deputies (...)

⁸⁸ See above n 54.

4. requested the States party to the Charter and the supervisory bodies to envisage the application of certain of the measures provided for in this Protocol before its entry into force, in so far as the text of the Charter will allow.⁸⁹

95 In the present case, the text (Article 21 ESC 1961) does ‘not allow’ the CM to depart from the fundamental minimum requirements for the reports which are clearly spelled out in the text, ie the two-yearly intervals and the accepted provisions.

96 Second, the CM does not limit itself to its executive function: It directly intervenes in the judicial function by reducing the independent supervision of the proper implementation of the ESC without giving any reasons (which still would have to be examined as to the legal pertinence). Moreover, it disrespects the main achievement of the ‘Turin Protocol’, ie the separation of the judicial function (ECSR) and the political/executive function (GC in preparation for the decisions of the CM). Indeed, according to Article 2 of the Turin Protocol, Article 24(2) ESC 1961 is supposed to read:

With regard to the reports referred to in Article 21, the Committee of Independent Experts shall assess from a **legal standpoint** the compliance of national law and practice with the obligations arising from the Charter for the Contracting Parties concerned.⁹⁰

97 The Explanatory Report is even more explicit:

Like the two following paragraphs, this paragraph is **new** and **represents one of the essential provisions** of the Protocol. In conjunction with paragraphs 3 and 4 of the new Article 27, it is intended to **express in the text** of the Charter the **new allocation of powers** between the Committee of Independent Experts and the Governmental Committee (see paragraph 9 above). It therefore clearly states that the task of the Committee of Independent Experts is to assess national law and practice in relation to provisions under the Charter from a legal standpoint.⁹¹

98 In order to avoid misunderstandings, the clear separation of powers as defined in the ‘Turin Protocol’ can be applied without its formal entering into force because the text of the ESC 1961 ‘allows’ for such a definition.⁹²

99 Additionally, for the sake of clarity and legal security the principle of separation of the executive function (CM) and the legislative function would require to use the normal procedure provided for in Article 36 ESC 1961 and Article J ESC 1996.

3.4.2. Justification in practical terms

100 Obviously, the development and introduction of the new system is mainly triggered by practical ‘needs’ of and pressures by the Contracting Parties/States. The following paragraphs will – surely not exhaustively – try to describe the (at least to a certain extent admitted) difficult practical situation before assessing it in legal terms.

⁸⁹ Adopted by the CM on 11 December 1991 at the 467th meeting of the Minister’s Deputies. CoE (ed), European Social Charter - Collected texts (7th edition) - Updated: 1st January 2015, p 203; <https://rm.coe.int/168048b059>.

⁹⁰ See on the other hand, the political dimension for the GC according to Article 4 of the Turin Protocol, amending Article 27 ESC 1961 (‘Governmental Committee’) providing in its para 3:

‘The Governmental Committee shall prepare the decisions of the Committee of Ministers. In particular, in the light of the reports of the Committee of Independent Experts and of the Contracting Parties, it shall select, giving reasons for its choice, on the basis of **social, economic and other policy considerations** the situations which should, in its view, be the subject of recommendations to each Contracting Party concerned, in accordance with Article 28 of the Charter. (...)’

⁹¹ CoE (ed), Explanatory Report to the Protocol amending the European Social Charter, Turin, 21.X.1991, para. 19; <https://rm.coe.int/16800cb5df>.

⁹² The formulations of Articles 24 (‘Committee of Experts’ and 27 ESC 1961 (‘Sub-committee of the Governmental Social Committee’) only contain procedural, not substantive provisions.

