



C/2023/1224

21.12.2023

P9_TA(2023)0217

Sexual harassment in the EU and MeToo evaluation

European Parliament resolution of 1 June 2023 on sexual harassment in the EU and MeToo evaluation (2022/2138(INI))

(C/2023/1224)

The European Parliament,

- having regard to Articles 2 and 3 of the Treaty on European Union (TEU),
- having regard to Articles 8, 10, 19, 83, 153 and 157 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Articles 21 and 23 of the Charter of Fundamental Rights of the European Union (the ‘Charter’),
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (‘the Istanbul Convention’),
- having regard to the International Labour Organization Convention on Violence and Harassment (No 190) and the Violence and Harassment Recommendation (No 206) and to the main provisions thereof,
- having regard to Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation ⁽¹⁾,
- having regard to Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law ⁽²⁾ (the Whistleblower Directive),
- having regard to the Commission communication of 5 March 2020 entitled ‘A Union of Equality: Gender Equality Strategy 2020-2025’ (COM(2020)0152),
- having regard to the Commission communication of 12 November 2020 entitled ‘Union of Equality: LGBTIQ Equality Strategy 2020-2025’ (COM(2020)0698),
- having regard to its resolution of 26 October 2017 on combating sexual harassment and abuse in the EU ⁽³⁾,
- having regard to its resolution of 11 September 2018 on measures to prevent and combat mobbing and sexual harassment at workplace, in public spaces, and political life in the EU ⁽⁴⁾,
- having regard to its resolution of 28 November 2019 on the EU’s accession to the Istanbul Convention and other measures to combat gender-based violence ⁽⁵⁾,
- having regard to its resolution of 21 January 2021 on the gender perspective in the COVID-19 crisis and post-crisis period ⁽⁶⁾,

⁽¹⁾ OJ L 204, 26.7.2006, p. 23.

⁽²⁾ OJ L 305, 26.11.2019, p. 17.

⁽³⁾ OJ C 346, 27.9.2018, p. 192.

⁽⁴⁾ OJ C 433, 23.12.2019, p. 31.

⁽⁵⁾ OJ C 232, 16.6.2021, p. 48.

⁽⁶⁾ OJ C 456, 10.11.2021, p. 191.

- having regard to its resolution of 21 January 2021 on the EU Strategy for Gender Equality ⁽⁷⁾,
 - having regard to its resolution of 14 December 2021 on recommendations to the Commission on combating gender-based violence: cyberviolence ⁽⁸⁾,
 - having regard to its resolution of 16 December 2021 on MeToo and harassment — the consequences for the EU institutions ⁽⁹⁾,
 - having regard to its resolution of 15 February 2023 on the Council of Europe Convention on preventing and combating violence against women and domestic violence: EU accession ⁽¹⁰⁾,
 - having regard to the European Institute for Gender Equality's Gender Equality Index 2022 report,
 - having regard to the international joint study of December 2022 on violence and harassment at work ⁽¹¹⁾,
 - having regard to the European Ombudsman's report of 17 December 2018 on dignity at work in the EU institutions and agencies,
 - having regard to the Bureau Decision of 2 July 2018 on the functioning of the advisory committee dealing with harassment complaints concerning Members of the European Parliament and its procedures for dealing with complaints,
 - having regard to Rule 10(6) of its Rules of Procedure,
 - having regard to Annex II of its Rules of Procedure entitled 'Code of Appropriate Behaviour for Members of the European Parliament in Exercising their Duties',
 - having regard to Article 12a of the EU Staff Regulations,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the report of the Committee on Women's Rights and Gender Equality (A9-0178/2023),
- A. whereas gender equality is a core value of the EU enshrined in Article 2 TEU and must be mainstreamed in all EU policies, activities and programmes; whereas the right to equal treatment and non-discrimination is a fundamental right enshrined in the Treaties and in Articles 21 and 23 of the Charter and should be fully respected; whereas the right to the integrity of the person is paramount under Article 3 of the Charter;
- B. whereas gender-based violence in all its forms, including sexual harassment, is both a cause and a consequence of gender inequality, discrimination and a violation of human rights; whereas it constitutes a serious obstacle to the participation of women, girls and other victims in all spheres of private and public life making them unable to fully enjoy their rights and fundamental freedoms; whereas the eradication of gender-based violence is a prerequisite to achieving real gender equality; whereas to prevent and combat gender-based violence, including sexual harassment, it is crucial that the EU and Member States make significant progress towards achieving gender equality by concrete action and fully implementing gender mainstreaming and gender budgeting in all policy areas and decision-making;

⁽⁷⁾ OJ C 456, 10.11.2021, p. 208.

⁽⁸⁾ OJ C 251, 30.6.2022, p. 2.

⁽⁹⁾ OJ C 251, 30.6.2022, p. 138.

