

USING THE
LAW



LAW
POLICY

IMPLEMENTATION

GARMENT
FACTORY

TRAINING
EDUCATION
POLICY

SHOULD
BE
TEACHING
THEM
HOW
TO
USE
THE
LAW

SORRY,
I DON'T
UNDERSTAND

BRAND

FEMALE
INSPECTOR

ILO
RMG
PROJECT

EXAMPLE
FACTORY

TRADE
UNIONS

GOVERNMENT

TOTAL
WORKING
HOURS

FEMALE
PARTICIPATION

HOME
WORKING
WOMEN
100%
100%
100%
100%

YOU'RE
FIRE

SUB
WOL

PERFECT

CONSUMER
BRAND

BRAND
VOICE
VOICE

2

**FAIR
WEAR
FOUNDATION**

PUNISH
OR
punish

ILO
CONVENTION

RULES
OF
CONVENTION

MASS
MEDIA

OTHER
STAKEHOLDERS

GENDER FORUM

→ ONE YEAR LATER

BEFORE
AFTER

VERBAL
ABUSE

PHYSICAL

PSYCHOLOGICAL

HEALTHCARE

undressed
intimacy

SEXUAL
HARASSMENT



© 2018 Fair Wear Foundation

Fair Wear Foundation (FWF) is an international multi-stakeholder non-profit organisation that works with clothing companies –and their supply chains– to improve working conditions in the garment industry. By becoming a member of FWF, a company commits to implementing the FWF Code of Labour Practices throughout its supply chain. Currently over 130 brands have joined FWF. FWF strives to increase awareness about working conditions and workers' rights in textile factories. For more information, please visit www.fairwear.org.

FWF would like to thank all the participants of the Gender Forum. This booklet was researched and written by Andrea Spithoff, Ellen Keith, Saskia Wishart and Nicole Pope. It was designed by Ruben Steeman of buro RuSt. This report is published as part of the Strategic Partnership for Garment Supply Chain Transformation. The Strategic Partnership is a joint union between CNV Internationaal, Mondiaal FNV and Fair Wear Foundation and is supported by the Dutch Ministry of Foreign Affairs.



Government of the Netherlands



PART I: INTRODUCTION	3
DEFINING GENDER-BASED VIOLENCE	5
USEFUL TERMS	7
THE WORK OF FAIR WEAR FOUNDATION	9
WHAT IS THE STRATEGIC PARTNERSHIP?	9
PART II: THE 2017 GENDER FORUM	19
WHY A GENDER FORUM?	19
2017 GENDER FORUM DISCUSSIONS: FROM CHALLENGES TO SOLUTIONS	24
PART III: ONE YEAR LATER – WHAT HAS BEEN ACHIEVED?	39
BANGLADESH	40
INDIA	43
INDONESIA	47
MYANMAR	51
VIETNAM	54
GENDER ACADEMY	58
ITCILO TRAININGS	58
CONCLUSION: MOVING AHEAD	59



PART I: INTRODUCTION

One year ago, participants from six garment-producing countries –Bangladesh, Cambodia, India, Indonesia, Myanmar and Vietnam– gathered in Ha Long Bay, Vietnam to address gender-based violence in the garment industry. They represented non-governmental organisations, trade unions, private sector companies and government. Organised by Fair Wear Foundation (FWF), in collaboration with the International Training Centre of the International Labour Organisation (ITC-ILCO) and Dutch trade unions CNV Internationaal and Mondiaal FNV, the event was the first of its kind in Asia.

FAIR WEAR FOUNDATION IS A MULTI-STAKEHOLDER NON-PROFIT ORGANISATION THAT WORKS WITH CLOTHING BRANDS, AND THEIR SUPPLIERS, TO IMPROVE THE WORKING CONDITIONS IN GARMENT FACTORIES

For three days, nearly 100 participants exchanged ideas and worked to develop concrete plans to combat sexual harassment and violence in garment factories and generally foster a decent work environment in the industry. At the end of the Gender Forum, delegates from the six participating countries teamed up to prepare country-specific action plans, pledging to undertake specific actions to tackle gender discrimination and abuse in their respective garment industries.

Gender-based violence in the world of work is a complex systemic issue, deeply rooted in the fabric of communities and economic systems. Combating it requires coordinated action at different levels of society and the involvement of governments, factory managers and brands but also trade unions, international organisations and workers themselves.

ACCORDING TO THE ILO (2016), THE WORLD OF WORK IS CONSIDERED TO 'COVER NOT ONLY THE TRADITIONAL PHYSICAL WORKPLACE, BUT ALSO COMMUTING TO AND FROM WORK, WORK-RELATED SOCIAL EVENTS, PUBLIC SPACES INCLUDING FOR INFORMAL WORKERS SUCH AS STREET VENDORS, AND THE HOME, IN PARTICULAR FOR HOMEWORKERS, DOMESTIC WORKERS AND TELEWORKERS'¹

The garment industry is a crucial contributor to the economies in Asia. Given that this sector is extremely labour-intensive, it has created millions

¹ ILO 2016. Report of the Director-General: Fifth Supplementary Report – Outcome of the Meeting of Experts on Violence against Women and Men in the World of Work, GB.328/INS/17/5 (Geneva). Appendix I, paragraph 5).

of jobs—low-skilled, low paid—in the region. With the exception of Thailand, the garment industry has continued to expand. The International Labour Organization (ILO), looking at a sample of ten developing Asian countries, found that more than 40 million people were employed in the garment industry.² The majority of them are women; they make up nearly three-quarters of the workers employed in garment factories in Indonesia, for example, while in Cambodia, their share is four-fifths.

The Gender Forum contributed to raising awareness of gender-based violence in the workplace at a time when the ILO is working on a new international treaty to address violence and harassment against women and men workers. It allowed participants to forge new partnerships with other stakeholders, both within their countries and across borders, exchange best practices and develop creative solutions to combat gender-based violence in the garment sector.

A year later, this report revisits the issues that were discussed and the solutions outlined by the participants. It also looks at what has changed since the 2017 Gender Forum, charting the progress achieved and the obstacles encountered by country teams in the past year—in the five countries where FWF is active—as they work toward achieving the goals set in Ha Long Bay.



FIVE FWF COUNTRIES JOINED THE 2017 GENDER FORUM — BANGLADESH, INDIA, INDONESIA, MYANMAR AND VIETNAM. PARTICIPANTS FROM CAMBODIA PARTICIPATED AS WELL AND HAVE DEVELOPED THEIR OWN PROJECTS WHICH ARE OVERSEEN BY CNV/FNV, WHICH HAS AN ACTIVE PRESENCE IN CAMBODIA.

² ILO: *Wages and productivity in garment sector in Asia and the Pacific and the Arab States*.

DEFINING GENDER-BASED VIOLENCE

Gender-based violence, whether in the private sphere or at work, is a widely underreported issue that violates fundamental human rights. Rooted in gender and power inequality, it can take on many forms and lies on a broad spectrum that includes verbal abuse and sexual harassment, as well as rape and sexual abuse. A complex and deeply entrenched problem, gender-based violence in the workplace is an extension of the discrimination and abuse that many workers—mostly women—experience in their domestic lives.

Aside from deeply affecting individuals, gender-based violence stands as an obstacle to gender equality and therefore undermines economic and human development.

WHY FOCUS ON WOMEN?

This report focuses predominantly on violence and harassment against women and girls because they are disproportionately affected by violence in the world of work. The perpetrators of violence are almost always male. Women are targeted because of their gender; violence and harassment against women is an expression of dominance over women. Physical, verbal, psychological and sexual violence can be considered gender-based if this stems from unequal power relationships between men and women or if it is perpetrated against people because they do not conform to socially accepted gender roles.

Men are also victims of gender-based violence and harassment in the world of work, especially non-gender-conforming men, including those who either are or are perceived to be gay, bisexual or transgender. It is important that men also participate in training sessions on gender-based violence, so that they understand the full extent of the issue and the role they can play in addressing it.

In 2016, the United Nations set the aim to 'achieve gender equality and empower all women and girls' in its Sustainable Development Goals (Goal 5), highlighting the fact that equality is 'a necessary foundation for a peaceful, prosperous and sustainable world.'³

THE SUSTAINABLE DEVELOPMENT GOALS (SDGS) ARE A COLLECTION OF 17 GLOBAL GOALS SET BY THE UNITED NATIONS DEVELOPMENT PROGRAMME, WHICH THEY AIM TO ACHIEVE BY 2030. TO LEARN MORE, FOLLOW THIS LINK TO THE UN PAGE.