(Non-exhaustive) description of the practical situation

- 101 First, for the **Governments** concerned. For decades they are complaining that the workload for fulfilling their reporting obligations is excessive. It is referred to more provisions to be reported on (either by ratification of the ESC 1996 and/or by accepting more provisions). Moreover, the ECSR asks for additional information if it does not feel to be sufficiently informed. Often the responsible administration is already under heavy workload (in several cases also in relation to other reporting obligations coming possibly from EU, ILO, UN) and thus not equipped to cope with further workload.
- 102 Second, for the **ECSR**. Increasing numbers of accepted provisions lead to further workload. Moreover, the thorough and timely preparation and elaboration of the decisions in collective complaints requires additional workload. This is to be seen against the background that since an important number of years the number of experts has not been increased.
- 103 Third, for the **Secretariat**. Being entrusted with the preparation of the ECSR's work it, at least in principle, confronted with the same problems encountered by the ECSR. It has to cope with its obligations under a difficult framework (in particular in budgetary and human resources terms).⁹³ The fact that under the new reform process the CM also entrusted other, new but pertinent tasks to the GC (elaboration of draft recommendations such as the recently adopted Recommendation on education and training on the CoE framework for the protection of social rights) will thereby not be very conducive.

Legal evaluation

- 104 These 'practical' arguments have to be assessed against the principle of the '**rule of law**' for which the CoE stands (as one of its three foundational principles).⁹⁴ It contains important elements, such as legal certainty, non-discrimination and equality before the law, respect for (judicial) human rights etc.
- 105 As regards legal certainty, the new system is of extreme complexity which in itself is contrary to legal certainty. The respective reporting obligations are not defined any more in the ESC itself but depend from a two level approach: at first level, the complex reporting system as summarised in the calendar (see 6.3) but which in itself does not contain a clear definition of the (extent of the) reporting obligations; the latter are only defined finally at the second level, by the 'targeted questions'.
- 106 Concerning 'non-discrimination' and 'equality before the law', they are not respected by separating the States into two categories (see below para. 110).
- 107 Finally, also the CoE is 'bound by law'. This obvious statement easily appears to be neglected when struggling with practical difficulties. In this respect, the ECSR's demands should be taken seriously:

⁹³ It should be recalled that the CoE's budget not only includes all supervisory bodies (including the ECSR) but also the ECtHR which is under special workload pressure (even if the numbers of pending applications is decreasing) and would first require additional financial means.

⁹⁴ Statute of the Council of Europe, Preamble,

'Reaffirming their devotion to the spiritual and moral values which are the common heritage of their peoples and the true source of individual freedom, political liberty and the **rule of law**, principles which form the basis of all genuine democracy;', Recital 2;

see also Article 3:

'Every member of the Council of Europe must accept the principles of the **rule of law** and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realisation of the aim of the Council as specified in Chapter I.'

that implementation of the Charter requires the States Parties not merely to take legal action but also to ***make available the resources and introduce the operational procedures necessary to give full effect to the rights specified therein.***⁹⁵

There is nothing to suggest, that this principle should not also be applied *mutatis mutandis* to the requirements deriving from the procedural ESC provisions, in particular Article 21 ESC 1961.

- 108 Generally speaking, allowing ‘practical’ arguments to be advanced in order to justify non-compliance would undermine fundamentally the very character of legal norms.

3.4.3. Justification in compensatory terms

- 109 Compensatory measures are likely to be put forward in a prominent way to justify the reduction of reporting obligations. In this respect, there are at least two elements which should be examined separately: the first dealing with the compensation for States having ratified the CCPP and the second dealing with the compensation by increased effectiveness, in particular by ‘targeted questions’.

Compensation by alleviating reporting obligations for States having ratified the CCPP

- 110 The differentiation between two categories of States (see above para. 15) is obviously meant to, on the one hand, serve as incentive for ratification of the CCPP and, on the other hand, to alleviate the workload of those States having ratified the CCPP and be therefore under specific additional workload in dealing with collective complaints. The starting point should always be that (reporting) obligations must be applied to all countries under the same conditions.
- 111 Concerning the effect of an ‘**incentive**’, a check against the reality shows (if ever) a minimal effect on the ratification prospects for the CCPP. Indeed, between 1996 and 2006 out of the 16 countries 14 had already ratified the CCPP. But in the following nearly two decades only two more States ([Czech Republic](#), 2012, and a decade later Spain (2022)) have ratified it. This (non-)effect is aggravated by the fact that since 2006 eleven States while having ratified the ESC 1996 preferred not to be guided by the ‘incentive’ and abstained from also ratifying the CCPP⁹⁶ although the additional ratification of the CCPP could have been an opportunity to take advantage of reducing their reporting obligations. This means that there is nearly no measurable incentive effect.
- 112 As regards the (reduced) **workload** for those States having ratified the CCPP, it cannot be considered as ‘compensatory’ measure for the reduced reporting obligations. Quite to the contrary, it increases to the double extent the reduction of reporting obligations.