⁽¹⁰⁾ Texts adopted, P9_TA(2023)0047.

⁽¹¹⁾ International Labour Organization (ILO), Lloyd's Register Foundation, *Experience of violence and harassment at work: the first global survey*, 2022.

- C. whereas sexual harassment is defined in EU law as ‘any form of unwanted verbal, non-verbal or physical conduct of a sexual nature ... with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment’; whereas the current EU legislation has not proven sufficiently effective to prevent and combat such phenomena in practice; whereas there is a need for stronger EU legislation on combating gender-based violence and on health and safety at work, and to expand the legislation on harassment and sexual harassment beyond the working environment, in line with the Istanbul Convention, to fully address this issue in all areas of life and society; whereas the Employment Equality Directive enshrines the right not to be discriminated against, nor be subjected to harassment, in employment contexts on the basis of sexual orientation ⁽¹²⁾; whereas the ‘Gender Equality Directives’ stipulate that sex-based and sexual harassment at work and in access to goods and services are contrary to the principle of equal treatment between men and women; whereas the proposal for a directive on violence against women defines ‘sexual harassment at work’ as any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, where it occurs in the course of, linked with, or arising in matters of employment, occupation and self-employment, including service relationships for those in the line of duty, with the purpose or effect of violating the dignity of the victim, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, including where a person’s rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for job-related decisions; whereas sexual violence and harassment in the workplace is a serious matter of health and safety and should be treated as such and prevented;
- D. whereas sexual harassment is a form of gender-based violence and an extreme form of gender-based discrimination that affects women and girls disproportionately; whereas sexual perpetrators are predominantly men; whereas harassment is often linked to other forms of discrimination in addition to gender-based discrimination and has to be addressed with an intersectional approach and from all its angles; whereas sexual harassment must be understood in the light of male power and wider gender-inequality, as it is a consequence of gender based stereotypes, heteropatriarchal structures, structural and institutional inequalities and sexism rooted in the unequal distribution of power between women and men in society and work life; whereas various dimensions are needed to understand what creates notions of superiority and inferiority, in society and working life; whereas it can manifest in many different forms and can occur in many different social settings such as at home, in the workplace, in the educational system, in the online sphere and in the public space, including street harassment and has severe consequences on every aspect of society; whereas harassment in education has serious consequences for students’ learning ability, their physical and mental health and has lifelong implications, such as normalisation of sexual harassment; whereas it has a gendered dimension with a disproportionate number of women and girls falling victim to sexual harassment including, but not limited to, sexual assault and rape; whereas sexual harassment undermines equality at work and reinforces stereotypes about women’s abilities and aspirations; whereas sexual harassment can have a silencing effect and negative impact on victims’ pay, career progression and working conditions, and potentially drive individuals out of the world of work; whereas the MeToo movement has raised public awareness about the misuse of non-disclosure agreements (NDAs) in the context of sexual harassment to prevent victims from speaking out and remains a concern that needs to be addressed; whereas sexual harassment also contributes to fewer women entering or remaining in the labour market, adding to the labour force participation gap, and to women being paid less than men and thereby exacerbating the gender pay gap;
- E. whereas one in two women (55 %) have been sexually harassed in the EU at least once since the age of 15; whereas in the workplace, which is often far from being a safe and respectful environment, more than one in five people (nearly 23 per cent) have experienced violence and harassment, whether physical, psychological or sexual; whereas both harassers and victims may be of any sex or gender; whereas women, girls, lesbian, gay, bisexual, transgender, queer or questioning, intersex, and asexual and more (LGBTQIA+) persons and other vulnerable groups are particularly exposed and disproportionately affected ⁽¹³⁾; whereas more anonymised data is required to understand the breakdown of harassment cases, particularly keeping in mind that many LGBTQIA+ employees work in an environment marked by prejudice and

⁽¹²⁾ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16).

⁽¹³⁾ ILO, *Experiences of violence and harassment at work: A global first survey*, Geneva, 2022.