Research shows that investing in good working conditions for women can lead to a ripple effect in the local community and result in greater investment in children's health and education. The ILO conducted independent research in Vietnam, where their Better Work Programme operates. They found that women workers contribute 24 per cent more family remittances than men.

TO LEARN MORE ABOUT THE ILO BETTER WORK PROJECT, AND THIS RESEARCH, FOLLOW THIS LINK.

Because gender-based violence is rooted in the patriarchal norms of society, workers in garment-producing countries are often reluctant to report the abuse. Support for victims of gender-based violence is frequently lacking. As a result, it remains largely unreported in spite of being a widespread issue. Many standard factory audits do not reveal gender-based violence in the workplace and because of this, most brands are unaware of the scale of the problem, which not only often has devastating consequences for the victims of violence, but also for their family, the other employees and the community. It also has a negative effect on the atmosphere of the workplace, undermining productivity.

The issue is systemic, complex and it relates to everyone. No one stakeholder can be called out. We all play a role and can find an entry point for collective action.

Benedetta Magri, Manager, ITCILO Gender Academy

³ To learn more, follow this [link to the UN website](#)

USEFUL TERMS

The first step toward tackling gender-based violence is to build a common understanding of the issues and agree on their definition. Here are a few key terms:

Sex vs. gender. The World Health Organisation defines sex as 'the biological and physiological characteristics that define men and women'. Gender, on the other hand, 'refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for men and women'.

Gender-based violence is violence that is directed against an individual or group of individuals based on their gender identity or perceived gender norms. Common forms of gender-based violence include:

- **Physical violence**, defined by the World Health Organisation and ILO as 'the use of physical force against another person or group, that results in physical, sexual or psychological harm. Includes beating, kicking, slapping, stabbing, shooting, pushing, biting, or pinching'.
- **Sexual violence**, which occurs when someone forces another against their will to take part in sexual activity.
- **Sexual harassment**, a form of gender-based violence particularly prevalent in the workplace. It is sex-based behaviour that is unwelcome and offensive to its recipient.
- **Emotional violence**, which occurs when someone says or does something to make another feel stupid or worthless.
- **Psychological violence**, which refers to the use of threats, fear and intimidation by a person to gain control over another.

ILO definition of violence in the service sector:

'Any action, incident or behaviour that departs from reasonable conduct in which a person is assaulted, threatened, harmed, or injured in the course of, or as a direct result of, his or her work'. In 2016, the ILO opted to broaden the 'rubric of violence and harassment' to include a 'continuum of unacceptable behaviours and practices that are likely to result in physical, psychological or sexual harm or suffering'.

The ILO further defines sexual harassment as a sex-based behaviour that is unwelcome and offensive to the recipient. Sexual harassment may take two forms:

1. **Quid Pro Quo.** When a benefit of a job—such as a pay rise, a promotion, or even continued employment—is made conditional on the victim acceding to demands to engage in some form of sexual behaviour.
2. **Hostile working environment.** Wherein the conduct of the offender creates conditions that are intimidating or humiliating for the victim.

Violence and harassment in the workplace includes not only physical offenses, but also verbal, psychological and sexual aspects. It is a difficult issue to address because it is exceedingly dependant on the socio-economic context and often driven by dynamics operating in the world of work and the greater society, including, but not limited to, power relations, gender norms, cultural and social norms, and discrimination.⁴

⁴ ILO, 'Ending violence and harassment', 2017

Participants of the Gender Forum stressed that abuse and violence can take many forms on the factory floor: yelling at workers and bullying them, forcing them to work long hours and limiting their freedom of movement or even preventing them from using the toilet are all forms of violence. It also includes access to toilet breaks or to hydration, which can have a negative impact on women's reproductive health and wellbeing. Moreover, women workers often risk violence and harassment when returning home from work late at night.

There must be a clear definition of sexual harassment in the workplace that everyone understands. It is a basic rule of natural justice that all understand what is acceptable and unacceptable behaviour. Sexual harassment is often nuanced and challenges what is existing social norms in various countries.

Geert de Wael, Sourcing, Sustainability & Quality Manager, Stanley & Stella



TIPS FOR BRANDS

TOOLKIT FOR COMBATING GENDER-BASED VIOLENCE IN THE WORKPLACE

- Learn about international human rights guidelines for businesses and how they can be used to prevent gender-based violence
- Partner with multi-stakeholder initiatives to uncover workplace harassment and violence and develop solutions
- Ensure proper production planning
- Create a pricing policy that support living wages
- Engage with workers and their representatives to raise awareness and address GBV
- Work with governments to promote and implement labour laws that guarantee decent work and a working environment free from gender-based violence
- Promote transparency across all tiers of your supply chain, focusing in particular on sub-contracting arrangements

THE WORK OF FAIR WEAR FOUNDATION

Fair Wear Foundation (FWF) is a non-profit organisation that works with brands, factories, trade unions, NGOs, and governments to improve the working conditions for garment workers in 11 production countries in Africa, Asia and Europe. The organisation's multi-stakeholder approach brings together these different actors and groups to develop innovative solutions and improve labour conditions in the garment supply chain. FWF keeps track of improvements made by its 80+ member companies, which represent over 130 brands that sell their products in more than 20,000 retail outlets around the world.

FWF encourages member companies to engage in long-term relationships with their suppliers and to address labour issues with the workers' involvement through social dialogue. FWF involves local stakeholders in every aspect of its work—from auditing to remediation and complaints handling to development of its overarching strategy.

WHAT IS THE STRATEGIC PARTNERSHIP?

In 2016, FWF joined a strategic partnership with Dutch trade unions Mondiaal FNV and CNV Internationaal, and the Dutch Ministry of Foreign Affairs. The Strategic Partnership is a five-year initiative that combines the skills and expertise of these four organisations to improve labour conditions in garment supply chains and ensure that the sector develops into a healthy and viable industry.

Each partner brings unique strengths to this initiative, which focuses on three areas:

- SOCIAL DIALOGUE
- LIVING WAGE
- GENDER-BASED VIOLENCE

FWF IS ACTIVE IN 11 COUNTRIES:
BANGLADESH, BULGARIA, CHINA, INDIA,
INDONESIA, MACEDONIA, MYANMAR,
TUNISIA, TURKEY & VIETNAM.

The two trade unions, for their part, can rely on broad international networks as well as local partners to help design and implement pilot projects and lobby for legislative and policy changes that address deeply entrenched issues in the garment sector. CNV Internationaal has conducted research on gender-based violence in Cambodia, Indonesia and Vietnam. Mondiaal FNV develops recommendations for employers/factories on how to address these issues.

FWF, through its committed member brands, has significant access to garment suppliers. Additionally, FWF has coordinated several pilot projects to address gender-based violence in the workplace. Owing to this, FWF has gathered extensive data on working conditions in the garment industry. Through FWF's work with brands, it also has an in-depth knowledge of the European end of the supply chain.

In all three areas, the Strategic Partnership aims to develop impactful, evidence-based programmes and practical solutions that can be scaled up and sustained.

Fair Wear Foundation works directly with brands, which gives us access to supply chains and some leverage with garment factories. This means we are learning a lot, have access to a lot of data and evidence. Our partners, FNV and CNV, work directly with trade unions in garment producing countries on a range of issues, including gender-based violence. And so, it is only natural that we join forces to ensure that these local unions have access to what I would call 'supply chain learning'. Because without constructive social dialogue and collective bargaining, there will be no sustainable change.

Sophie Koers, Associate Director, FWF

FWF uses three main instruments to combat gender-based violence in the sector:

1 → FWF COMPLAINTS HANDLING SYSTEM

FWF set up a complaints handling system in each of the 11 countries where it operates. Workers can report grievances without fear, knowing that their complaints will be treated with respect and confidentiality. Every year, FWF complaints handlers assess around 300 complaints, which cover a range of issues, including sexual harassment at work.

Existing complaints procedures rarely are suitable, not least because of the need for absolute confidentiality and, for the most part, lack of witnesses or even complainants willing to speak about what has happened to them. FWF can help clothing supply chains develop workable and adequate factory procedures.

Jo Morris, Visiting Professor in Practice, Gender Institute
London School of Economics and Political Science

2 → WORKPLACE EDUCATION PROGRAMME

FWF has developed the Workplace Education Programme (WEP), designed to raise awareness about labour rights and promote social dialogue among workers and management of supplier factories.