Compensation by increased effectiveness

- 113 **Increased effectiveness** as justification for the new system allegedly compensating the reduction of reporting obligations appears to play a (if not the) central role in the argumentation for justification purposes.
- 114 Before going into any details, it should be recalled that the principle of effectiveness has to be observed in the interpretation process (see above para. 68). Therefore, in legal terms, it has there to be questioned whether this principle as such can be ‘compensated’ instead of being applied directly.
- 115 Even assuming that there would be no legal prohibition, one has to note that there are different terms and concepts which are used in the general approach for compensation, such as improved quality and

⁹⁵ ECSR, 5 December 2007, No.33/2006, *International Movement ATD Fourth World v. France*, para. 61.

⁹⁶ With the exception of Spain the respective States are (in chronological order): [Bosnia and Herzegovina](#) (2008), Hungary, Serbia and [Slovak Republic](#) (2009), [Montenegro](#) (2010), Austria (2011), [North Macedonia](#) (2012), [Latvia](#) (2013), Greece (2016), Germany (2021), and finally [Iceland](#) (2024).

credibility of supervision in general and improved quality of reports in particular, opportunity for focusing more on provisions which raise particular problems, incentive for employers' and workers organisations to take an interest in the Charter.

- 116 First, it would have to be assessed whether the aims just mentioned can be achieved. Without going into details, there are many questions to be answered: Is it possible to improve the quality and credibility of supervision by reducing the reporting obligations to a drastic extent? Even admitting that this would be the case for the 'quality' for the supervision of the (reduced) reporting obligations (what is denied here), there is no possibility to argue in favour of an improved 'credibility' of ESC supervision in general. Quite to the contrary, the credibility of the supervision system in general and of the reporting system (as its still most important part) in particular is seriously undermined (see 2.2).
- 117 Concerning improved quality of reports there is nothing to suggest that reduced workload for reporting would in reality have any impact on the quality of the reports. As mentioned above Government officials (see above para. 101) are under workload pressure and any alleviating of obligations on the one hand tends automatically to be taken over by other pressing obligations.
- 118 Finally, as regards the assumed greater interest of employers' and workers' organisations it has already been criticised that the reduced impact of these organisations (see para. 2.2.4) is a serious threat to their rights under Article 23 ESC 1961. While, in reality, the employers' interest is perhaps not at the forefront unless serious problems like the right to strike are at stake (and that appears to be irrespective of the extent of Governments' reports) trade unions are much more concerned.
- 119 Second, even assuming that the aims mentioned would be achieved in reality (what is clearly denied here), there is still the question to the extent of the compensation. Only if they would compensate the totality of the reductions (functional equivalents) introduced by the new system it could perhaps be considered as conceivable to perhaps come nearer to conformity with Article 21 ESC 1961. However, taking only the example of protection against unfair dismissal (Article 24 ESC 1996) How can this exclusion from reporting be 'compensated' by the aims mentioned above?

3.4.4. Intermediate conclusions

- 120 It has been shown that (possible) counter-arguments are not pertinent or at least not convincing. In particular, they are i.a. violating the principle of separation of powers (3.4.1), the rule of law (3.4.2) and are not compensated at all (at least evidently not sufficiently (3.4.3).

4. Conclusions

- 121 On the basis of the foregoing, in particular concerning the intermediate conclusions on
- Interpretation (3.2.4, see above para 83),
 - Application to the new system (3.3.4, see above para. 90) and finally
 - (Possible) Counter-arguments (3.4.4, see above para. 120)

it has to be concluded that the new system evidently violates Article 21 ESC 1961.