hostility; whereas the proportion of women who have ever worked and have experienced any unwanted behaviour with a sexual connotation in the workplace varies between Member States, ranging from 11 % to 41 %⁽¹⁴⁾; whereas the majority of sexual harassment in the workplace takes place between colleagues and many cases involve male hierarchy; whereas 32 % of all victims in the EU said the perpetrator was a superior, colleague or customer; whereas 75 % of women in professions requiring qualifications or top management jobs have been sexually harassed; whereas 61 % of women employed in the service sector have been subjected to sexual harassment⁽¹⁵⁾; whereas young women are twice as likely as young men to have experienced sexual violence and harassment, and migrant women were almost twice as likely as non-migrant women to report sexual violence and harassment; whereas gender-based discrimination, including sexual harassment, can be exacerbated where it intersects with discrimination based on other grounds prohibited by Union law, namely nationality, race, colour, ethnic or social origin, genetic features, gender identity, gender expression, sex characteristics, language, religion or belief, political or any other opinion, membership of a national minority, birth, disability, age, sexual orientation, and socio-economic class; whereas the risk of experiencing harassment at work is particularly pronounced across certain groups such as women from racialised communities, youth and migrants; whereas 21 % of LGBTQIA+ people felt discriminated against and the percentage is even higher for trans (35 %) and intersex (32 %) people⁽¹⁶⁾; whereas nearly five persons in ten facing gender-based discrimination including intersectional discrimination have also faced harassment at work compared to two in ten of those who have not been discriminated against on the basis of gender⁽¹⁷⁾; whereas the percentage of women who have reported such an experience during their lifetime is very low; whereas men are also victims of harassment and account for 10 % of victims of sexual harassment; whereas in the light of Russia's outrageous war of aggression against Ukraine, Ukrainian refugees, particularly women, are more vulnerable to sexual exploitation including, but not limited to, in the workplace;

- F. whereas cyber-harassment, as a form of gender-based cyber-violence, is constantly increasing as a consequence of the widespread use of the internet, including new technologies and social media, enabling perpetrators to feel safe under cover of anonymity; whereas sexual harassment online can constitute among other things non-consensual sharing of intimate content, cyberstalking, exploitation, coercion or threats of a sexual nature, sexualised bullying and unwanted sexualisation; whereas a recent survey shows that 13 % of women were subjected to cyber-harassment in the past five years and 8 % in the past 12 months; whereas some professions, such as politicians, journalists or women's rights and LGBTQIA+ activists, female activists in human rights civil organisations and other public figures are particularly likely to be victims of online violence and cyber harassment; whereas a European Parliamentary Research Service study has recently quantified the cost of gender-based cyber violence to be between EUR 49,0 and EUR 89,3 billion yearly⁽¹⁸⁾; whereas gender-based cyber-violence and cyber-harassment can have a silencing effect on women and girls; whereas one in five girls (19 %) have left or significantly reduced use of a social media platform after being harassed, while one in ten (12 %) have changed the way they express themselves; whereas more than a third (37 %) of girls who are from an ethnic minority and have suffered abuse say they have been targeted because of their race or ethnicity, while more than half (56 %) of those who identify as LGBTQIA+ say they have been harassed because of their gender identity or sexual orientation⁽¹⁹⁾;

- G. whereas harassment is widespread but under-reported; whereas one of the reasons for the under-reporting of sexual harassment is a lack of awareness, sometimes based on a lack of understanding of the gravity of the issue and whether it is punishable by law, due to the normalisation of sexual harassment, a lack of effective, transparent, reliable and independent systems of reporting and of knowledge of channels for victim support, but also a fear of reprisals, victimisation and job loss, as well as stereotypes blaming the victim instead of the perpetrator; whereas in order to ensure easy access to appropriate and effective protection, remedies and safe, fair and effective reporting and procedures in cases of violence and harassment in the world of work it is key to protect against victimisation of or retaliation against

⁽¹⁴⁾ Eurostat, *EU survey on gender-based violence against women and other forms of inter-personal violence (EU-GBV) — first results — 2022 edition*.

⁽¹⁵⁾ ILO, *Experiences of violence and harassment at work: A global first survey*, Geneva, 2022.

⁽¹⁶⁾ European Union Agency for Fundamental Rights (FRA), *Violence against women*, 2014.

⁽¹⁷⁾ FRA, *A long way to go for LGBTI equality*, 2020.

⁽¹⁸⁾ Lomba, N., et al., *Combating Gender based Violence: Cyber Violence*, European Parliamentary Research Service, 2021.

⁽¹⁹⁾ Plan International, *Free to be online? Girls' and young women's experiences of online harassment*, 2020.

complainants, victims, witnesses and whistleblowers; whereas whistleblowers play an essential role in exposing sexual and psychological harassment, mismanagement and discrimination in the workplace; whereas women victims seem more likely to share such harmful experiences than men because of the stigma and gender stereotypes; whereas all forms of harassment in the workplace have serious consequences for the physical and psychological health and well-being of employees and therefore its prevention and treatment should be a priority for every employer in order to ensure a safe working environment;

