



REPORT OF THE GENDER BASED VIOLENCE PLATFORM AND INTER- NATIONAL EXPERT-GROUP MEETING

1 October 2017, Ha Long Bay, Vietnam

October 2017

Mondiaal 

1. INTRODUCTION

Organised by Mondiaal FNV, the first international expert meeting on gender-based violence (GBV) took place in September 2016 in Amsterdam. It was part of the Strategic Partnership – which began on the 1 January, 2016 – with the Fair Wear Foundation (FWF) and CNV on improving labour conditions in the Ready Made Garments industry in Asia. The aim of the Strategic Partnership is to eliminate GBV and discrimination in the workplace, particularly in the apparel industry. The countries on which the Strategic Partnership focused were mostly in Asia. At the end of the meeting, an action plan with specific activities was developed for follow-up to combat GBV and gender discrimination in the workplace. Several activities were also discussed, which were aimed at being implemented in the participating countries of India, Indonesia, Bangladesh, Myanmar, and the Netherlands. Gender experts from Argentina and Tanzania provided useful feedback on all presentations.

This global GBV meeting in Ha Long Bay, Vietnam, is the second meeting to follow up on the global gender-expert group formed in 2016, and on the GBV platform created in Bangladesh early in 2017. In 2017, several activities were carried out within the framework of the Strategic Partnership on the RMG.

October 2017 - Venue: Wyndham Legend Hotel in Ha Long Bay, Vietnam



MEETING OBJECTIVES

- i) Exchange regarding all activities that took place during the past year, and interaction with gender experts;
- ii) Discussion on the development of strategies that are applicable for trade unions for combating GBV and developing an action plan for follow-up;
- iii) Presentation of what has been done in the process of the ILO convention for workplace harassment on a global level.

MAIN CONTENTS OF THE MEETING¹

- Welcome and introduction of the participants;
- Presentations by participants from Bangladesh, Indonesia, India, and Myanmar regarding implementation of their projects and research, and discussion between participants;
- Presentations on the ILO convention process;
- Discussion on the implementation of the previous work plan and the follow-up action plan for 2017 and onwards.

2. MORNING SESSIONS AND MAIN RESULTS

2.1. INTRODUCTION TO PARTICIPANTS

Ms Wilma Roos, Mondiaal FNV's Policy Adviser, facilitated the meeting, and offered a warm welcome to all participants, sharing a brief on the meeting objectives and the meeting agenda as listed above.

All presented material was received in accordance with the agreement of all participants.

In the next session, each participant presented himself or herself, giving their name, position, organisation, and country of origin. In total, there were 23 participants representing Mondiaal FNV, FWF, CNV and their partners FBLP, BILS, OSHE, SAVE, BLF, CTUM, ALR, AF, KN, GARTEKS, Apheda, and CLC from the Netherlands, India, Argentina, Tanzania, Indonesia, Bangladesh, Myanmar, Indonesia, Cambodia, and Vietnam.

¹Please see the Meeting Agenda detail in Annex 1.

2.2. SHORT PRESENTATIONS FROM BANGLADESH PARTICIPANTS AND FEEDBACK FROM GENDER EXPERTS, WITH DISCUSSIONS²

Bangladesh Labour Welfare Foundation (BLF) Bangladesh: the status update on Gender- Based Violence & Sexual Harassment in the workplace

Two-thirds of the women who experience violence do not tell others or seek help, owing to: (i) the women believing their husbands or partners have the right to use violence against them; (ii) services are not readily available or accessible; (iii) it is perceived that these services will not help; and (iv) to ask for help would make the situation worse if their husband or partner found out.