5. Recommendations

- 122 The ETUC recommends that this 'Legal Opinion' is being thoroughly taken into account and further considered in view of bringing the reporting system into conformity with Article 21 ESC 1961 and make the supervisory system as whole truly effective, synergetic and coherent

- by all relevant stakeholders, particularly in the framework of the ‘stocktaking of the 2022 CM reform package implementation’ as envisaged for the High-Level Conference on the ESC in Chişinău (Moldova) in March 2026 and the envisaged ‘strategic action plan 2026-2030’;
- in its consequences also in relation to all other elements of supervision, in particular to further elements of reporting obligations “reporting systems” such as
 - the reporting on the decisions on the merits under the CCP (and which has also been seriously reduced in time, substance and procedural follow up),
 - the new ad hoc reporting,
 - the reformed reporting process on non-accepted provisions.

6. Appendices

6.1. Table of numbered provisions

- 124 The following table refers to the text of the (R)ESC 1996. It is relevant only for those countries not having ratified the CCPP (see above para. 16; for those countries having ratified the CCPP (see above para. 17) there are no reporting obligations within a two-yearly interval at all).

Explanations

- Number of Articles highlighted in **violet** are core Articles according to Article A(1)(b)
- Provisions to be reported on

Yellow (mainly) provisions of the ESC 1961

- Provisions not to be reported on in the two years interval

Light rose Provisions of the ESC 1961
Red Provisions of the (R)ESC 1996

(If the Article concerned is only partly to be reported on no highlighting colour is used.)

First group of provisions (see above para. 19)										Second group of provisions (see above para. 20)														
Ar-Ticle		Numbered provisions (paragraphs)						To-tal	To re-port		Ar-ticle		Numbered provisions (paragraphs)						To-Tal	To re-port				
1	1	2	3	4			4	0			7	1	2	3	4	5	6	6						
2	1	2	3	4	5	6	6	1				7	8	9	10			4						
	7						1	0			11	1	2	3				3						
3	1	2	3	4			4	3			12	1	2	3	4			4						
4	1	2	3	4	5		5	1			13	1	2	3	4			4						
5	1						1	1			14	1	2					2						
6	1	2	3	4			4	3			15	1	2	3				3						
8	1	2	3	4	5		5	0			16	1						1						
9	1						1	0			17	1	2					2						
10	1	2	3	4	5		5	0			23	1						1						
18	1	2	3	4			4	0			26	1	2					2						
19	1	2	3	4	5	6	6	0			27	1	2	3				3						
	7	8	9	10	11	12	6	0			30	1						1						
20	1						1	1			31	1	2	3				3						
21	1						1	0										39						
22	1						1	0																
24	1						1	0																
25	1						1	0																
28	1						1	0																
29	1						1	0																
							59	10																

6.2. Table of States having ratified the CCPP

(in chronological order)

1.	1996	Cyprus	06/08/1996
2.	1997	Italy	03/11/1997
3.	1997	Norway	20/03/1997 s
4.	1998	Finland	17/07/1998
5.	1998	Greece	18/06/1998
6.	1998	Portugal	20/03/1998
7.	1998	Sweden	29/05/1998
8.	1999	France	07/05/1999
9.	1999	Slovenia	07/05/1999
10.	2000	Bulgaria	07/06/2000
11.	2000	Ireland	04/11/2000 s
12.	2003	Belgium	23/06/2003
13.	2003	Croatia	26/02/2003
14.	2006	Netherlands	03/05/2006
15.	2012	Czech Republic	04/04/2012
16.	2022	Spain	06/10/2022

6.3. CM decision

N.B. This decision includes cross-references to other relevant documents,⁹⁷ which are, however, not publicly accessible.

CM(2022)114-final - [1444/4.4] Implementation of the Report on Improving the European Social Charter system - Operational proposals for the reform of the European Social Charter system

1444th meeting, 27 September 2022

4 Human rights

4.4 Implementation of the Report on Improving the European Social Charter system

Operational proposals for the reform of the European Social Charter system

⁹⁷ [CM\(2022\)67-final](#), [GT-CHARTÉ\(2022\)11](#).

Following the endorsement by the Committee of Ministers at its 132nd Session in Turin on 21 May 2022 of the proposals for improving the efficiency and impact of the European Social Charter described in the consolidated report prepared for the Session (see [CM\(2022\)67-final](#)), this document sets out in greater detail the operational decisions to be adopted by the Deputies to implement the reform. It covers the statutory reporting procedure as well as ad hoc reports, and it addresses certain procedural aspects of the collective complaints procedure. It also responds to the demand by States Parties for enhanced dialogue and other means of improving follow-up to the monitoring activities under the Charter.