- H. whereas the European institutions have started to adapt their internal rules and procedures in order to better prevent, identify, counter and sanction harassment; whereas measures taken so far have been insufficient as harassment still occurs in all EU institutions, reporting remains low, victims are not assisted properly and the culture of impunity remains; whereas the European Parliament is unfortunately not a safe workplace, as cases of sexual and other forms of harassment occur to this date; whereas the European Parliament condemned the sexual harassment in the institution and the EU in its resolution of October 2017 ⁽²⁰⁾, and similar positions were adopted in 2019 ⁽²¹⁾ and in 2021 ⁽²²⁾; whereas Parliament's implementation of prevention mechanisms and reforms of anti-harassment procedures, as called for in its resolution of 16 December 2021 on MeToo, has been met with a certain degree of reluctance to implement these calls, resulting not only from ignorance of the phenomenon of harassment but also from the lack of clarity of Parliament's existing legal rules;
- I. whereas in October 2022 the world celebrated the fifth anniversary of the MeToo movement, encouraging women and other victims of sexual harassment to speak up, with the aim of raising awareness and with the effect of eliminating the widespread violence; whereas the MeToo movement has shown the magnitude and nature of sexual harassment and has sparked an international movement and a debate about the underlying causes and required responses; whereas since that time, the movement encouraged victims worldwide to speak up in different spheres, including in politics; whereas despite the public response and the fact that some Member States, individual companies, schools and other actors have implemented measures to prevent and combat sexual harassment the progress in addressing the issue of sexual harassment after five years of the MeToo movement is not sufficient and there is a need for urgent action to eliminate harassment in the EU;
- J. whereas sexual harassment and other types of violence, offensive or unwanted behaviour in the workplace must be understood as a health and safety issue and not as the victim's individual problem; whereas no part of the labour market nor working life is protected from sexual harassment, but the incidents vary, as do the forms that harassment can take depending on the sector or type of job; whereas sexual harassment in the workplace is particularly prevalent in sectors with high levels of precarious contracts; whereas working conditions, job security and type of work are risk factors for being exposed to sexual harassment at work; whereas collective bargaining can be an important tool for preventing and combating violence and sexual harassment, including gender-based violence in workplaces, third-party harassment, and the effects of domestic violence at work;
- K. whereas in its previous resolutions, Parliament has called for the introduction of several concrete internal measures including the introduction of mandatory harassment prevention training for all Members as soon as they take office at the beginning of their mandate and for all staff, and introducing a zero-tolerance approach but, several years on, very few of these concrete measures have been fully implemented and more needs to be done; whereas in its opinion Parliament's Legal Service stated that the introduction of mandatory harassment prevention training for Members would not affect the exercise of their free and independent mandate; whereas research shows harassment training must be complemented by bystander training, which delivers better results when also directed at management level and staff;

⁽²⁰⁾ Resolution of 26 October 2017 on combating sexual harassment and abuse in the EU (OJ C 346, 27.9.2018, p. 192).

⁽²¹⁾ Resolution of 28 November 2019 on the EU's accession to the Istanbul Convention and other measures to combat gender-based violence (OJ C 232, 16.6.2021, p. 48).

⁽²²⁾ Resolution of 16 December 2021 on MeToo and harassment — the consequences for the EU institutions (OJ C 251, 30.6.2022, p. 138).

- L. whereas the European institutions in general and the European Parliament in particular, as a legislator and employer, should set an example for all Member States and employers; whereas Members of the European Parliament, both as the directly elected representatives of EU citizens and as legislators, have a special responsibility to carry out their duties respecting the highest standards and EU law;

General remarks

1. Recalls that gender equality is a core value of the EU and must be mainstreamed in all EU policies, activities and programmes; regrets the slow progress towards gender equality in the EU and recalls that gender-based violence is both a cause and a consequence of gender inequality; stresses the urgent need for improvement and insists that the EU and its Member States fully commit to speeding up progress including by implementing gender mainstreaming and gender budgeting in all EU policies, activities and programmes; strongly condemns all forms of gender-based violence, including sexual violence, and all forms of harassment, notably sexual harassment;

2. Reiterates its call for the Commission to submit, on the basis of Article 83(1) TFEU, a proposal for a Council decision identifying gender based violence as a new area of crime; reaffirms the EU's commitment to tackling gender-based violence and welcomes the proposal for a Directive on combating violence against women and domestic violence (COM(2022)0105) ; welcomes the Fundamental Rights Agency (FRA) survey on violence against women conducted in 2014, and welcomes the new FRA EU-wide survey planned for 2024; emphasises the importance of collecting frequent disaggregated data on gender-based violence to map the scale of the issue; calls on the Commission and Member States to do everything necessary to make this a reality;

3. Reiterates its call for the EU and all Member States to swiftly ratify the internationally recognised Istanbul Convention on preventing and combating violence against women, in line with a 2021 Court of Justice opinion, which establishes a set of standards aiming to prevent gender-based violence, protect victims and punish perpetrators; calls on the EU and the Member States to ensure that sexual harassment is included as a criminal offence both in the field of work, as per existing EU anti-discrimination directives, and in any other sphere of life, in line with the Istanbul Convention, and to refer to the 'definition of harassment in Article 40 of the Istanbul Convention in their relevant legislation accordingly; is convinced that the EU and the Member States should combat backlashes against gender equality by adopting and implementing concrete, efficient and ambitious rules and policies on preventing and combating gender-based violence, including psychological, physical and sexual harassment;