In India and Bangladesh, where women workers often face gender-based violence in the workplace, FWF runs the WEP Violence and Harassment Prevention Programme that focuses on gender-based violence in the workplace and promotes the establishment of worker-run workplace harassment committees in factories.

→ TO LEARN MORE ABOUT THE WEP: VIOLENCE AND HARASSMENT PREVENTION PROGRAMME, READ OUR REPORT: 'BREAKING THE SILENCE'

The programme focuses on raising awareness of management, supervisors and workers' on gender-based violence and building functioning grievance systems such as a workplace harassment committee and complaints handling procedures. It also provides workers with information about resources like the FWF complaints hotline.

As of 2018, FWF has successfully overseen the establishment of 72 workplace harassment committees in factories in Bangladesh and India.

INFOSHEETS AND CARDS,
AVAILABLE IN ALL LANGUAGES



In 2012-2013, at the outset of the programme, FWF conducted a baseline survey of 658 women from 35 factories in Bangladesh. Of the women interviewed, 75 per cent said that regular verbal abuse occurred in their factory, most of which was sexually explicit. Twenty-nine per cent of the women interviewed had noticed psychological abuse, such as bullying, targeted demotions or transfers, or being prevented from using the bathroom. Twenty-three per cent of the women also said that there was physical abuse in their factory. However, when the interviewers asked about sexual violence, most of the workers refused to talk about it even though they admitted that it exists in their factories. They did not feel comfortable discussing it. Only one of the respondents mentioned a specific sexual assault but refused to give details of her story. During the training sessions, workers told the trainers that they did not want to talk about the matter at all; it was so taboo they did not even want to receive training on it.

The baseline study also showed that while only 20 per cent of management staff said they had witnessed or experienced violence in the workplace, 60 per cent of workers said that they had seen or experienced violence – a number that matches research conducted by ILO⁵.

In 2016, FWF conducted a follow-up study. The workers reported fewer cases of verbal, psychological and physical abuse following the WEP training and introduction of the workplace harassment committees. Furthermore, during the follow-up study, workers felt comfortable to speak more openly about sexual violence in their workplace. While before the programme, the workers refused to discuss cases, in the follow-up, nine per cent of women talked freely about sexual-based offences in their workplace. Moreover, 19 out of 226 workers reported that their managers had proposed sex in exchange for job security.

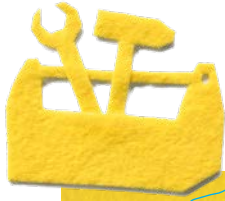
⁵ To learn more, follow this link

3 → SUPERVISOR TRAINING PROGRAMME IN INDIA

Recognising that violence prevention requires a better balance of women and men in supervisory and managerial positions, in 2014, FWF teamed up with Indian civil society organisations SAVE and CIVIDEP to create a special training programme for supervisors in the garment-producing regions of Bangalore and Tirupur. Female workers are trained to become supervisors and to progress to higher skilled and higher paid jobs in the workplace. The training aims to build women's confidence and capabilities, reduce economic discrimination and change gender stereotypes. Male supervisors are also trained on how to be effective supervisors without using violence or harassment. The training shows the positive consequences of respectful behaviour towards workers, with plenty of practical examples of how to challenge the previous behaviour of supervisors.

If women are harassed by male colleagues,
it's difficult to complain openly to a male supervisor.
As a man, he'll support them, so we don't bother to
complain. But with a female supervisor, women will be
more comfortable approaching them with problems.

Mohana, garment worker,
completed FWF supervisor training in India



TIPS FOR BUILDING AWARENESS OF GENDER-BASED VIOLENCE

TOOLKIT FOR COMBATING GENDER-BASED VIOLENCE IN THE WORKPLACE

- Organise a competition of short films directed by women
- Use new technology and mobile phones to support anti-gender-based violence and sexual harassment initiatives
- Run a public campaign on gender-based violence aimed at men to break the taboo on the issue
- Bring women's organisations together to convince unions to prioritise gender-based violence issues
- Broadcast a radio programme aimed at drivers, who represent a mass audience; run a radio campaign promoting the helpline and encouraging victims to call
- Organise public hearings of victims willing to speak up
- Submit a manifesto to local government and call for public action
- Prepare posters highlighting 'zero tolerance' to gender-based violence
- Perform a street play on gender-based violence during community festivals; use theatre in factories to make workers more aware of sexual harassment and violence
- Engage with youth groups through role play and music
- Focus on raising government inspectors' awareness of sexual harassment in the workplace

PART II: THE 2017 GENDER FORUM





WHY A GENDER FORUM?

Globally, nearly three-quarters of garment workers are women. In some countries, this ratio is even higher. In Bangladesh, an estimated 85 per cent of workers employed in garment factories are women, while in Cambodia, the share of women workers reaches 90 per cent.

TO LEARN MORE ABOUT GENDER
IN FWF ACTIVE COUNTRIES,
[READ THE FWF COUNTRY REPORTS](#)

Women may form the vast majority of garment workers, but they are poorly represented in positions of authority. Women tend to be given lower-skilled, lower-paid jobs and work under male supervisors and managers. Many of them face daily discrimination based on their gender.

Gender-based violence in the workplace is tied to traditional gender norms, and gender inequality stretches into the private as well as the public sphere. Tightly woven into the fabric of society, gender-based violence is a complex issue with no quick fixes. Addressing it requires a multi-pronged approach that empowers individuals, and tackles discrimination and abuse both in the workplace and at the broader society level.

I am very pleased that we have representatives at the Forum from different stakeholders. Because the key words are 'shared responsibility'. Every part of the global value chain—company, government and consumer— shares responsibility. And both suppliers and brands are responsible for improving working conditions in the garment industry, and that includes measures to prevent gender-based violence.

Pauline Eizema, Deputy Head of Mission,
Dutch Embassy in Vietnam

There are many underlying causes that shape gender-based violence in the world of work. These include:

Cultural norms and lack of awareness. In spite of significant progress on the situation of women, gender-based violence is often sustained by a culture of silence. In some cases, sexual harassment and discrimination are so rooted in the society that women themselves are not aware that the behaviour constitutes abuse. Others may be reluctant to speak up because they worry about losing their job or they fear the social stigma or reputational damage often associated with sexual abuse. Some women may even blame themselves or think that they deserve it.

Tackling gender-based violence, therefore, requires raising awareness of workers and factory managers through training and creating a support network that allows workers to report instances of gender-based violence in a safe and secure way.

Women have two jobs: in the workplace and home, which means they often do not have a chance to also take care of themselves. The basic education of these women is very poor; we must do something at state-level so that women can better understand their rights, get training, and move up.

Afroza Khan, Assistant Secretary, Deputy Secretary
Ministry of Labour and Employment People's Republic of
Bangladesh

Lack of legal enforcement. Governments need to explicitly state that gender-based violence will not be tolerated. Moreover, they need to go beyond just introducing legislation, and also ensure that the law is enforced and upheld. In Bangladesh, India and Vietnam, for example, they have introduced legislation to combat gender-based violence; however, implementation of the rules remains patchy at best. In Indonesia,

the local laws cover labour rights, equality and discrimination, but do not specifically mention gender-based violence, which causes gaps in the enactment of the law.

Gender-based violence needs to be specifically addressed and defined in legislation.

Lack of freedom of association, trade unions and social dialogue. Freedom of association is vital in order to allow workers' voices to be heard and support their bargaining power. Yet few factories in the garment sector have active, functional trade unions. Even when unions do play a role, union leaders tend to be male; therefore, women's rights issues may not be well represented or considered to be important priorities. In some countries, unions are close to the factory management or the authorities and do not represent the workers adequately. Unions have the ability, however, be powerful actors in the fight against gender-based violence. They can ensure the voices and concerns of women workers are heard and negotiate collective bargaining agreements that specifically require the formation of workplace harassment committees and the adoption of policies to address gender-based violence.

Lack of strong workplace policies. Without proper workplace policies in place, gender-based violence will continue to be ignored. FWF is working to fill this gap with workplace initiatives, such as the WEP Violence and Harassment Prevention Programme and the formation of workplace harassment committees. Beyond putting regulations in place, the greatest challenge is ensuring that they are properly enforced. Managers, supervisors and workers must be aware of factory regulations surrounding gender-based violence, including the punishments for violations, the required grievance mechanisms for reporting and avenues of support for the victims of gender-based violence. All too often, it appears easier to dismiss the complaint or fire the complainant than to deal with the person perpe-



trating the violation, who is often in a position of power. To ensure that policies are sustainable and do not depend on the leadership of specific individuals, new workers and staff members need to be thoroughly trained. Policies also have to be reviewed and revised and updated on a regular basis.

