



# Tackling violence and harassment in textiles, clothing, leather and footwear: Implications of the new ILO Convention No. 190

## Objective(s) of the session

- Raise awareness and mobilize key industry stakeholders to address violence and harassment in the world of work in garment and footwear sectors.
- Promote the ratification and implementation of the new [ILO Violence and Harassment Convention, 2019 \(No. 190\)](#) and its accompanying [Recommendation \(No. 206\)](#).
- Share and discuss policies and measures to prevent, remedy and eliminate violence and harassment in the abovementioned sectors, taking into account good practices and lessons learned.
- Encourage industry stakeholders to take further action, including through their commitment to responsible business conduct and due diligence.

## Background

### What is the context?

Several risk factors have been identified as catalysts of violence and harassment in the world of work. These include working situations that are not properly covered or protected by labour law and social protection, work in resource-constrained settings, unsocial working hours, abuse of imbalanced power relations, workplaces where one gender or ethnicity dominate, intersecting grounds of discrimination, diverse forms of work arrangements, informality, difficulties in monitoring abuses of workers' rights, and absence or lack of workplace policies amongst others.<sup>1</sup> Traditional gender stereotypes, multiple and intersecting forms of discrimination and unequal gender-based power relations embedded in a culture and society also seem to be a reason why gender-based violence and harassment, including sexual harassment, is tolerated in the workplace.

Women make up over three-quarters of workers in the garment sector, ranging from 63 per cent of the workforce in Jordan, 70 per cent in China, 85 per cent in Bangladesh and 90 per cent of all garment workers in Cambodia.<sup>2</sup> They tend to be the most vulnerable to violence and harassment, particularly when in the informal economy. In a baseline survey conducted by the ILO/International Finance Corporation Better

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<sup>1</sup> ILO International Training Centre and Fair Wear Foundation: Gender-based violence in global supply chains – Resource kit, 2016.

<sup>2</sup> Ibid.

Work programme (BW) in garment and footwear factories in Cambodia, “quid pro quo”<sup>3</sup> sexual harassment is reported by 22 per cent of the respondents.<sup>4</sup>

To the workers, employers and other actors intervening directly or indirectly throughout the garment value chain, this issue is an ever-present threat to their human rights. It also dampens productivity at the firm, industry or national levels. It “is incompatible with the promotion of sustainable enterprises and impacts negatively on the organization of work, workplace relations, worker engagement, enterprise reputation, and productivity”.<sup>5</sup> Research has estimated the economic costs associated with violence and harassment at 1.5 trillion USD.<sup>6</sup>

## What is the ILO Violence and Harassment Convention, 2019 (No. 190) and its accompanying Recommendation (No. 206)?

Within the above context, the ILO adopted the [Violence and Harassment Convention, 2019 \(No. 190\)](#) and its accompanying [Recommendation \(No.206\)](#) in June 2019 during the International Labour Conference (ILC). The Convention is now open for ratification and some countries, such as Uruguay, have already committed to do so. The ILO Convention No. 190 will enter into force only twelve months after at least two member States ratifies it. The new instruments respond to a widely accepted need to prevent, address and end violence and harassment in the world of work. Countries that ratify the Convention will need to take the necessary measures to ensure its effective implementation.

The Convention defines violence and harassment as a “range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment”.<sup>7</sup> In practice, violence and harassment in garment factories take various forms including coercion, threats and retaliation, and deprivations of liberty.<sup>8</sup> Victims of violence and harassment can be anyone in the world of work, including employees, persons working irrespective of their contractual status, persons in training and individuals exercising the authority, duties or responsibilities of an employer.

## What progress has been made?

Workers and their organizations have for many years fought to raise awareness about violence and harassment at in the world of work and will continue their call for actions at all levels – global, regional, national, sectoral and enterprise levels. Enterprises have been working on reducing the risk factors by enabling more safe and healthy working environments to effectively promote responsible business conduct and implement due diligence measures and policies.

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<sup>3</sup> Quid pro quo sexual harassment is when a job benefit is offered in exchange for sexual favours or a sexual relationship.

<sup>4</sup> Better Work Thematic Brief: “Sexual harassment at work: Insights from the global garment industry”, June 2019.

<sup>5</sup> ILO: [Violence and Harassment Convention, 2019 \(No. 190\)](#), Preamble.