4. Strongly condemns all forms of harassment, especially sexual harassment; notes that harassment is a widespread pervasive and harmful phenomenon in all areas of private and public life; stresses that harassment experienced at work constitutes a violation of human rights and can have serious consequences for survivors' physical and psychological health, making them feel uncomfortable and insecure at work, and in many cases preventing them from doing their job; highlights the importance of addressing cyber violence in the workplace, as it has an enormous impact on the mental health of victims; points out that special attention must be paid to women and girls fleeing war such as women from Ukraine;

Sexual harassment and the MeToo movement in Member States

5. Strongly supports the international MeToo movement, first founded by activist Tarana Burke in 2006 to help victims of sexual violence, and spread globally in 2017 after MeToo went viral; applauds the millions of people who came forward with their stories of sexual violence to break the silence and seek justice; notes that since 2017 the MeToo movement has taken hold in some Member States and that, subsequently, changes have been made by governments and organisations to tackle sexual violence, help victims and address the negative consequences for society; notes, however, that in some Member States, there has been little or no progress in this regard; calls on Member States to pro-actively design and implement legislation and policies that tackle sexual violence and harassment in our society;

6. Highlights that sexual harassment and violence are not commonly defined and criminalised in the EU, thus creating fragmented rights and protection for victims across Member States, proving the need for a common EU approach that can be reached through identifying gender-based violence as an EU Crime; reiterates its call for the Commission to submit on the basis of Article 83(1), third subparagraph, TFEU, a proposal for a Council decision identifying gender-based violence as a new area of crime and for the Council to adopt the decision; calls on Member States to provide standardised gender sensitive action protocols to support all victims of sexual harassment, including victims of cross-border sexual harassment; calls on Member States to ensure effective reporting mechanisms and procedures in cases of violence and harassment in the world of work, to establish necessary measures protecting against the victimisation of or retaliation against complainants, victims, witnesses and whistleblowers, to preserve confidentiality and the privacy of those individuals involved, and to guarantee that requirements for privacy and confidentiality are not misused; calls on the Commission and Member States to make appropriate resources available to promote the establishment and continuation of safe spaces in the workplace, both online and offline, in particular single gender safe spaces, where women in all their intersectional diversity, may go in order to exchange information, build community networks and receive peer-support, with the goal of empowering and uplifting all women;

7. Calls on Member States to lay down a comprehensive set of minimum rules, which addresses the persisting problem of sexual harassment and psychological harassment in a holistic manner and caters to the specific needs of victims of such violence; stresses the need to take into account the new conditions of remote working and the subsequent lessons of the COVID-19 pandemic; underlines that legislation plays a central role in combating sexual harassment and violence in the workplace and that legislation without proper implementation will not deliver the desired outcome; calls on the Commission and Member States to ensure that laws against workplace sexual harassment are updated to protect women working remotely against online abuse; calls on Member States to take into consideration women's and girls' needs for safety and security when commuting to and from work by ensuring a safe public transport service as well as adequate and sustainable street lighting;

8. Calls on the Commission and Member States, in cooperation with Eurostat and European Institute for Gender Equality (EIGE), to improve, promote and ensure research on evidence-based practices and the systematic collection of relevant, anonymised, sex and age-disaggregated, comparable data on cases of sexual harassment and gender-based discrimination and psychological harassment, including cyber harassment, at national, regional and local level, as well as on the causes and consequences of sexual harassment, including the impact that sexist and stereotyped advertisements may have on the incidence of violence and harassment; recalls that EU law requires Member States, EU institutions and agencies to ensure that an equality body is in place to provide independent assistance to victims of harassment, conduct independent surveys, collect relevant, anonymised, sex and age disaggregated and comparable data, conduct research on definitions and classifications, publish independent reports and make recommendations on matters of employment and training, on access to and the supply of goods and services, and for the self-employed; welcomes the new proposal for two Directives from the European Commission of 7 December 2022 that aim to establish binding standards for equality bodies in the field of equal treatment; calls on the Member States to raise awareness of the work of the equality bodies that are monitoring discriminatory practices through adequate resources sufficient to ensure their effective functioning;