This document is largely based on document [GT-CHARTe\(2022\)11](#) “Outline of a possible reform of the reporting procedure under the European Social Charter” and incorporates the changes agreed at the meeting of GT-CHARTe on 5 April 2022 and proposals submitted subsequently by delegations. It also includes the outcomes of the 29 June 2022 meeting.

Statutory reports under Article 21 of the Charter and Article C of the revised Charter

1. A short report shall be submitted by States Parties every two years, alternately covering accepted provisions from one of two groups of the Charter according to a division, based on thematic or other criteria. Without prejudice to possible future changes that may be decided by the Committee of Ministers, the distribution will be:

First Group

Total of 50 provisions: Article 1 - Article 2 - Article 3 - Article 4 - Article 5 - Article 6 - Article 8 - Article 9 - Article 10 - Article 18 - Article 19 - Article 20 - Article 21 - Article 22 - Article 24 - Article - 25 - Article 28 - Article 29 (adjusted as necessary for the 1961 Charter and 1988 Protocol).

Second Group

Total of 48 provisions: Article 7 - Article 11 - Article 12 - Article 13 - Article 14 - Article 15 - Article 16 - Article 17 - Article 23 - Article 26 - Article 27 - Article 30 - Article 31 (adjusted as necessary for the 1961 Charter and 1988 Protocol). ^[1]

2. In co-operation, the European Committee of Social Rights (ECSR) and the Governmental Committee of the European Social Charter and European Code of Social Security (GC) shall **define a limited number of targeted questions to be answered** in the report, and which will be adopted by the GC. The targeted questions will be specific to the 1961 Charter and 1988 Protocol or to the revised Charter and will indicate the Charter provisions concerned. Only questions pertaining to provisions accepted by a State shall be answered. ^[2]

3. **Where absolutely necessary** for a proper assessment of the situation, the **ECSR may**, during the examination of the report, **address a limited number of specific questions** to a State Party (e.g. questions of clarification). The number of themes or topics to be covered in one report should in principle not exceed about a dozen ^[3]. Reports should focus on the situation at the time of submitting the report and on action being taken or envisaged to improve or otherwise change the prevailing situation. States Parties shall be free to decide on the length of their reports, but indicative guidance may be provided as to the expected or desirable length to ensure coherence and consistency in the reporting system.

4. In its conclusions about a particular provision, the **ECSR is invited not to ask additional questions for response in the next report** on that subject. Other issues requiring further clarification as regards the implementation of the Charter shall be the subject of direct dialogue between the ECSR and the competent national authorities. If necessary, the matter shall be taken up at a later stage by the GC (see paragraphs 15 to 17 below). All interlocutors are invited to participate in such dialogue constructively and in a spirit of co-operation.

5. States Parties that have accepted the collective complaints procedure shall be asked to submit **only one short report on one of the two groups** of provisions as described above in paragraph 1, **every four years**, alternating as also described in paragraph 1. ^[4] The targeted questions to be addressed to

these States should be based on those addressed to the other States Parties on the same group of provisions, but should also take into account complaints which have been lodged invoking the provisions. Where appropriate, no targeted questions would be posed on such provisions.

Year	Submission of report	ECSR Conclusions [5]
2023		
2024	27 States submit reports on the First Group of provisions	
2025	16 States that accept collective complaints submit reports on the First Group of provisions	ECSR conclusions for 27 States (First Group of provisions)
2026	27 States submit reports on the Second Group of provisions	ECSR conclusions for 16 States (First Group of provisions)
2027		ECSR conclusions for 27 States (Second Group of provisions)
2028	27 States submit reports on the First Group of provisions	
2029	16 States that accept collective complaints submit reports on the Second Group of provisions	ECSR conclusions for 27 States (First Group of provisions)
2030	27 States submit reports on the Second Group of provisions	ECSR conclusions for 16 States (Second Group of provisions)
2031		ECSR conclusions for 27 States (Second Group of provisions)
2032	27 States submit reports on First Group of provisions	
2033	16 States that accept collective complaints submit reports on the First Group of provisions	ECSR conclusions for 27 States (First Group of provisions)
2034	27 States submit reports on the Second Group of provisions	ECSR conclusions for 16 States (First Group of provisions)
2035		ECSR conclusions for 27 States (Second Group of provisions)
2036	27 States submit reports on the First Group of provisions	
2037	16 States that accept collective complaints submit reports on the Second Group of provisions	ECSR conclusions for 27 States (First Group of provisions)