- Type of violence: making sexual innuendos and comments, sexually suggestive signals; proposals of love that lead to sex in the future; being forced to work extra hours; termination of work if proposals are ignored; physical assault when proposals are declined; restriction on spending one's own money independently (within the family).
- Harassers: (i) most are co-workers and owners; sometimes they are men waiting as the women make their way to the factory; (ii) husbands who take away all the money the women earn, and physically assault them if they do not cooperate; and (iii) in many cases, parents who take away all the money if the woman is unmarried.
- Reasons for harassment: (i) lack of education and awareness amongst workers and union leaders; (ii) almost no cases are reported, either in the factory or to the government; (iii) no direct law against GVB and Sexual Harassment; (iv) no campaign against GVB and Sexual Harassment; (v) husbands and parents have the mindset that working women have no right to spend the money; (vi) the priority of family needs is also a main reason for restricting the woman from spending, and for taking the woman's money.
- Initiatives to prevent GVB: (i) training sessions with the Study Circle Method of Education; (ii) training on GBV and Sexual Harassment in the workplace for Trade Union Leaders; (iii) Awareness Training for women workers; (iv) building personal, social, and workplace awareness on how to deal with situations when faced with discrimination in the workplace; (v) providing legal advice; (vi) encouraging

² Please see the List of Participants in Annex 2.

- women to involve the trade union; (vii) management training for decent workplace practices; viii) taking up issues from the union level to the central level.
- BLF Future Plan: (i) formulate a Women's Cell to take up the issues immediately; (ii) develop a workplace policy and start to campaign locally with employers and local government people to encourage them to implement it; (iii) build a strong local level advocacy forum including all related stakeholders; (iv) take up local issues at the national level.
- Activities at the organisational level to combat Sexual Harassment: publication of a GBV Training Module to include (i) a poster; (ii) a flyer; (iii) a leaflet and sticker.
- Activities at the platform level: the platform to meet once every two months; the meeting observed Women's Day in 2016 with a common slogan for individual organisations' programmes; the platform has given recommendations on upcoming ILO Conventions; the platform is now reviewing the draft law prepared by BNWLA, and will include further suggestions to update the draft; the platform is heading to organise a national level workshop to create an access level for addressing the issue in the relevant department.

QUESTIONS AND ANSWERS

Q: From a participant in Indonesia: Is there already a regulation in Bangladesh?

A: The BLF are now setting up a draft; still no GBV law in Bangladesh; few local complaints commissions.

Bangladesh Institute of Labour Studies (BILS) regarding Initiatives on the Prevention of Gender-Based Violence

- BILS actions on GBV: follows Gender Policy (equality or priority to women) on Recruitment Process; work as a member of drafting committee BILS has successful advocacy with the Ministry of Labour & Employment in making women's supportive policies, laws, and rules; support NTUCs in filling out ILO questionnaire on VAW and sharing with CSOs; be an active member in Gender Platform; incorporate session on GBV in each training & orientation session organised by BILS; organise regular orientation for youth leadership of the NTUCs; protest torture of women workers through public mobilisation; publish campaign materials consisting of poster, leaflet, sticker; implement several GBV projects supported by Canadian Labour Congress and Mondiaal FNV.

- Challenges: absence of specific law against GBV; weak implementation of High Court order on the formation of a Committee at the workplace level to prevent sexual harassment; weak implementation of *Nari o shishu Nirjaton Daman Ain* (law on prevention of violence against women and children); lack of knowledge, awareness, and skills regarding GBV; absence of safety and security mechanisms for women; unwillingness of women workers to protest against torture owing to fear of losing jobs, and obstacles preventing women workers from joining TU.
- Achievement: developed training manual and providing capacity building training on gender and GBV for Trade Unions and Federations; formed a Women's Committee with the participation of NTUC's Women's Leadership; developed Advocacy Strategy: conducting study to analyse RMG Workers issue and the TU practices from the perspective of gender; policy, law, and rules have been formulated and amended as regards the protection of women workers' rights through lobbying the government; developed campaign materials on GBV and created a wide distribution for mass awareness.

QUESTIONS AND ANSWERS

Q: Where does sexual harassment happen? In the factories or somewhere else?

A: Sexual harassment and GBV happens everywhere: at home, on the way to the workplace, and in the factories.

Ainoon Naher from the Jahangirnagar University, Bangladesh: research on Sexual Harassment and GBV in the RMG Sector in Bangladesh

The research as carried out with the objective of better understanding the nature and extent of GBV, with a focus on the RMG sector and institutional mechanisms for addressing the problem. However, this research is a work in progress, and has not yet finished. Problem faced: difficulty in finding up-to-date and detailed data relating to GBV.