Factories that have an anti-sexual harassment policy in place need to address issues that come to the complaints committee. They have to launch an inquiry, followed by remediation. It should be explicit in the policy that violations have consequences. But factories don't know how to punish sexual harassment and workers are limited in their abilities to explore possibilities.

Viyakula Mary, Executive director of SAVE

Job insecurity, workplace pressure. Women working in the garment industry often have limited job security, particularly if they operate lower in the supply chain. Sub-contractors working in informal situations, such as in a home, are particularly vulnerable. Workers in precarious work or on short-term contracts are least likely to report sexual harassment or violence, because they lack job security. They cannot afford to take the risk of losing a pay check.

Additionally, women workers may be more at risk of gender-based violence when tight production deadlines force them to work long hours. Research by ILO Better Work shows that buyer pressure can exacerbate the incidence of sexual harassment. Managers become more abusive in an effort to speed up production and as an outlet for the stress they may experience personally. Some supervisors view yelling and bullying as legitimate methods to meet tight production targets. Unrealistic production targets also leads to overtime, which is a risk factor for women workers; they report that they are frequently harassed late at night on their way home from work.

→ TO LEARN MORE ABOUT THE ILO BETTER WORK PROJECT AND HOW BUYER PRESSURE CAN INFLUENCE GENDER-BASED VIOLENCE, FOLLOW THIS [LINK TO THE ILO REPORT](#).

2017 GENDER FORUM DISCUSSIONS: FROM CHALLENGES TO SOLUTIONS

Over the course of three days, Gender Forum participants discussed a broad range of issues related to gender-based violence in the world of work. Together, they explored common obstacles as well as country-specific challenges to creating positive change, shared their experiences and exchanged best practices, and offered suggestions to tackle gender-based violence at different levels—international, national, in the community and in the factory.

Facilitators from different backgrounds examined gender-based violence issues from a variety of angles, providing data and comprehensive analyses. They outlined the steps required to improve working conditions and combat gender-based violence in garment factories.

Facilitators and participants explored key themes and addressed important questions related to gender-based violence, such as:

- Gender-based violence and harassment in the garment sector in Asia: what do we know?
- Gender issues in the world of work
- Violence and harassment in the garment sector: the change we want to see and the obstacles we need to overcome
- Whose responsibility? The role of government, social dialogue and other actors
- The role of international initiatives: case studies

Participatory activities and creative exercises allow the participants to examine the challenges that women workers face in the garment industry in innovative ways and to devise new solutions. The Forum incorporated 'Theatre of the Oppressed' techniques to demonstrate sensitive social problems in order to raise awareness and develop solutions through participatory methods.



'Theatre of the Oppressed' at the Gender Forum

THE THEATRE OF THE OPPRESSED, A CONCEPT ELABORATED ON BY AUGUSTO BOAL, IS A METHOD OF INTERACTIVE THEATRE THAT ENGAGES THE AUDIENCE, MAKING THEM SPEC-ACTORS, SO TO SPEAK. THIS METHOD IS MOST COMMONLY USED AS MEANS OF PROMOTING SOCIAL AND POLITICAL CHANGE.

The following section examines some of the topics discussed during the 2017 Gender Forum. Throughout the report, some of the innovative ideas and practical tips suggested in the course of lively discussions are highlighted. These can become part of a toolkit for combating gender-based violence in the workplace.

➔ **Working together and capacity building.** 'Working together' was a principal theme at the Gender Forum. Gender-based violence cannot be addressed overnight, nor can it be solved by governments, trade unions, factory managers or brands acting alone. It requires concerted efforts from all segments of society and cooperation at different levels.

It is really important to get a commitment from the top – from governments and from brands. This sends a strong message to employers that gender-based violence will not be tolerated. Trade unions play a vital role in organising workers and creating collective-bargaining agreements, and local and international organisations can help monitor the situation. However, the real change still needs to happen in the workplace itself.

Catelene Passchier,
President of the Workers' Group of the ILO

→ **Governments** can support the fight against gender-based violence at the international, national and local levels. Through legislation that specifically targets violence and harassment against women and men in the world of work, employers can be held accountable and required to create a work environment free from gender-based violence. To ensure that legislation gives rise to positive change, the authorities have to ensure the laws do not remain on paper but are properly enforced. A government has a duty to raise awareness of gender-based violence, which can be done by teaming up with civil society organisations.

→ **Factory owners and managers** are often not fully aware of the scope and impact of gender-based violence. The first step, therefore, is to raise their awareness of gender-based violence. Employers can initiate change through effective workplace policies, such as complaints mechanisms and workplace harassment committees. It is imperative that they create an environment in which workers feel comfortable in reporting allegations of gender-based violence, knowing that the case will be investigated thoroughly, and disciplinary action will be taken against abusive colleagues. Employers can share best practices and promote systemic change through their affiliations with business associations, for instance by joining collective-bargaining agreements.

→ **Brands'** actions have an impact on the violence and harassment against women and men in the world of work, and it is important that they recognise their role in order to take steps to prevent and address gender-based violence in their supply chains. Production pressure—including price pressure and lead time pressure—is linked to violence and harassment. Brands can promote a better working environment by adopting procurement policies that do not put undue pressure on suppliers and their workers with unrealistic lead times and production targets.

FWF REWARDS BRANDS THAT TAKE A CRITICAL LOOK AT THEIR OWN PROCUREMENT PRACTICES AND AMENDS THEM IN ORDER TO SUPPORT BETTER WORKING CONDITIONS. TO LEARN MORE ABOUT THE FWF BRAND PERFORMANCE CHECK, FOLLOW THIS [LINK](#).

Brands can support factories in addressing internal issues by highlighting gender-based violence issues in their interactions with factory managers and requiring that specific steps be taken, such as including gender-based violence in the factory code of conduct. Regularly emphasising that the brand is committed to working with suppliers that support equal working conditions for women and men can help create momentum to address gender-based violence at the factory level. Most importantly, brands should recognise that gender-based violence is a prevalent issue in garment supply chains, even if it has not yet been detected by an audit or complaint. Sexual-based offences are a hidden phenomenon. Many brands react to more serious audits findings by terminating the relation; as a result, many factories are reluctant to be open about issues. Brands can side-step this by taking the stance that gender-based violence is endemic, present to some degree in every workplace; therefore, they can take a proactive approach and begin working on gender-based violence issues while avoiding the confrontational aspects.

→ **FWF member brands** in particular can take additional steps. They can be diligent in following up on their corrective action plans and further integrate harassment prevention in their monitoring systems. The brand staff—particularly the CSR department and sourcing department—can take extra



training in order to recognise gender issues when they visit a supplier. Furthermore, brands can encourage and pay for their suppliers to run WEP trainings in their factories, and continuously follow up with them. Lastly, by responding to complaints filed via the hotline in a thorough and timely manner, they set the standard that gender-based violence will not be tolerated in their supply chain.

→ **Trade Unions** are major players in improving working conditions in garment factories and combating gender-based violence; however, the rate of unionisation remains low. By organising workers, unions fulfil a crucial role. Despite this, trade unions are not free from the gender biases that prevail in the broader community; unions are dominated by men. It is important that more women are promoted within unions, to ensure that gender-based violence are treated as specific concerns and properly addressed through social dialogue. In Indonesia, for example, the Federasi Buruh Lintas Pabrik (FBLP) trade union prepared a documentary which led a campaign against sexual harassment in the workplace. In Bangladesh, the Accord, a binding agreement between lead companies and trade unions in the garment sector, shows a new model for cooperation between global buyers and workers' trade unions.

THE ROLE OF TRADE UNIONS

case study presented by Janneke Bosman,
Programme Officer for Asia at CNV Internationaal

A project in Indonesia, which took about two years, involved social dialogue with different stakeholders—the government, employers, unions and workers—to define all the issues that should be included in the collective bargaining agreement (CBA) that was signed in August 2017 in West Java. Ten companies have now signed the CBA in the garment sector. It includes conditions such as longer maternity leave, living wage and freedom of association.

→ **Local and international NGOs** contribute by raising awareness of gender-based violence issues through facilitating trainings and workshops. They also work with a variety of partners, providing capacity building support and acting as a bridge to encourage stakeholders from different backgrounds to work together for a common cause. By cooperating with trade unions, NGOs can ensure that workers become organised in order to protect their rights, and address gender-based violence. FWF works closely with local NGOs in the countries where it is active. For example, SAVE, one of FWF's partners in India that delivers the WEP Violence and Harassment Prevention Programme to suppliers of FWF member brands, has begun to branch out, helping other factories to form workplace harassment committees and develop internal policies against violence and harassment.