<sup>6</sup> *The economic costs of violence against women*, UN Women, September 2016, <https://www.unwomen.org/en/news/stories/2016/9/speech-by-lakshmi-puri-on-economic-costs-of-violence-against-women> [accessed December 2019].

<sup>7</sup> ILO: Convention No. 190, Article 1.1(a).

<sup>8</sup> Gender based Violence in the GAP Garment Supply Chain – Workers Voices from the Global Supply Chain: A report to the ILO, 2018.

Although some gaps remain, progress can be noted on the development, design, implementation and evaluation of gender-responsive policies and plans to mitigate and address real and potential adverse impacts; the identification of hazards and the assessment of risks of violence and harassment; the identification of intersecting forms of discrimination among selected populations (e.g. indigenous, LGBTI, people with disabilities) which may increase the risk of violence and harassment.

Other solutions include capacity building sessions offered to all workers to raise awareness of the harmful effects of violence and harassment. For workers at lower levels of the hierarchy, these sessions allowed them to identify situations of violence and harassment and protect themselves better.<sup>9</sup> For managers and supervisors, in particular at the factory-level, training sessions have helped identify, prevent and manage cases of violence and harassment.

The Better Work programme, covering 1,800 garment factories and 2 million workers in 8 countries, has launched its new Gender Strategy in 2018, which is designed to tackle gender-based violence and discrimination, among other objectives.<sup>10</sup> The BW's sexual harassment prevention work has had a demonstrated impact in reducing worker concerns on the issue (for example, lowering them by 18 percentage points in Jordan) and increasing workers' voice in discussing their concerns with trade unions and factory managers.<sup>11</sup> Data from the programme show a clear link between an increase in workers' productivity and overall factory profitability and a reduction in verbal abuse and sexual harassment.

International NGOs such as Human Rights Watch are taking efforts towards tackling violence and harassment through knowledge dissemination and the documentation of the numerous occurrences in factories based in India, Pakistan, and Bangladesh.<sup>12</sup> In the same vein, the Fair Wear Foundation is using social dialogue as a tool to promote freedom of association and tackle the issue of violence and harassment through the establishment of workplace committees along with worker helplines.<sup>13</sup>

## What are the remaining challenges/gaps?

Holding the various stakeholders along the value chain accountable remains a challenge due to several barriers, such as unauthorized subcontracting, denial of freedom of association and all other fundamental principles and rights at work, and a lack of independent monitoring. Research also indicates that many victims of violence and harassment are unaware of their rights and of the various steps they could take in order to access protection and find remedies. Addressing this issue requires concerted action from all key stakeholders.

## Discussion questions

- *Question 1:* What are the main forms of violence and harassment in the TCLF sector? How do they impact the victims? What are the implications for the industry?
- *Question 2:* How the Violence and Harassment Convention, 2019 (No. 190) and its accompanying Recommendation (No. 206) can contribute to prevent and eliminate violence and harassment in the sector?

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<sup>9</sup> Fair Wear Foundation: Violence and Harassment against women and men in the global garment supply chain, 2018.

<sup>10</sup> Better Work Global Gender Strategy - <https://betterwork.org/blog/portfolio/global-gender-strategy/>

<sup>11</sup> Better Work Thematic Brief: "Sexual harassment at work: Insights from the global garment industry", June 2019.

<sup>12</sup> ITC-ILO Fair Wear Foundation: Gender-based violence in global supply chains – Resource kit, 2016.

<sup>13</sup> Fair Wear Foundation: Setting up Anti-harassment committees and violence prevention systems: The experience of Fair Wear Foundation, 2015.

- *Question 3:* What are the implications of the new international labour standards for responsible business conduct and due diligence practices?
- *Question 4:* How can governments, employers, enterprises, workers, unions and relevant stakeholders to remedy and prevent violence and harassment in the TCLF sector? Which measures are necessary now and in the future?

## For more information

- International Labour Organization, *C190 - Violence and Harassment Convention, 2019 (No. 190) NORMLEX*, 2019, [Link](#).
- International Labour Organization, *ILO Convention on Violence and Harassment: Five key questions*, 28 June 2019, [Link](#)
- Better Work, *Sexual harassment at work: Insights from the global industry*, June 2019, [Link](#)