



BRIEF

# Ending Gender-Based Violence and Harassment in the World of Work: The Critical Importance of Implementing ILO Convention 190

## SUMMARY

Limited social and legal provisions have made it difficult to prevent and address gender-based violence and harassment (GBVH) in the world of work. However, ILO Convention 190, adopted in 2019, offers a transformative and clear global framework to recognize the rights of all workers to live in a world free from violence and harassment. The next step is to put the Convention and Recommendation 206 into practice and implement the standards through inclusive and integrated practices. Governments, employers and worker organizations, philanthropic actors, and other stakeholders must commit to adopting C190's

measures across all sectors, occupations, and work realities. The Convention offers a roadmap on how to reform laws and policies at the national level, from ratification to multi-sector coordination to ensuring meaningful implementation, monitoring and reporting. This brief offers concrete recommendations to end gender inequalities and discriminatory norms in the world of work using C190 as a model for change. Embraced by activists, human rights movements, trade unions and women's rights organizations, C190 offers a critical opportunity for advocacy and mobilization at the Generation Equality Forum and beyond.

## OVERVIEW

50 percent of women face the risk of sexual harassment, violence, and discrimination in the workplace in their lifetime.<sup>1</sup> For many women, aspects of their social identity—migration status, sexual orientation, gender identity, age, race, ethnicity, religion, and disability—make them more susceptible to GBHV, facing compounding forms of discrimination.

Limited social and legal protections and poor implementation of laws and policies in many countries has made it difficult to prevent and address GBVH. However, the International Labour Organization's (ILO) Convention 190 (C190),<sup>2</sup> a legally binding instrument adopted in 2019, has a transformative and bold message: gender-based discrimination will no longer be tolerated in the “world of work.” This term intentionally broadens the definition of where and how work happens to include the ways that violence and harassment affect workers at the workplace as well as during related activities—such as communication, travel, and commute—and account for the impacts of

domestic violence.<sup>3</sup>

Convention 190 is a result of years of organizing by labor rights and women's movements, which has given credibility, visibility, and urgency to the issue of GBVH on a global level. The Convention brings attention to different aspects and dynamics of the issue and provides a roadmap to enable governments, public and private sector employers, and workers to address it. The recommendations establish a uniform set of minimum standards that can help shape new policies and practices to recognize the dignity and value of all workers.

The relevance of the ratification of C190 and its implementation is heightened in the context of crises such as COVID-19, which has reshaped where work happens and its impact on risks and vulnerabilities in the lives of women and girls in all their diversity. This brief offers multi-faceted, practical recommendations that can be adopted by governments and other stakeholders to address GBVH in the world of work and implement well-thought-out policies and practices to comply with C190's bold mandate.



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## RECOMMENDATIONS

### Governments

Six governments have ratified C190: Uruguay, Fiji, Namibia, Argentina, Somalia, and Ecuador. Italy has also completed the national ratification process. A further number of governments have signaled their intention to seek approval from their respective legislative assemblies to ensure that they follow the requirements and bring their policies into compliance. However, ratification is needed from many more countries to effectively address GBVH on a global level and advance women's human rights.

- ◆ Governments must ratify ILO Convention 190 and ensure that its principles are upheld through legislation and national policies that institutionalize and strengthen frameworks to ensure equal and fair treatment of women in the workplace and the eradication of gender-based violence and harassment at work. Regional bodies such as the African Union should work closely with governments to encourage them to ratify C190 and establish regional standards to guarantee the safety of all by eliminating violence and harassment.