Year	Submission of report	ECSR Conclusions [5]
2038	27 States submit reports on the Second Group of provisions	ECSR conclusions for 16 States (Second Group of provisions)

Note 1: as regards the timing of ad hoc reports, see paragraph 8 above (the timing of ad hoc reports to be “decided in co-operation by the ECSR and the GC, and adopted by the GC”).

Note 2: the single report to be submitted on follow-up to decisions in collective complaints will be requested within two years after the adoption of the Committee of Ministers’ recommendation on the decision in question (see paragraph above).

<https://search.coe.int/cm?i=0900001680a8412f>

Table of contents

1	<u>INTRODUCTION: MONITORING HUMAN RIGHTS IMPLEMENTATION</u>	83
1.1	<u>GENERAL IMPORTANCE</u>	83
1.2	<u>SPECIFIC IMPORTANCE IN THE COUNCIL OF EUROPE</u>	83
1.3	<u>PARTICULARLY IN RELATION TO THE EUROPEAN SOCIAL CHARTER (ESC)</u>	84
1.3.1	<u><i>The general idea of the reporting system</i></u>	84
1.3.2	<u><i>The development of the reporting system</i></u>	84
2	<u>NEW REPORTING SYSTEM</u>	85
2.1	<u>DESCRIPTION</u>	85
2.1.1	<u><i>Different categories of States and provisions</i></u>	85
2.1.2	<u><i>Limitations in terms of periodicity</i></u>	86
2.1.3	<u><i>Further limitations</i></u>	86
2.2	<u>CONSEQUENCES</u>	87
2.2.1	<u><i>In quantitative terms</i></u>	87
	<u>In relation to the ‘two yearly intervals’</u>	87
	<u>In relation to the provisions</u>	87
2.2.2	<u><i>In qualitative terms</i></u>	88
2.2.3	<u><i>In functional terms</i></u>	89
2.2.4	<u><i>In impact reduction terms for privileged organisations (in particular for trade unions)</i></u>	89
2.3	<u>INTERIM CONCLUSIONS</u>	89
3	<u>LEGAL ASSESSMENT</u>	90
3.1	<u>INTRODUCTION</u>	90
3.2	<u>INTERPRETATION</u>	90
3.2.1	<u><i>Principles – Applicability of Article 31 and 32 Vienna Convention on the Law of Treaties</i></u>	90
3.2.2	<u><i>Article 31 VCLT – General rule of interpretation</i></u>	92
	<u>Ordinary meaning</u>	92
	<u>Context</u>	93
	<u>Object and purpose</u>	93
	<u>Good faith</u>	94
	<u>Intermediate conclusions</u>	94
3.2.3	<u><i>Article 32 - Supplementary means</i></u>	95
3.2.4	<u><i>Intermediate conclusions</i></u>	96
3.3	<u>APPLICATION TO THE CURRENT SYSTEM</u>	96
3.3.1	<u><i>‘Two yearly interval’</i></u>	96
3.3.2	<u><i>‘accepted provisions’</i></u>	96
3.3.3	<u><i>‘form’ to be determined by the CM</i></u>	96
3.3.4	<u><i>Intermediate conclusions</i></u>	97
3.4	<u>(POSSIBLE) COUNTER-ARGUMENTS</u>	97
3.4.1	<u><i>Justification in competence terms</i></u>	97
3.4.2	<u><i>Justification in practical terms</i></u>	98
	<u>(Non-exhaustive) description of the practical situation</u>	99
	<u>Legal evaluation</u>	99
3.4.3	<u><i>Justification in compensatory terms</i></u>	100
	<u>Compensation by alleviating reporting obligations for States having ratified the CCPP</u>	100
	<u>Compensation by increased effectiveness</u>	100
3.4.4	<u><i>Intermediate conclusions</i></u>	101
4	<u>CONCLUSIONS</u>	101
5	<u>RECOMMENDATIONS</u>	101
6	<u>APPENDICES</u>	103
6.1	<u>TABLE OF NUMBERED PROVISIONS</u>	103