The general trends and challenges are:

- Incidents of sexual harassment/GBV seems to be underreported in all spheres, including the RMG sector;
- Possible factors behind underreporting include: (i) social stigma and patriarchy; (ii) concerns over loss of business or 'image' in the sector/country; (iii) absence of strong and well-functioning mechanisms in addressing reported cases;

- General problems: poor governance (e.g. weak enforcement of existing laws/policies; corruption); male domination in management and leadership; weak voice of women subjected to GBV.

Opportunities

- Greater public role and visibility of women included in key leadership positions (PM, speaker, local government);
- General increase in public awareness of gender inequality and support for women's empowerment;
- Greater recognition that cases of sexual harassment, if not addressed properly, will harm the country's economic interest;
- Women's groups and their allies continue to be vocal both for proper law enforcement and new legislation;
- Constant vigilance and united action by women themselves can make a difference.

QUESTIONS AND ANSWERS

Q: Regarding research and the many training programmes on the myths surrounding sexual harassment issues: how much of the research and how many training programmes have involved men in this process?

A: (*Ainoon*) According to the documents, not much training has focused on men.

A: (*OSHE*) We do conduct programmes specifically in the home-based programme. The men are very few, but they do attend. In Bangladesh, women are not vocal on this issue. The research has several sessions for men and women separately, including separate sessions in the factory programmes. An example of a session on sexual harassment: the men started laughing at the facilitator - the participants asked, 'Isn't it natural to say you're looking good? Is that sexual harassment?' - therefore, it's very important to change the mindset first, not only of the male but also of the female. From the perspective of some females, sometimes it is ok to touch, but when it becomes rape, then it becomes a crime to them as well, and this is not ok.

A: (*FWF*) With respect to the factories, training sessions are given at three levels, some of them mainly for men. We invited the top management, which are mainly men, from ten factories, and we asked them to bring three top-management people. In this training session, 99 % of the participants are men, with a maximum of one or two women. Also for the supervisor training most of the participants are men, with maybe one female supervisor.

This woman would feel completely out of place, as most of the men would be giggling and laughing. It is very hard to train men in Bangladesh about GBV, especially at management level.

Q: Because you have done considerable research, training sessions and reports, how courageous have you found the workers to be in terms of filing a report or a complaint in your country?

A: Even now, women still do not want to report. They want to keep sexual harassment a secret because of the social stigma.

Bangladesh Occupational Safety, Health, and Environment Foundation OSHE

The presentation began with pictures of some initiatives to prevent GBV at a national level under an HBW project:

- A demonstration of International Day for the Elimination of Violence against Women on 25 November 2016, in front of the National Press Club, Dhaka, Bangladesh;
- Inauguration of GBV platform of Social Protection (SP) Partners in Bangladesh; calling for the prevention of violence against women and discrimination in workplaces on International Women's Day 2017.

Main output:

- 2329 Home Based Workers are sensitised with regard to gender-based violence and social protection issues through various initiatives;
- Formation of 7 Violence against Women (VAW) committee of home-based workers' project areas and 2 VAW committee also working in landfill areas;
- Several dialogues conducted with local influential groups for preventing violence at work and in the family;
- Numbers of training programmes for sensitisation and mobilisation on Gender-Based Violence at work with area HBW organisers and leaders;
- Three-day sharing workshop on social dialogue and the best practice of Tripartite Engagement in the RMG sector at Tirupur (Tamil Nadu, India), with HBW project staff helping to expand workshop participants' knowledge;
- Some successful case studies are shared at the presentation,

QUESTIONS AND ANSWERS

Q: Was the number of cases of sexual harassment or GBV reduced following the intervention of the project?

A: It is difficult to know the specific number of cases reduced, as we do not have a clear definition for sexual harassment and GBV; therefore, people do not know clearly if that is the case or not. We should have a clear definition of sexual harassment and GBV so that people will know what they can and cannot report.