SAVE IS AN INDIAN ORGANISATION THAT FOCUSES ON CHILDREN'S RIGHTS AND WOMEN'S RIGHTS. TO LEARN MORE INFO ON WWW.SAVENGO.ORG

→ **Multi-stakeholder initiatives (MSIs)** bring together some of the players listed here—companies, trade unions, NGOs—to form alliances, work together on improving workers' rights and collectively tackle issues, especially complicated issues such as gender-based violence, that cannot be solved by one entity alone. ILO Better Work, FWF and the ILO RMG project operate along these principles, drawing on the strengths and skills of different stakeholders to work toward achieving common goals.

I started working in a garment factory when I was 11 years old. I suffered a lot of problems. I lost my job. I was beaten by management. I was harassed. I know that if we are not talking, if we are not fighting, if we are not raising issues, who will?

Nazma Akter, president of the Sommito Garments Sramik Federation in Bangladesh, head of AWAJ

→ **Why addressing gender-based violence is good for business**

Tackling violence and harassment against women and men in the workplace is essential to improving the labour conditions—and lives—of workers



in the garment sector. There is increasing evidence that it also makes sense from a business perspective; research has shown that gender-based violence also impacts work performance, motivation, absenteeism as well as staff turnover and quality of work.

Research conducted by the ILO, which implements its Better Work programme in seven countries, including Bangladesh, Cambodia, Indonesia and Vietnam, showed that improving working conditions and empowering female workers boosts profitability and profit margins. Production lines overseen by female line supervisors trained through its programme increased factory productivity by 22 per cent. Across all factories the ILO tracked in Vietnam, average profitability had increased by 25 per cent after four years of participation with Better Work.

Addressing gender-based violence increases the motivation of workers and helps companies retain their personnel. Workers operating in an environment where they are treated with respect are less likely to be absent from work and less likely to seek employment elsewhere.

When brands and factory managers establish a complaints mechanism and investigate allegations of gender-based violence in a timely manner, they contribute to breaking the taboo that surrounds gender-based violence. Training supervisors and introducing more female line managers on

→ TO LEARN MORE ABOUT THE ILO BETTER WORK PROJECT AND HOW BUYER PRESSURE CAN INFLUENCE GENDER-BASED VIOLENCE, FOLLOW THIS [LINK TO THE ILO REPORT](#).

the work floor is essential to help create a healthy and safe working environment. Training also helps workers themselves to gain awareness of gender-based violence and what avenues of redressal are available to them.

→ **Social dialogue** is the engine of change. Negotiations and open discussion between workers and factory management, with support from local and international organisations, brands and government agencies can generate the momentum required to address complex issues like gender-based violence and improve the situation of garment workers. Different stakeholders bring diverse interests and priorities, but through respectful exchanges and an understanding that all sides can benefit from cooperation, they can build capacity for change. Gender training can help trade unions and factory managers gain a better understanding the issue and how to tackle it.

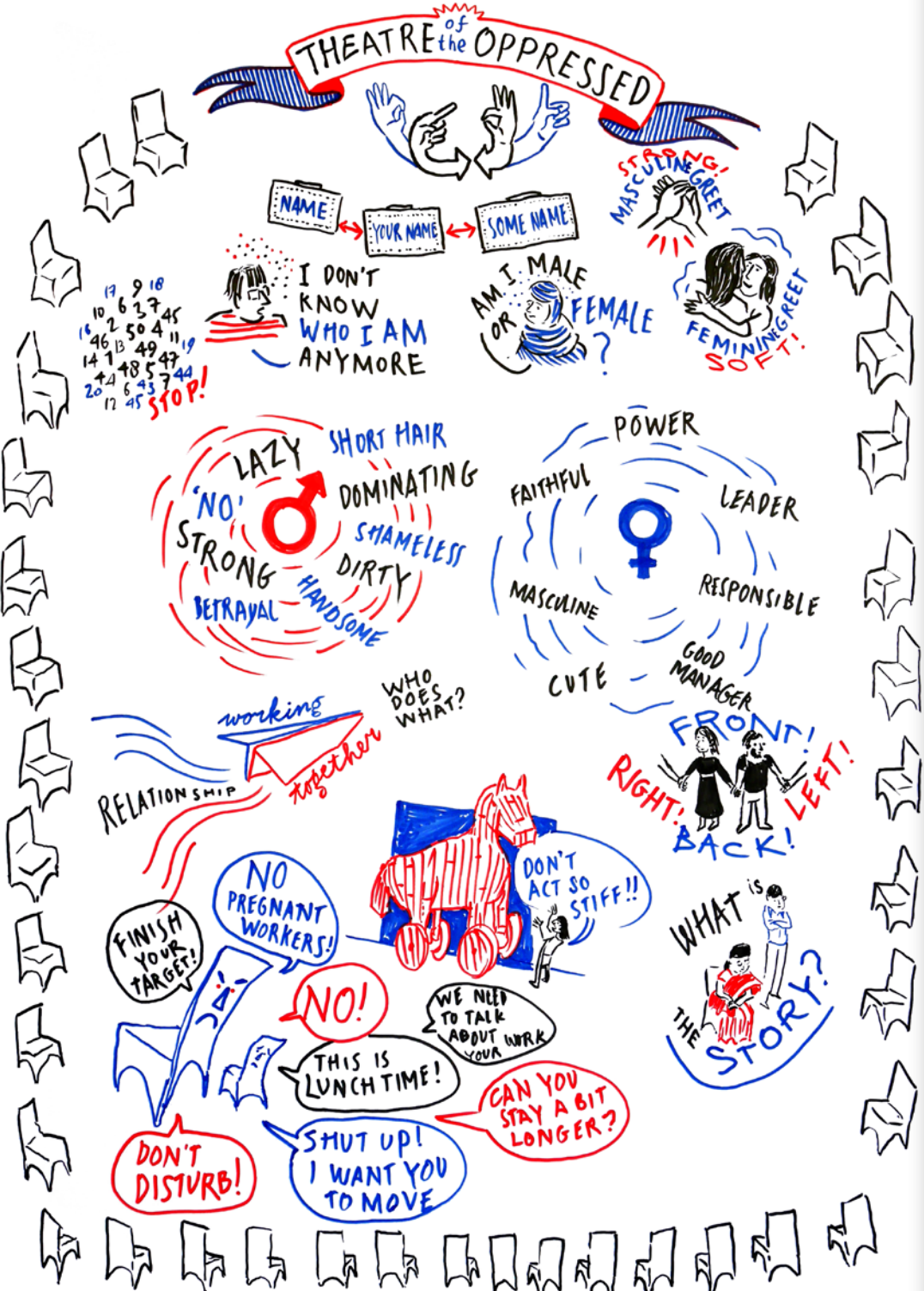
It is especially important for local trade unions to interact with multi-stakeholder initiatives in order to better represent the worker perspective. Collective-bargaining agreements that cover gender-based violence across the industry open the door to practical steps that address the issue at factory level. Social dialogue is most successful when it directly involves workers, who can express their needs, follow-up on the discussions and communicate the results to their peers.

We are all here with a shared goal of eliminating violence and harassment, and promoting decent work for all in the garment sector’.

**Aya Matsuura, Gender specialist South Asia,
ILO Decent Work Technical Team**

→ **The need for empirical evidence.** There is a lack of empirical data about gender-based violence in the workplace. The stigma surrounding the issue, and the lack of power of the majority of victims makes it a hidden crime. Surveys of workers are important to provide evidence that

THEATRE of the OPPRESSED



gender-based violence is a prevalent and persistent problem in factories; however, large-scale surveys tend to be expensive and often miss vital data. Most study recipients find it difficult to discuss sensitive topics and, therefore, it is necessary for the interviewer to build up a relationship—and trust—with them. Individual, in-depth interviews, carried out by sensitive researchers or trained peer-researchers allow women to express their concerns and share their life stories and the extent to which gender-based violence is in the world of work.

‘We need to be more focused on how occupational safety and health programmes and risk assessments can be an entry point for discussing gender equality, decent work and behaviour change in the workplace. They represent an important way in which to integrate violence and harassment into prevention programmes and to gain support from predominantly male workplace representatives traditionally concerned with physical hazards in the workplace’.