6.2	TABLE OF STATES HAVING RATIFIED THE CCPP	104
6.3	CM DECISION	104
	TABLE OF CONTENTS	108

Table of contents

GENERAL OBSERVATIONS.....	3
INTRODUCTION	3
REPORTING OBLIGATIONS.....	4
INTERPRETATION OF ARTICLE 2§1	4
<i>General observations</i>	5
<i>Interpretation according to the VCLT</i>	5
<i>Reasonable working hours (Article 31(1) VCLT)</i>	5
<i>Relevant rules of international law (Article 31(3)(c) VCLT)</i>	6
<i>ILO supervisory bodies' pronouncements (Article 32 VCLT)</i>	7
<i>Conclusions</i>	8
SPECIFIC COUNTRY OBSERVATIONS.....	9
GENERAL INFORMATION ABOUT THE REFERENCES TO THE CASE LAW OF INTERNATIONAL SUPERVISORY BODIES	9
UN	9
<i>Committee on Economic, Social and Cultural Rights (CESCR)</i>	9
<i>Other Committees</i>	9
ILO	10
<i>CEACR</i>	10
<i>CFA</i>	10
BELGIUM	11
UN	11
<i>CEDAW</i>	11
Employment	11
ILO	12
<i>CEACR</i>	12
<i>CFA</i>	14
Case No 3415 (Belgium)	14
BULGARIA	16
ILO	16
CROATIA	17
UN	17
<i>ICESCR</i>	17
Equality between men and women	17
Right to work	17
Right to just and favourable conditions of work	18
ILO	18
CYPRUS	22
UN	22
<i>ICESCR</i>	22
Equal rights of men and women	22
Right to work	22
Right to just and favourable conditions of work	22
Trade union rights	23
ILO	23
<i>CEACR</i>	23
CZECHIA	26
UN	26
<i>ICESCR</i>	26
Equality between men and women	26
Unemployment	26
Minimum wage	27
Sexual harassment in the workplace	27
Trade union rights	28

<i>CEDAW</i>	28
Employment.....	28
<i>ILO</i>	29
<i>CEACR</i>	29
FINLAND.....	32
<i>UN</i>	32
<i>CEDAW</i>	32
Employment.....	32
<i>ILO</i>	33
<i>CEACR</i>	33
<i>CFA</i>	36
Case No 3525 (Finland)	36
FRANCE.....	37
<i>UN</i>	37
<i>ICESCR</i>	37
Equal rights of men and women.....	37
Right to work	37
Minimum wage.....	37
Right to just and favourable conditions of work	38
Trade union rights.....	38
<i>CEDAW</i>	38
Employment.....	38
<i>ILO</i>	40
<i>CEACR</i>	40
<i>CFA</i>	42
Case No 3522 (France)	42
<i>CoE</i>	42
<i>ECtHR</i>	42
GREECE	43
<i>UN</i>	43
<i>CEDAW</i>	43
Employment.....	43
<i>ILO</i>	44
<i>CEACR</i>	44
IRELAND	46
<i>UN</i>	46
<i>ICESCR</i>	46
Equal rights of women and men.....	46
Right to work	46
Minimum wage.....	47
Right to just and favourable conditions of work	47
Trade union rights.....	48
<i>CEDAW</i>	48
Employment.....	48
Discrimination and harassment	49
<i>ILO</i>	50
<i>CEACR</i>	50
ITALY.....	51
<i>UN</i>	51
<i>ICESCR</i>	51
Equal rights of men and women.....	51
Unemployment.....	51
Informal economy, security in employment and social protection	51
Working conditions	52
<i>CEDAW</i>	52
Employment.....	52
Women migrant workers.....	53