9. Emphasises that psychological and sexual harassment in the workplace is illegal and perpetrators can be subject to criminal and/or administrative proceedings; recommends that external counselling services providing advice on adequately addressing harassment in the workplace should be consulted by employers in order to ensure a safe working environment, inform them of the legal remedies available to them, including disciplinary measures, and provide for the possibility of early conciliation and legal advice and support for victims; recommends that 'early conciliation' should only be conducted if the victim wishes to, considering they are offered comprehensive information and support prior to conciliation and that they can stop the process at any stage; calls on Member States to ensure that all workers, at the start of their contract, receive information on anti-harassment procedures and policies in place, the workers' rights in instances of harassment and violence against them in the workplace and accessing external counselling services; calls on the Commission to assess, exchange and compare existing best practices for combating sexual harassment in the workplace and to disseminate the

results of this assessment as regards the effective measures that Member States could take to encourage companies, social partners and organisations involved in vocational training to prevent all forms of gender-based discrimination, in particular as regards harassment and sexual harassment in the workplace; calls on the Commission and the Member States to ensure that funding mechanisms for programmes to combat gender-based violence can be used for awareness raising and to support civil society organisations (CSOs) addressing violence against women, including sexual harassment;

10. Calls on Member States to motivate people of all genders and gender identities to combat sexual harassment and actively participate in social change; considers that sexual harassment concerns people of all genders, and society as a whole; stresses in this context the central role of men and boys in ending all forms of harassment and sexual harassment; calls therefore on Member States and all actors to ensure that men and boys play an active and positive role in ending all forms of harassment and sexual harassment, and other forms of abuse and violence, including involvement in awareness-raising and prevention campaigns, taking into account that 82 % of sexual harassment incidents against women involve a male perpetrator; calls on Member States to provide inclusive sexuality education for all, including boys and men, to recognise and prevent sexual harassment and abuse including of a LGBTQIA+ phobic nature;

11. Underlines that social partners can play an important role in addressing harassment at work, including sexual harassment and cyber violence at work; calls on Member States, in consultation with the social partners, to ensure that employers take appropriate measures to provide a safe working environment and support to victims and to prevent and address instances of sexual harassment, cyber violence and third-party violence at work; stresses that employers must be prevented from dismissing, discriminating or in any way disadvantaging workers who are victims of sexual harassment; highlights in this context that workers should have the right to receive support from a trade union and the workplace health and safety representative; calls on Member States to take measures to promote collective bargaining on workplace practices on preventing and addressing instances of sexual harassment, including through awareness-raising and training of workers and employers, trade union representatives and workplace health and safety representatives; recognises the role that CSOs and business networks play in preventing and addressing sexual harassment at work including by raising awareness and assisting victims;

12. Highlights that the ILO's Violence and Harassment Convention, 2019 (No 190) and Recommendation (No 206) are the first international labour standards to provide a common framework to prevent, remedy and eliminate violence and harassment in the world of work, including gender-based violence and harassment; calls on the Member States that have not yet ratified the Convention, to do so without delay;

Harassment in EU institutions

13. Is convinced that the European institutions should behave as exemplary employers, establishing zero-tolerance standards towards any type of harassment, working actively on harassment prevention, adequate victim protection and holistic supporting mechanism, countering all forms of discrimination, implementing its rules strictly and enforcing effective, proportionate and dissuasive sanctions; believes that good working conditions and a safe and respectful environment are necessary to ensure the effectiveness of the work of EU institutions;

14. Regrets the fact that, despite the progress initiated by the MeToo movement, including the MetooEP movement, which helped to break the silence and raise the importance of implementing better anti-harassment policies, cases of sexual harassment still occur all over the EU and within the European institutions, including Parliament, and victims are not sufficiently supported and protected; recalls that these cases cast a shadow over the functioning of the European institutions and undermine the confidence of EU citizens in them;

15. Underlines the importance of prevention, long-term specialised training, information and awareness-raising efforts, the promotion of a zero-tolerance policy for harassment and the provision of advisory and psychological assistance to victims, as well as advice on police contacts and referrals to providers of legal recourse; welcomes regular harassment prevention campaigns with updated posters and brochures in order to remind Members and staff of their responsibility to ensure their exemplary conduct; stresses that preventive measures must in particular aim at empowering women and supporting men to challenge harmful gender stereotypes, educating them on the concept of consent, promoting

gender-equality for a safe working environment, encouraging all to act as positive role models towards a society free of gender-based violence; considers that the existing campaigns should be regularly updated and reinforced, in particular on intersectional and sexual harassment so that ignorance or a 'lack of awareness' cannot be cited as an excuse for flagrant flouting of the rules;

16. Notes that sexual and psychological harassment cases are still under-reported in Parliament because victims do not use the existing channels, for reasons such as shame, fear of retaliation, general distrust in the handling of harassment cases by the competent committees dealing with harassment complaints, the lack of a comprehensive system of reporting, support, and care for the victims based on human rights standards, fear that relationships at work would be negatively affected or would have a negative impact on the complainant's career, or that the report would not be believed or taken seriously; considers that this clearly demonstrates the need for further efforts to raise awareness of reporting procedures and support to victims with regard to the prevention of all forms of harassment;