Dr Jane Pillinger, Researcher and Policy Adviser,
Open University in the UK



ETHICAL GUIDELINES FOR RESEARCHERS AND FACILITATORS

TOOLKIT FOR COMBATING GENDER-BASED VIOLENCE

- Have realistic expectations and be aware of constraints workers may face
- Interviewers should be trained, and preferably women
- Link up with women's organisations and community groups
- Be constructive, positive and avoid focusing on the problems
- Be respectful of people's time and commitments. Be aware of child-care and family responsibilities when organising activities
- Keep language simple and clear and avoid industry jargon
- Use a variety of methods to engage the participants
- Ensure confidentiality and gain the consent from participants if you are recording or taking notes
- Be respectful, non-judgmental, impartial and non-discriminatory
- Ensure that participants are fully informed about the objectives of interviews and consultations



PART III: ONE YEAR LATER WHAT HAS BEEN ACHIEVED?

After three days of discussion, brainstorming and constructive exchange, participants returned home with renewed enthusiasm and determination to improve the situation of the garment industry's workers.

Before the end of the Gender Forum, the participants decided to jointly develop an action plan for all organisations to work together towards elimination of gender-based violence in the workplace. This section looks at each country-specific action plans and examines the work achieved over the past year. This includes some of the challenges stakeholders from each of the five countries encountered as they worked toward achieving their goals.



FOR MORE INFORMATION ON THE SITUATION IN BANGLADESH, SEE THE FWF [COUNTRY STUDY](#).

BANGLADESH

More than half of the four million workers employed in the garment sector in Bangladesh are women. Working conditions are characterised by low wages and an unsafe environment. The ready-made garment (RMG) industry accounts for 81 per cent of the country's export earnings.

Due to the efforts of the Accord and the Alliance, building, fire and electrical safety has improved tremendously in the export-oriented garment sector. Fewer cases of child labour have been reported and the minimum wage increased by 79 per cent in 2013. However, the minimum wage in the garment industry remains one of the lowest in the world and enforcement of labour law in RMG factories is still insufficient. Significant challenges persist, particularly with regards to the safety of women workers, freedom of association, the payment of living wages and reducing excessive overtime.

KEY GENDER ISSUES IN THE GARMENT INDUSTRY IN BANGLADESH

!! → Women are found in low-level jobs, such as sewing machine operators. They are rarely promoted to supervisory positions. Few women work as cutting masters, a position that commands a higher salary.

!! → At work, women workers often face **verbal abuse, bullying and sexual harassment**. Common forms of violence involve pushing workers, pulling their hair or hitting them with fabrics. Male production workers also face violence at work, such as bullying, hitting or forced resignation, but they encounter less verbal abuse and sexual harassment.

'We work long hours in the factory, facing low wages and lots of discrimination, poor respect, and this makes us very angry. We need to use this anger to think about how we can reduce amount of exploitation, and improve our living conditions, reducing harassment. We need to be acting from a place of anger. Anger is a driving force'.

Nazma Akter, president of the Somnilito Garments Sramik Federation in Bangladesh, head of AWAJ

MAIN CHALLENGES IN BANGLADESH

Engaging with the authorities and convincing them to support legislation on sexual harassment and gender-based violence is proving difficult as there are many issues that compete for attention within the government.

ACTION PLAN

Prepared by the Bangladesh delegation, 2017 Gender Forum

VISION: GENDER-BASED VIOLENCE-FREE WORKPLACE IN BANGLADESH	
GOALS	What was achieved in the past year?
Short-term action: Form a monitoring committee under the Ministry of Labour and Employment (MOLE) to ensure the existing verdict is implemented.	<p>Bangladesh's Supreme Court issued a directive to prevent sexual harassment in the workplace and in public places in 2009, but it is largely ignored.</p> <p>As the result of the Gender Forum, MOLE initiated a meeting with local partners, and decided to set up a working committee to monitor the implementation of the Supreme Court directive, based on the suggestions raised by local partners.</p>
Long-term action: Enactment of a law against sexual harassment in the workplace, through the Ministry of Law, Justice and Parliamentary Affairs (MOLIPA), the Ministry of Women and Children's Affairs (MOWCA), Ministry of Labour and Employment (MOLE).	<p>At the meeting with MOLE, a decision was made to set up a working committee to finalise the draft law on 'Prevention of Sexual Harassment in the Workplace'.</p> <p>The Gender Platform, which consists of six local partners of FWF and FNV – Awaj, BILS, KN, IBC, BNWLA, BLF – worked together to create a draft law, before submitting it to various stakeholders for feedback.</p> <p>The Draft Law on the Prevention of Sexual Harassment in the Workplace has been completed and submitted to the relevant ministries. The local team has begun with lobby and advocacy activities with various stakeholders, including government officials.</p>



FOR MORE INFORMATION ON THE SITUATION IN INDIA, SEE THE FWF [COUNTRY STUDY](#).

INDIA

India's textile and garment industry employs some 45 million workers and contributes four per cent to the country's GDP. In northern India, the garment sector employs mainly male workers, while in the south about 80 per cent of the workers are female, with up to 90 per cent female labour in Bangalore. Workers often come from disadvantaged backgrounds and are first generation urban workers.

High production pressure results in excessive, often unpaid, overtime. Informal employment is common, especially for seasonal and migrant workers. Less than five per cent of the garment sector is unionised, largely due to management practices that discourage workers from joining trade unions. Union membership is lowest among female workers, particularly those residing in hostels in India's south. Functioning grievance channels are often lacking.

Since 2013, FWF has provided training through its WEP focusing on the prevention of gender-based violence and the establishment of workplace harassment committees. In addition—with the support of the EU delegation in India—FWF has been piloting a programme in Bangalore and Tirupur to train women to become supervisors.

Because many workers are internal migrants, they have short careers. They quit after a few years and return to their village to get married. New workers then need to be trained. Therefore, sustainable systems need to be put in place to ensure the on-going protection of workers' rights.

SUMANGALI SCHEME IN INDIA

One common problem in India is the concept of Sumangali. Young women from poor backgrounds are sent to work in garment factories as indentured labourers. The women work for three to five years, but only receive one lump-sum payment at the end of this term. Often, the money goes toward their dowry. These women live in dorms arranged by the factory and are usually prohibited from leaving factory premises without permission. Technically, Sumangali is illegal, but these workers often do not complain about their situation. After all, they are young and not very aware of their rights, and it is normally the first time they are living away from home. But if something happens to these vulnerable women, who can they tell?

KEY GENDER ISSUES IN THE GARMENT INDUSTRY IN INDIA

Despite the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act*, adopted in 2013, **sexual harassment of female workers remains a major challenge and generally goes unreported**. The Act prescribes the creation of workplace harassment committees, in India called Internal Complaints Committee. However, most garment factories do not have functioning committees in place. Although companies

benefit from a three per cent tax waiver if they set up workplace harassment committees, few companies have taken this step. Factory managers are expected to report the complaints they receive on gender-based violence and sexual harassment, but **many companies prevent complaints from being filed** to avoid acknowledging gender-based violence issues and risk losing contracts from buyers. There is also a high prevalence of child labour in the industry. **Many workers are migrants, particularly vulnerable to violence and harassment**.

ACTION PLAN

Prepared by the India delegation, 2017 Gender Forum

VISION: HARASSMENT-FREE WORKPLACE AND COMMITTEES

GOALS	What was achieved in the past year?
Encourage trade unions to advocate for the eradication of gender-based violence through the promotion of local committees.	<p>FWF has commissioned a third party to conduct research on the implementation and effectiveness of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, adopted in 2013.</p> <p>Data collection from workers and management in two garment production hubs has been completed and the report is scheduled for publication.</p> <p>Additional goal: Once the report is published, its findings will be disseminated broadly to stakeholders. The results will also be presented to government officials during bilateral meetings. The aim is to advocate for a special monitor authority to be formed within the government to ensure proper implementation of the Act. The National Trade Union Initiative (NTUI) and UN Women have agreed to work with FWF and the India team to advocate for positive changes in the Act.</p>

GOALS	What was achieved in the past year?
Work together with the ILO to support partners and provide more clarity on gender-based violence	FWF is continuing its programme to train women workers to become supervisors. The organisation is also actively promoting the establishment of internal complaints committees in factories.
Work with local organisations to conduct research on gender-based violence and to help local CSOs organise	Several civil society organisations working on labour and gender issues have formed a platform to discuss working conditions for women workers in the garment and tea supply chain. The platform aims to become the 'go to' resource on gender-related issues in supply chains. FWF is a founding member. Other groups include Care India Tradecraft, SEWA, SEWA-Bharat, Homenet, Centre for Education and Communication (CEC) and ILO. The group will meet quarterly in Delhi. Two meetings have been held so far.