Feedback from gender experts and discussion

- As a gender expert, Eutropia Ngido elaborated that she did not agree with all the presented definitions regarding gender-based violence: 'I heard that this is a very complicated issue, and there is not one definition you can use. Underlying social constructs and values lead in most cases to people not being aware of what sexual harassment is and what it is not'. Complicating factors are the low level of education and low access to unemployment. If a victim speaks out, she might lose her job, so in most cases the victim prefers not to speak out of fear of social isolation and stigma.
- The gender experts admire all initiatives that are taking place in Bangladesh, such as forming alliances and networks, training programmes, lobbies and campaigns in legal frameworks, and action research. It is important that organisations have access to research and studies to substantiate their arguments. Another initiative that I consider important is the development of local structures. If you want to work with domestic workers, it is important to build local structures where a meeting can take place; then you can discuss the issues informally if this is not possible in the workplace.
- Miriam Berlak mentioned that in the Argentinian communities there is a lot of sexual harassment in the workforce, and people do not know where to go with their complaints. 'When I ask them, "Why is there sexual harassment?", they usually answer that it is because women wear short skirts, tight dresses, show their breasts, and show the shape of their ass. Because men are like wild animals, they can't stop doing it, and can't control their impulses. So the only ones responsible for sexual harassment are the women. But I can see here that things are starting to change, and women are starting to acknowledge that the men are exclusively responsible for the sexual harassment.'

- Miriam explains that there is horizontal sexual harassment (from a fellow worker) and vertical sexual harassment (from a boss). They are both equally bad. 'The bad news is that there is hype around gender-based violence and sexual harassment, and the good news is that we are all starting to talk about it. In Argentina, there is no law about sexual harassment at work. When there is a rape there is a law, but when there is touching or something like that, there is no legal framework you can use. When we talk about gender-based violence and sexual harassment, the definition needs to be broader than just sexual harassment. For example, when we get a lower paid job, when we don't get the promotions, it's violence. When we get repetitive work and have lower salaries. When they put up a lot of pictures of nude women, we don't feel very comfortable, so it's also gender-based violence. It's a hidden problem, but not as hidden as it used to be. So please consider that violence against women is much more than sexual harassment, because we are much more than only a vagina'.
- Geeta Menom from India mentions the challenges that are similar in the different regions. The first issue that was presented was the challenge of reproductive health and knowledge of your body. Knowing about sexuality plays a very important part in the prevention of sexual harassment and whether that is taken into consideration. The second issue is the social aspect; in most parts of our society, social aspects play an important role in gender-based violence and family abuse.

2.3. PRESENTATIONS/SHARED INFORMATION FROM REMAINING COUNTRIES, AND FEEDBACK FROM GENDER EXPERTS

After the feedback from gender experts and a discussion of Bangladesh's presentations, participants had a coffee break, followed by presentations from India, Indonesia, and Myanmar, and information shared by Cambodian and Vietnamese representatives. A film on GBV in Indonesia was also shown at the beginning and during the coffee break.

Presentation by a representative from SAVE in India

- We are working mostly with 95% of the organised workers, and with 15%-20% of the unorganised workers in the textile and garment industry.
- We work with complaints committees, workers' federations, NGOs, and trade unions. Inside the factories, we have formed complaints committees for around 75 factories, and we have been processing the outcomes.

We tell the women what gender-based violence is, and help them to understand what GBV in the workplace is about. Furthermore, we inform the women about the laws with respect to gender and about what policies are being circulated within the workplace, through trade unions and NGOs. Within the committees, 80% are women and 20% are men.

Four federations have been formed in the community where SAVE is working: one is for export garment workers; the second is for small/medium garment enterprises; the third is for home-based workers; and the fourth is for workers not involved in the garment industries.

There are four kinds of federations and trade unions. NGOs also concentrate on gender-based violence. We have extended our solidarity to foundation partners, trade, unions and NGOs.

For three years already we have been sharing this kind of prevention strategy with the workers committee, and we are now beginning to see the results: namely, how strongly the workers are involved, and how they really understand, and are starting to deal with some of the issues. These have been collected in a booklet published by SAVE. The women workers are not very vocal about it, but they have taken care of GBV in the community federations.