17. Notes the existence of formal and informal structures in the European Parliament to address harassment and especially sexual harassment issues by providing advisory, legal and psychological assistance to victims including information campaigns which can enable victims to recognise examples of harassment; calls for better promotion, visibility, reinforcement and professionalisation of these structures, their competencies and composition in order to ensure that all victims can report in confidence and security; welcomes the initiatives of some political groups, which decided to put in place trained confidential counsellors and internal ombudspersons to whom victims of harassment can report their case and receive support, advice and guidance in all confidentiality; emphasises that these structures in political groups have been implemented to complement, rather than circumvent, the existing European Parliament structures, which need to be revised in order to best support victims; calls for an exchange of best practices between political groups on preventing and combating sexual and other forms of harassment; expresses its concern that reporting harassment in the EU institutions may have consequences for the career of the complainants; highlights also the lack of transparent and privacy-respecting data on the number of harassment cases in the institution;

18. Recalls the obligation of all of the European institutions to put in place all necessary policies and standardised gender sensitive action protocols to prevent and address all forms of harassment and violence, and urges them to ensure that all of the rules in place guarantee a zero-tolerance approach to any forms of misconduct and full support and protection for all victims; highlights the duty of exemplarity of elected members, political staff and officials at all levels; calls on the European institutions to strengthen their internal rules and policies to ensure that in cases of reported psychological or sexual harassment and/or violence, the sanctions on the alleged perpetrator consist not only of the temporary suspension of responsibilities and related benefits for the length of the suspension, but also the full withdrawal of their salary and termination of their contract of employment if proven guilty;

19. Welcomes the progress made on reforming anti-harassment policies in the various EU institutions after the MeToo movement was formed; notes, however, that in all institutions improvements can be made in order to better protect and support victims and sanction perpetrators; particularly in the case of the European Parliament recalls that any deterrent legal framework must comply with the EU law principle of proportionality of penalties and highlights that the current maximum penalty for breaches of the rules consists of one month suspension of daily allowance or one month suspension of activity for MEPs, which can be doubled in the event of repeated breaches; notes that these sanctions are not proportionate in the light of the severe damage suffered by the victims of harassment; calls, therefore, for the strengthening of the sanctions by revising the Rules of Procedure to ensure that the severity of the damage caused to victims of sexual and psychological harassment is properly and proportionally addressed in the scope of penalties;

20. Believes that the harassment cases within the EU institutions may affect the EU budget, and that, therefore, they should be taken into account while deciding to grant or not the budgetary discharge to the institution concerned; calls also for a more protective framework and new support measures for victims of harassment, notably psychological support while the procedure is ongoing;

21. Encourages all EU institutions and agencies to regularly exchange and compare their best practices of anti-harassment policies, guidelines or any new provisions on coping mechanisms and strategies which would also promote gender equality;

22. Calls for all EU institutions to introduce a network of confidential counsellors and external mediators to provide guidance and support to victims of sexual harassment, and encourages cooperation between confidential counsellors in different EU bodies, which is essential for smaller bodies with fewer staff members available to provide adequate support;

23. Notes the importance of addressing intersectional sexual harassment, through creating an inclusive and respectful environment, where all members of the community are valued and treated with dignity, regardless of their race, gender, age, sexual orientation, gender identity, gender expression, sex characteristics, disability, or other characteristics; notes that the problem of intersectional sexual harassment should be a concern of society as a whole; notes that it is important to have a comprehensive anti-discrimination and anti-harassment policy that takes into account intersectionality and the unique experiences of marginalised groups; calls for education, training, and awareness-raising efforts that address intersectionality and the specific needs of marginalised groups to be provided to staff and members of the European institutions;

24. Welcomes the fact that this parliamentary term, for the first time, MEPs have been required to sign a declaration confirming their commitment to complying with the Code of Appropriate Behaviour, which has explicit paragraphs on harassment; recalls nevertheless that the current measures to address sexual harassment are not strong enough and do not include all of the actions requested in previous resolutions; in that sense, calls on Parliament's administration and the Bureau to adopt and implement them and requests the President and the Secretary General to present the progress made on the implementation to a public meeting of the Committee on Women's Rights and Gender Equality (FEMM); notes with concern that despite the efforts made there are still cases of sexual harassment in Parliament; is convinced, however, of Parliament's political will to tackle sexual and other types of harassment inside and outside the institution; calls for further transparency on all procedures and implementation of concrete measures by different departments at the political and administrative level;