Main challenges in the implementation of the India Action Plan

Gaining the cooperation of factory managers to conduct research on gender-based violence has proven difficult. For example, when conducting research in India, FWF reached out to many factories with limited success. In Tirupur and Bangalore, they were able to conduct the interviews they needed. In the Delhi region, however, no factory has so far been willing to participate in the research study.

'Being able to meet all stakeholders in one place for three consecutive days was excellent. It allowed very free and frank discussions and made it possible to forge alliances. The Forum also helped participants to understand each other's perspectives on the conditions of women workers in the supply chain and to approach the same objective from different directions. The Forum provided an excellent networking opportunity'.

Suhasini Singh, Country Manager, FWF India

FOR MORE INFORMATION ON THE SITUATION IN INDONESIA, SEE THE FWF [COUNTRY STUDY](#).



INDONESIA

Indonesia's garments and textiles are the country's third largest exports, representing around \$10.5 billion USD (2015) of the value derived from manufacturing sector, which generates around a fifth of the country's Gross Domestic Product (GDP).

The garment and textile industry is an important source of employment for Indonesian women, who make up a significant share of the 2.5 million workers employed in the industry. Accurate gender-disaggregated figures on garment-sector workers are not available. The sector is dominated by small companies. Less than half of textile workers and only 15 per cent of garment workers are employed in large or medium companies.

In 2016, FWF established a local audit and training team. Freedom of association, payment of a living wage, addressing excessive working hours and legally binding employment are some of the key issues that FWF is working on in Indonesia's garment sector. Additionally, many factories do not even acknowledge that sexual harassment is a problem.

KEY GENDER ISSUES IN THE GARMENT SECTOR IN INDONESIA

Indonesian laws address labour rights, gender equality and discrimination, but **no legislation specifically targets gender-based violence**. A ministerial note prohibits sexual harassment at work, but this is not legally binding. **Gender-based violence needs to be defined and specifically addressed in legislation.**

Institutional responses to violence are usually insufficient. This is partly linked to the fact that **domestic violence is widely considered a private matter** and incidents are under-reported. Similar social obstacles prevent reporting of violence against women in the work place. At the official level as well as in the society at large, **awareness of gender issues remains low** and needs to be significantly increased before progress can be achieved.

ACTION PLAN

Prepared by the Indonesia delegation, 2017 Gender Forum

VISION: BUILDING A GENDER NETWORK TO ERADICATE GENDER-BASED VIOLENCE

GOALS	What was achieved in the past year?
Building a Gender Network to eradicate gender-based violence	<p>The Gender Network Platform has been established and is on-going. To date it has met three times.</p> <p>Participants include the National Women's Commission, Perempuan Mahardika, FBLP, Subdit of women workers, Ministry of Manpower, FWF. They are working well and supporting each other.</p> <p>The Gender Network Platform, in order to be successful, requires more involvement from FWF as a driver, and support from the Indonesian government.</p>

GOALS	What was achieved in the past year?
Conduct training and informal workshops	Gender-based violence training is scheduled for October 2018.
Lobby the authorities for women's empowerment and raise awareness of gender-based violence (Ministry of Manpower, Ministry of Women's Empowerment and Child Protection and Dinas Jakut)	Perempuan Mahardika conducted lobbying activities at MOM and MOWE-CP)
Improve gender-based violence awareness of factory management	Perempuan Mahardika and FBLP conducted activities in November 2017 to sensitize factory management to gender-based violence.
Work on changing the mindset of trade union and increase gender-based violence awareness	Trade union Garteks will ensure at least 30 per cent of participants at training and workshops they conduct are women.
Promote local laws that govern gender-based violence	On-going by the National Commission on Violence against Women (Komnas Perempuan)
Hold forums and roundtables on gender-based violence at garment factories	Planned for 2018 and 2019
Organise activities for the 16 days against Violence Against Women (VAW) and International Women's Day	Activities conducted by Komnas Perempuan and Perempuan Mahardika

Main challenges in the implementation of the Indonesia Action Plan
FWF should take the lead and 'drive' the Gender Network Platform. More intense lobbying of the government is required. The Platform should also reach out to the Business Association and ensure it attends the meetings of the Gender Network Platform meetings.

'Most trade unions in Indonesia didn't know about gender-based violence in the workplace. The Gender Network Platform now has good momentum to support the National Commission on Violence against Women (Komnas Perempuan) to promote the draft law on anti-sexual harassment'.

Jo Morris, Visiting Professor in Practice,
Gender Institute, London School of Economics
and Political Science

FOR MORE INFORMATION ON THE SITUATION
IN MYANMAR, SEE THE FWF [COUNTRY STUDY](#).

MYANMAR

Since sanctions against Myanmar were lifted after the military government stepped aside in 2011, the garment industry has grown exponentially. In 2014, garment export revenues reached an estimated \$ 1.5 billion USD, doubling in less than three years.

Currently, there are around 350 garment factories in Myanmar employing approximately 350,000 workers, although their number is constantly growing. Many of the workers are migrants from the countryside.

Women constitute over 90 per cent of the workforce in Myanmar's garment industry. Most are unmarried and aged between 16 and 26 years old. Employers have a preference for young women as they are supposedly faster and have better eyesight than women above 30. When young women get pregnant, they often lose their jobs.

Most factories operate under the 'Cut-Make-Pack' system, carrying out the labour-intensive task of cutting the textile fabric, sewing garments and packing them for export to international markets.



While a great deal of progress on civil and political rights in Myanmar has been achieved, significant challenges remain. In the garment sector, workers often receive low wages, face poor working conditions and long working hours. In many factories, union membership is repressed and there is no social dialogue between employers and workers.

GENDER ISSUES IN MYANMAR

Myo Aye, organiser for the Solidary of Trade Union Myanmar (STUM), mentioned during the Forum that women in Myanmar often face **catcalling and online sexual harassment**. Since 2014, STUM has been running a programme that invites women and public figures to discuss issues, such as the reporting of sexual harassment.

Swe Swe Khaing, member of Confederation of Trade Union Myanmar (CTUM), said **female workers risk harassment on their way home from work**. She stressed the need for trade unions to provide training, improve complaints mechanisms, and raise awareness on the need for laws to address gender-based violence and sexual harassment.

Developing legislation to address gender-based violence in the world of work remains a challenge, as many employers and officials do not acknowledge that violence and sexual harassment in the workplace is an issue in Myanmar.

‘The forum opened the eyes of Myanmar stakeholders and made us aware of the progress achieved in neighbouring countries in improving the working conditions of workers and collaboration among relevant groups. It was also a place where we could engage with each other with the same objective of redressing these issues in our home country’.

Myanmar delegation

ACTION PLAN

Prepared by the Myanmar delegation, 2017 Gender Forum

VISION: GENDER-BASED VIOLENCE-FREE GARMENT SECTOR

GOALS	What was achieved in the past year?
Include the prevention of sexual harassment in relevant laws and policies	<p>The Myanmar team engaged in broader consultations to include additional stakeholders such as the Ministry of Social Welfare, Rehabilitation and Resettlement, which is in charge of the Draft Law on the ‘Prevention of Violence against Women’.</p> <p>FWF joined consultation workshops organised by CARE-Myanmar that involved trade unions, brands, international and local organisations. Participants decided to hold quarterly meetings to exchange information and ideas for lobbying and advocacy.</p> <p>FWF and CARE-Myanmar also organised a seminar for factories, local organisations, trade unions, brands and international organisation to raise awareness of gender-based violence in the workplace.</p> <p>In September 2018, the Myanmar team, together with members of Parliament, the Ministry of Labour, the Myanmar Garment Exporters Association and local trade unions, visited India to study how India legislation addresses gender-based violence.</p>

Main challenges in the implementation of the Myanmar Action Plan

Engagement with employers’ associations and the Ministry of Labour, Immigration and Population is an on-going process. Much progress has been made, but not without some difficulty. The Myanmar stakeholders have mapped out potential influencers and groups that can carry out advocacy activities. Similarly, working towards legislation against gender-based violence and sexual harassment—which is not included in the Labour Code—remains challenging. FWF will work with CARE and local organisations to provide input on gender-based violence in the course of reforming the Labour Code.



FOR MORE INFORMATION ON THE SITUATION
IN VIETNAM, SEE THE FWF [COUNTRY STUDY](#).

