



# NATIONAL NEWS FLASH



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## FEDUSA MEDIA STATEMENT ON RATIFICATION OF ILO CONVENTION 190 BY GOVERNMENT

Please find below the media statement released by the Federation of Unions of South Africa (FEDUSA) on the ratification by the South African Government of the International Labour Organisation's (ILO) Convention 190. NAPTOSA is a constituent union of FEDUSA.

### Media Release

#### FEDUSA Welcomes Government's Historic Ratification of Convention 190

29 November 2021

The Federation of Unions of South Africa (FEDUSA) has welcomed the government's ratification of Convention 190 (C190) which refers to the International Labour Organization's Convention Concerning the Prevention and Elimination of Violence and Harassment in the World of Work. FEDUSA has worked tirelessly through its C190 CAN campaign to get the government to ratify the Convention. The ratification could not have come at a better time as South Africa and the rest of the world mark this year's 16 Days of Activism for No Violence Against Women and Children.

The ratification of an ILO instrument is followed by its domestication which refers to the transformation of the Convention into an Act of Parliament by a country's Legislature. However, both the Ratification of C190 and the Code of Good Practice that has been drafted by the Department of Employment and Labour will still have to be aligned with the Constitution of the Republic to be constitutionally compliant.

By ratifying C190, South Africa joins Uruguay, Fiji, Namibia, Argentina, Somalia, and Ecuador, which have already ratified the Convention. Uruguay was the first United Nations member state to ratify the Convention while Italy has also completed the national ratification process.

Specifically, C190 enables the state to prosecute, fine and imprison perpetrators of physical and emotional violence and harassment directed towards workers in the World of Work – which has been formally defined as including the Workplace but also extending beyond it to include the home of the worker and travelling to and from work - areas that have up to now been considered private spheres and beyond the reach of employment relations.

The biggest beneficiaries of the ratification of C190 will of course be the thousands of female workers who live their lives under the cloud of senseless Gender Based Violence in the home in addition to sexual harassment in the workplace, and the recurrent COVID-19 lockdowns which force them to share spaces with their abusers

According to Statistics South Africa, nearly 3000 women were murdered in the 2017/2018 period; many by family, friends or men that were close to them. Many of these women were not just murdered, but suffered traumatic and torturous deaths, experiencing rape, mutilation and terror that has become a reality for every woman in South Africa.

**End**

One of the further benefits of a country ratifying an ILO Convention is that the Government can be held accountable for failure to adhere to the Convention. Stakeholders (inter alia a trade union) are able to lay a complaint with the ILO which could lead to an investigation by the ILO. The State as Employer should not lose sight of this stakeholder tool.

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**EXECUTIVE DIRECTOR**