<i>ILO</i>	54
<i>CEACR</i>	54
NETHERLANDS	56
<i>UN</i>	56
<i>CEDAW</i>	56
Employment	56
<i>ILO</i>	57
<i>CEACR</i>	57
NORWAY	60
<i>UN</i>	60
<i>CEDAW</i>	60
Employment	60
Sexual harassment in the workplace	61
<i>ILO</i>	61
<i>CEACR</i>	61
<i>CFA</i>	62
Case No 3450 (Norway)	62
PORTUGAL	63
<i>UN</i>	63
<i>ICESCR</i>	63
Equal rights for men and women	63
Migrants, refugees and asylum-seekers	63
Right to work	64
Right to just and favourable conditions of work	64
<i>CEDAW</i>	65
Employment	65
<i>ILO</i>	65
<i>CEACR</i>	65
<i>CFA</i>	68
Case No 3443 (Portugal)	68
SLOVENIA	69
<i>UN</i>	69
<i>CEDAW</i>	69
Employment	69
<i>ILO</i>	70
<i>CEACR</i>	70
SPAIN	74
<i>UN</i>	74
<i>CEDAW</i>	74
Employment	74
<i>ILO</i>	75
<i>CEACR</i>	75
<i>CFA</i>	77
Case No 3517 (Spain)	77
Case No 3514 (Spain)	77
Case No 3447 (Spain)	77
CoE	77
<i>ECtHR</i>	77
SWEDEN	78
<i>UN</i>	78
<i>ICESCR</i>	78
Right to work	78
Right to just and favourable conditions of work	78
<i>CEDAW</i>	79
Employment	79
<i>ILO</i>	80

CEACR	80
ANNEX – LEGAL OPINION	82
1. INTRODUCTION: MONITORING HUMAN RIGHTS IMPLEMENTATION	83
1.1. General importance	83
1.2. Specific importance in the Council of Europe	83
1.3. Particularly in relation to the European Social Charter (ESC)	84
1.3.1. The general idea of the reporting system	84
1.3.2. The development of the reporting system	84
2. NEW REPORTING SYSTEM	85
2.1. Description	85
2.1.1. Different categories of States and provisions	85
2.1.2. Limitations in terms of periodicity	86
2.1.3. Further limitations	86
2.2. Consequences	87
2.2.1. In quantitative terms	87
<i>In relation to the ‘two yearly intervals’</i>	<i>87</i>
<i>In relation to the provisions</i>	<i>87</i>
2.2.2. In qualitative terms	88
2.2.3. In functional terms	89
2.2.4. In impact reduction terms for privileged organisations (in particular for trade unions)	89
2.3. Intermediate conclusions	89
3. LEGAL ASSESSMENT	90
3.1. Introduction	90
3.2. Interpretation	90
3.2.1. Principles – Applicability of Article 31 and 32 Vienna Convention on the Law of Treaties	90
3.2.2. Article 31 VCLT – General rule of interpretation	92
<i>Ordinary meaning</i>	<i>92</i>
<i>Context</i>	<i>93</i>
<i>Object and purpose</i>	<i>93</i>
<i>Good faith</i>	<i>94</i>
<i>Intermediate conclusions</i>	<i>94</i>
3.2.3. Article 32 - Supplementary means	95
3.2.4. Intermediate conclusions	96
3.3. Application to the current system	96
3.3.1. ‘Two yearly interval’	96
3.3.2. ‘accepted provisions’	96
3.3.3. ‘form’ to be determined by the CM	96
3.3.4. Intermediate conclusions	97
3.4. (Possible) Counter-arguments	97
3.4.1. Justification in competence terms	97
3.4.2. Justification in practical terms	98
<i>(Non-exhaustive) description of the practical situation</i>	<i>99</i>
<i>Legal evaluation</i>	<i>99</i>
3.4.3. Justification in compensatory terms	100
<i>Compensation by alleviating reporting obligations for States having ratified the CCPP</i>	<i>100</i>
<i>Compensation by increased effectiveness</i>	<i>100</i>
3.4.4. Intermediate conclusions	101
4. CONCLUSIONS	101
5. RECOMMENDATIONS	101
6. APPENDICES	103
6.1. Table of numbered provisions	103
6.2. Table of States having ratified the CCPP	104
6.3. CM decision	104
TABLE OF CONTENTS	108

TABLE OF CONTENTS.....	110
------------------------	-----