- ◆ Since the ILO can provide technical assistance to countries that have ratified or wish to ratify the Convention, governments should work closely with the institution through multi-level coordination including labor, justice and gender ministries; employer and workers' organizations; and other key agencies and departments to implement C190 and Recommendation 206 on the ground. ILO's supervisory mechanism provides guidance on implementation and gender analysis to governments and other stakeholders.
  - ◆ To effectively implement C190, global institutions and governments should design measures to ensure that diverse stakeholders including the judiciary, labor inspectors and legal professionals are trained and have the capacity to effectively execute their responsibilities. Training manuals and seminars for judges and prosecutors are useful tools to ensure women's fair access to justice and address gender stereotypes. A recent program piloted in a few Eastern European countries in partnership with national judicial and prosecutorial training institutions and the United Nations High Commissioner for Human Rights (OHCHR) offers comprehensive guidance.<sup>4</sup>
  - ◆ Governments can accelerate the implementation of C190 and advance gender equality through the Generation Equality Forum,<sup>5</sup> which provides an opportunity to drive collective action and robust commitments. In doing so, governments can strengthen and implement commitments across the GBV and Economic Justice and Rights Action Coalitions and commit to ratifying the Convention and bringing other governments to join them in Paris and beyond to ensure that C190 provisions and recommendations are integrated in national plans, laws and policies.
  - ◆ Since the Convention has expanded the notion of workplace — from factory to the public and private places where women work, sell their provisions, and commute — governments must make sure that all women regardless of sexuality, ethnicity, geography, formal or informal work status, etc. have a strong voice and access to the justice system.
  - ◆ Recommendation No. 206 recognizes the importance of data, and governments must make efforts to collect and share data that is disaggregated by sex, ethnicity, type of violence and harassment, employment, etc. This will help inform adequate policy responses to prevent and address GBVH.
  - ◆ Governments should establish strong monitoring, evaluation, and learning mechanisms for the effective implementation of C190. This requires allocating resources for monitoring and enforcement as well as evaluation through independent reviews including regulatory frameworks and public reporting.
  - ◆ Since governments are significantly large public sector employers, they should lead by example by operationalizing the implementation of C190 across its ministries, departments, and agencies (including all streams of domestic and foreign policy).
- Private Sector**
- It is in the interest of all employers, public and private, to create a productive workplace and increase women's labor force participation by ensuring a safe environment for their workers. In order to engage in addressing GBVH in the world of work, the private sector should:
- ◆ Mobilize the buy-in of top businesses to develop internal policies that align with ILO C190 and other relevant ILO Conventions. This will mean applying gender-responsive policies in organizations across the full spectrum of leadership, worker rights, equal pay, decision making, safety, and protection, among other measures.
  - ◆ Move employers and the private sector beyond basic compliance on the issue of GBVH to creating enabling workplace environments that address social norms and attitudes that perpetuate discrimination against women and transforms organizational cultures.
  - ◆ Ensure that there are adequate structures in place so that survivors are comfortable to report GBVH, such as a dedicated hotline or email monitored by a safety team that offers support and access to comprehensive services. Disclosure of confidential and/or sensitive information must be prevented, while simultaneously ensuring that each incident is thoroughly investigated, appropriate consequences are enforced, and survivors have access to remedy.<sup>6</sup>

- ◆ Use ILO manuals and tools on gender analysis and sensitization across leadership and management systems to facilitate prevention measures and equitable workplace policies.
- ◆ Conduct broader awareness raising and messaging on the company's commitment to eliminate GBVH with its business partners, suppliers, and employees, creating campaigns to encourage others to sign on and implement these measures.
- ◆ Put in place support and safety measures for remote work based on Convention 190's broad concept of the world of work; for example, safety measures and reporting to prevent cyberbullying and harassment during transit. Unsafe and poor public transport is one of the most common reasons cited for women to not join or leave the workforce.<sup>7</sup>
- ◆ Create strong accountability frameworks including tools like the Gender Equity Index (GEI) that can be used to track the performance of public companies to build the business case for gender equality.<sup>8</sup> GEI not only assesses sexual harassment policies and procedures but also considers factors such as the supply chain, gender pay parity, and women's leadership.

### Philanthropy

The philanthropic sector must invest in women's rights organizations and movements by resourcing their organizing, capacity building and advocacy to:

- ◆ Support long term partnerships centered on

shared values and goals across the labor and women's movements.

- ◆ Strengthen the capacity of civil society, women's rights organizations, and trade union leaders to engage with global brands, suppliers, and governments to ensure implementation of C190 and demand accountability.
- ◆ Utilize and support training manuals and curriculums developed by regional networks such as the Asia Wage Alliance Association<sup>9</sup> to facilitate women's leadership and implement workplace programs.
- ◆ Support collective agreements and campaigns such as International Trade Union Confederation's campaign #RatifyC190 – for a world of work free from violence and harassment that aims to ensure ratification and raise public awareness around the Convention.<sup>10</sup>

The intertwined crises of gender-based violence and economic justice present an opportunity to push for robust and transformative mechanisms to prevent and respond to GBVH, including the ratification and effective implementation of C190. Stronger accountability and reporting to track progress is critical since ratification will be meaningless without proper follow through. Civil society can play a key role to advocate for the implementation on the ground. Multi-sector partnerships can drive robust gender responsive plans and policies using ILO's Convention 190 as a model to advance women's human rights across a range of intersecting identities and work realities.

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