25. Welcomes the harassment prevention training offered to Members, managers in Parliament's Secretariat and staff; is convinced, however, that voluntary participation in harassment prevention training has proven insufficient; calls for the introduction of mandatory harassment prevention training for all Members at the very beginning of each mandate and for all staff, notably all the levels of management; calls for sanctions to be attached to the non-completion of this training and the revision of the Rules of Procedure in this regard; is concerned by the low number of Members who have attended the training so far in this term, such that only 260 Members out of 705 Members have completed the training which represents 36,9 % of all members; therefore calls for further action in order to ensure that Members complete the harassment prevention training within a reasonable period of time; calls for a public list on the Parliament's website with Members that have completed the training and those who have not, and the publication of the certificate of completion of this training on the respective Member's individual page; emphasises as well the need for trainings to be frequently available in all EU languages; recalls that sanctions should be proportionate and respectful of the Member's elected status and their right to exercise their mandate; underlines that the training should also educate and reassure employees so they are able to act in the event of inappropriate behaviour and potential harassment situations in order to recognise early signs of harassment and intervene swiftly to prevent escalation;

26. Welcomes the measures implemented under the 'Updated Roadmap for the adaptation of preventive and early support measures to deal with conflict and harassment between MEPs and accredited parliamentary assistants (APAs), trainees and other staff' adopted by the Bureau on 12 March 2018, and the Gender Action Plan; calls for the improvement, on a regular basis, of awareness raising for all persons working on Parliament's premises about the zero-harassment policy, in order to provide them with the tools to recognise and report all forms of harassment; calls for more gender-disaggregated data to ascertain the extent to which harassment affects employees within the EP, including a particular focus on the LGBTQIA+ community; requests a monitoring mechanism for the implementation of this policy with the participation of the FEMM Committee;

27. Notes the work of the Advisory Committee on Harassment and its prevention in the workplace and the Advisory Committee dealing with harassment complaints concerning Members of the European Parliament; calls again for full transparency about how Parliament is addressing issues of harassment, while protecting the identity of those affected, and invites both committees to draft and publish their monitoring reports and risk assessments annually on Parliament's website; calls for annual internal evaluation as well as for an independent evaluation by external auditors selected in a transparent procedure at least once per mandate and highlights that these results must be made public; recommends, in line with its previous resolutions, that a task force of independent experts be set up with a mandate to examine the situation of sexual harassment and abuse in Parliament and to carry out an evaluation of the existing Advisory Committee dealing with complaints between APAs and Members of the European Parliament concerning Harassment and its Prevention in the Workplace and the Staff Advisory Committee for Parliament Staff on Harassment Prevention; recommends that it proposes adequate changes in order to ensure professionalisation and achieve the zero tolerance goal;

28. Reiterates its calls for the two advisory committees to be merged into one committee dealing with cases of harassment, with the composition of one Quaestor, two representatives of the staff and/or APA committees and three professional experts such as doctors, therapists and legal experts in the domain of harassment to allow an equal, professional, fair and balanced composition; calls for the creation of a confidential historic register of cases, as already requested in the resolutions dating from 2017 and 2021; calls for a clear mandate and transparent selection process for the members of the committee; recommends the creation of a voluntary survivors support network to provide support and guidance among victims and survivors of harassment;

29. Regrets that procedures investigating alleged harassment can take as long as two years causing unnecessary harm to the victims; recalls that it is a legal responsibility of Parliament's administration to investigate cases brought before it with due diligence and in a timely fashion; therefore calls on the two Advisory Committees dealing with harassment complaints in the European Parliament to conclude cases brought before them as soon as possible, at latest within a period of six months, and that they continuously inform all parties involved on the procedure; calls for the President to make the decision on possible sanctions within six weeks of receiving the initial report and communicate this decision to all parties involved prior to any public announcement; calls on the Bureau to include an article on prescribed time-limits to ensure that the Bureau Decision of 2 July 2018 complies with the EU law principles of legal certainty and good administration; highlights the need to pay particular attention to the situation of workers with the least stable contracts and to online harassment considering the rise in telework;

30. Calls on the European institutions to implement an external audit on the situation of harassment in their institutions, including the review of existing procedures and systems in place that deal with cases of harassment, to make the outcome of the results public and to make reforms on the basis of the recommendations from the audit;

31. Notes the importance of whistleblowers in harassment cases; reiterates its recommendation to revise the Staff Regulations, especially Article 22c, in order to align it with the standards of the Whistleblower Directive; calls on the Bureau, in the interim, to immediately revise Parliament's Internal Rules Implementing Article 22c of the Staff Regulations to bring them in line; calls on the European Parliamentary Research Service to commission a study on the added value of whistleblower platforms in workplaces and how it could be applicable within the EU institutions, the outcomes and recommendations of which should be presented in a workshop or hearing with exchanges of views in relevant Parliament committees;

32. Calls again for the European Ombudsman to provide coherent information on an annual basis to Parliament's High-Level Group on Gender Equality and Diversity and the FEMM Committee regarding complaints about maladministration relating to gender equality in Parliament and to other EU institutions;

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33. Instructs its President to forward this resolution to the Council and the Commission.