VIETNAM

With a workforce of more than two million, and over 6,000 garment and apparel firms, Vietnam has become a major player in the global textile industry, particularly for the outdoor, sports and shoes sector. In 2017, textiles were the country's largest export.

There are significantly more women in the garment industry, making up 81.6 per cent of the workforce. The average age of garment workers is relatively young, and migrants from rural areas dominate the garment labour force with 83.7 per cent of workers originating outside urban areas.

Vietnam has made extensive labour rights commitments under trade agreements, but freedom of association remains a challenge. The Vietnam General Confederation of Labour, party-controlled, is the only recognised union organisation. Factory unions are mostly dependent on management and incapable of independently representing workers in negotiations with employers. Social dialogue in the workplace is encouraged by the law, but

not effectively practised.

Excessive overtime is common in Vietnamese garment factories and not always correctly remunerated. It is one of the major violations of the rights of workers, who rely heavily on wages earned during overtime. Other issues include incomplete labour contracts, resignation policies that are not correctly implemented, and low awareness among workers of their rights and responsibilities.

KEY GENDER ISSUES IN THE GARMENT SECTOR IN VIETNAM

Vietnam has made progress on gender equality. Legislation prohibits gender discrimination and recognises equal rights of male and female employees. In reality, women often work in low-skilled, low-paid jobs while men occupy technical and managerial positions. **Women are also barred from 79 occupations**, 34 of which only apply to pregnant and breastfeeding workers. Women's hourly wages (excluding bonuses) are typically 85 per cent of men's wages.

A study conducted by CNV Internationaal revealed that **58 per cent of women had experienced at least one of three types of violence—physical, sexual or emotional—but gender-based violence at work is rarely reported**. A **culture of silence** still prevents workers from reporting gender-based violence, amid fears that factory management may seek to fire the complainant rather than deal with the grievance, particularly if it involves more senior employees. In 2015, a national Code of Conduct in the workplace was issued with ILO support, which requires all employers to issue a policy on sexual harassment, in consultation with trade unions. The Code of Conduct also suggests handling complaints via informal and formal channels. However, little has been done aside from a few trainings.

ACTION PLAN

Prepared by the Vietnam delegation, 2017 Gender Forum

VISION: GENDER-BASED VIOLENCE-FREE GARMENT SECTOR

- | | |
|--|--|
| <ul style="list-style-type: none"> • Create gender-responsive services • Ensure relevant international treaties are approved and implemented • Improve the capacity of tripartite partners to identify gender-based violence in the garment sector • Increase the capacity of brands, foundations and trade unions to effectively address sexual harassment • Improve awareness of gender-based violence in trade unions • Ensure women workers understand that they can say no to abusive behaviour • Help workers organise to address sexual harassment in garment factories • Include detailed definition of sexual harassment in the Labour Code | <p>More coordination is still needed to define responsibilities among stakeholders and determine how to achieve the goals listed in the Action Plan.</p> <p>Several activities have already taken place:</p> <ul style="list-style-type: none"> • Seven organisations (VCCI, VGCL, UN Women, Action Aid, Apheda, Care International and ILO Better Work) were consulted about research and lobbying. • A field survey involving 1,000 workers and eight focus groups in four provinces and cities is expected to be completed by the end of 2018. Findings will be used to advocate a revision of Vietnam's Labour Code and promote action against gender-based violence at international events. • CARE International cooperated with MOLISA to organise a conference in support of the newly proposed ILO Convention on Violence and Sexual Harassment. |
|--|--|

- | | |
|---|--|
| <ul style="list-style-type: none"> • Develop model workplaces, with CBA and gender-based violence policy and committee • Ensure that women can report sexual harassment in factories safely and are supported effectively by 2022 • Improve coordination among stakeholders and collect data | <ul style="list-style-type: none"> • CARE International cooperated with VGCL and CDI to implement a project called STOP to prevent sexual harassment in six factories of provinces of Hai Phong and Thai Nguyen. • CNV provided a series of trainings for potential trainers and trade unions at national and local level on CBA and social dialogue, stressing the need to keep gender-based violence issues in mind. |
|---|--|

Main challenges in the implementation of the Vietnam Action Plan

Communication and coordination among stakeholders needs to improve. FWF will take a coordinating role and schedule a workshop in late 2018 to review the action plan and define steps to take in more detail. The Action Plan envisaged ensures that 100 per cent of small and medium-sized enterprises understand what constitutes sexual harassment. This goal was set aside for the time being and will be discussed again at a later date.

GENDER ACADEMY

Following the Gender Forum, 17 FWF auditors and trainers from Bangladesh (two people), Vietnam (one), Tunisia (one), Turkey (one), The Netherlands (one), and India (eleven) attended the two-week Gender Academy training programme organised by the ITCILO in Turin, Italy from 13-24 November 2017.

The programme aimed to deepen participants' knowledge of gender issues and provide them with tools they could apply in their work for FWF, which brings them in direct contact with workers. They explored the challenges and policies related to the promotion of gender equality in the world of work. Participants were able to share experiences with professionals and identify strategies for collaboration and networking.

ITCILO TRAININGS

In addition to training participants at the Gender Academy, the ITCILO has organised training programmes for local service providers and stakeholders in three countries where FWF operates: Indonesia, Myanmar and Vietnam.

In each of the three countries, a group of approximately 20 people, consisting of auditors, labour inspectors, trainers, complaints handlers and mediators, will participate in this training, scheduled to take place in late 2018.

CONCLUSION: MOVING AHEAD

By allowing organisations to come together, share experiences and best practices, and forge partnerships across borders, the Gender Forum gave new impetus to the work of local and international organisations, trade unions, brands and government officials actively tackling gender-based violence in six garment-producing Asian countries and improving the situation of millions of women workers.

During the sessions, speakers and participants stressed the need for more empirical research to support their work against sexual harassment and violence. They came up with innovative ideas to overcome entrenched obstacles and discussed practical tips to address the abuse and deeply rooted discrimination that affect the daily lives of women workers.

Those who participated in this exciting event do not underestimate the challenges that still lie ahead. Overall, awareness of gender-based violence remains low. Some countries still lack specific legislation to address sexual harassment and violence in the workplace. In countries that do have laws in place, enforcement is weak. Traditional perceptions of gender roles continue to undermine women's empowerment and hinder progress on gender-based violence. But all attendees left with the belief that positive change is possible.

Awareness of gender-based violence issues continues to increase and momentum for action is growing. Since attending the Forum last year, the country delegations have multiplied their efforts. In Indonesia, several organisations formed a Gender Network Platform. Members of the Myanmar team completed a study visit to India to learn from their best practices. Individuals and organisations are working across borders, exchanging advice and information on legislation. In a growing number of factories, workers are organising, either through trade unions or workers' committees. The broad support expressed around the world for a new ILO Convention

on Ending Violence and Harassment against Women and Men in the World of Work—which could be adopted as early as 2019—shows that globally sexual harassment and gender-based violence are no longer tolerated in the workplace. A new convention would not solve the problem immediately, but it would send a strong message to governments and businesses, providing clear definitions of sexual harassment and violence. An ILO Convention would be an important instrument to support trade unions' attempts to include gender-based violence in collective-bargaining agreements, and further the work of all organisations, local and international, promoting decent working conditions for garment workers.

The Gender Forum clearly demonstrated the power of collaboration for the elimination of gender-based violence in the garment sector. Gender-based violence will not stop until workers—especially women—feel secure enough to stand up to abusive behaviour. Thanks to the work already being carried out, which has created opportunities for women to speak out, a growing number of them are doing just that. Women are being empowered to lodge complaints against abusive colleagues. As Catelene Passchier, head of the 'Workers Group' at the ILO put it, 'It starts with anger, becomes action and then we see results. This is something we can all take home'.



USING THE
LAW



LAW
POLICY

IMPLEMENTATION

GARMENT
FACTORY



BRAND

FEMALE



INSPECTOR

ILO
RMG
PROJECT

EXAMPLE
FACTORY



GOVERNMENT

TRADE
UNIONS

FEMALE
PARTICIPATION



TOTAL WORK

YOU'RE
FIRE

SUN
WOL

PERFECT

CONSUMER
/
BRAND

**FAIR
WEAR**

WWW.FAIRWEAR.ORG

PUNISH
OR
punish



BEFORE
AFTER

VERBAL
ABUSE

PHYSICAL

PSYCHOLOGICAL

HEALTHCARE



Undesired
Intimacy

SEXUAL
HARASSMENT

BRAND
VOICE
VOICE