- Other issues that are important to take into consideration: hiring and firing, promotions, opportunities, payment, job classification, benefits, female toilets, and breast feeding facilities.
- Developing activities, research, and the Act: A year ago we also wanted to focus our attention on HR, managers, supervisors, and contractors. Since these are all men, we wanted to know how these power positions influence instances of harassment. The sexual harassment of women in the workplace, prevention, and prohibition are addressed in Act-2013. In this Act, it is not only the direct sexual harassment of women that is addressed but also remarks or proposals like, 'How are you going to work?' or, 'how are you going to receive the salary if you're not co-operating with us'. In the Act, these are considered to be sexual harassment.
- We are currently looking at the positive and negative sides of the Act, and we want to influence improvement. The perpetrator research that we have done will serve as input for that. We have interacted with 514 workers in order to understand and to assess who is the perpetrator, and through that result we have been able to see that most perpetrators are supervisors and managers; colleagues are perpetrators much less often. So far, we have interviewed around

714 supervisors, HR, and officers, and we are disseminating the results, informing the interviewees about changes of attitude, the psychological effect, and the patriarchy system, and how this is influencing the workplaces.

Presentation by a representative from FBLP in Indonesia

- Film screening: FBLP made the documentary film 'The Day the Voices Raised', which had 42 screenings for unions and communities in Bali, Djakarta, Makasa, and Bogasi, and with positive responses.
- Workplace training: the purpose was to advocate that the government make regulations regarding how women can be safe in the workplace. FBLP co-operated with the management and the factories to have workshops about sexual harassment in the workplace to improve the situation. FBLP is building up networking with the unions in other regions of Indonesia. To date, FBLP has already set up posts of women workers for general harassment in the workplace, 90% of whom are women workers.
- Men's involvement: It is important to have men involved, especially with regard to the formal events. We need to ensure that men participate in all the programmes, because in leadership and also at middle management level there are more men than women. Unless we have men, it is going to be very difficult to change the status quo. We put too much responsibility onto the women, and then ask more from them, so it is important for men to be engaged as well.
- Internal compliance committee and union support: Many people are at a basic level and cannot advocate directly. Because there are many people working in the garment industry, it is difficult to train all of them. This is why the support of the trade union is very important.
- Progress to form the internal compliance committee in the factory sector: (i) the law itself states what sexual harassment is and that the workforce is made aware; (ii) asking the union to elect the representative and the leadership that will be responsible for prevention, prohibition, and internal activities.
- Workplace definition: There is no real definition of workplace. It is the working relationship that involves a third-party relationship with vendors or associations.
- Sensitivity and the use of words: In unions, they do not use the word 'gender' or the word 'violence'. We need to see how we can include these words in the negotiation with employers in the garment industry. Talking about sexual violence is very difficult.

Presentation by Thurein Aung, representative from Myanmar:

- Institutional power and socialisation: We are talking of institutional power, and about the role of the trade union movement influencing the laws and creating committees in factories. But I also think it is important to look at the power of socialisation. In the law in Myanmar, for example, you can establish a union if you have 30 workers. When for a certain factory with 1500 workers you establish a union with 30 workers, you can ask yourself what is your bargaining power when talking to the management. Will they listen to you if you are not really representing the whole workforce? Therefore, I think the trade unions need to make more effort to unite. If one union is representing 50% of the workers, instead of having five or six unions, their bargaining power is much higher. Unions should be united and think strategically how to represent the workers and to talk about any problems being faced, like sexual harassment, low wages, forced labour, and so on.

Presentation by representative of Vietnam

- GBV is a difficult term if we translate it into Vietnamese. The term has been discussed with Vietnamese policy makers, and we think that in the Vietnamese language we should translate it as 'preventive violence against women'. Another problem is that for the women's workplace we do not know what the women's issues are. We sometimes assume that bonuses are important, but when we did a survey we discovered that money was not always important. Things like quality of food and what is provided in the meal in the work kanteen are important issues. Therefore, studies and surveys are important in order to know what can be included in education and in own capacity building. The negotiation of CBAs could be one of the issues for trade unions that are going to be important, as well as the increase in union membership, workers' response, and workplace policies on the issues.

Feedback from gender experts and discussions after presentations and sharing

Discussion on presentations

In summarising all of the morning's presentations, several important issues were presented:

- (i) the inclusion of men and women in the struggle against gender-based violence;
- (ii) the importance of structures, complaint commissions, and the sustainability of these structures, and how to guarantee that they can continue and relate to this

the role of the trade unions; (iii) the implementation of laws and acts, as these are difficult to guarantee; (iv) the decision to include migrant workers, informal workers, and home-based workers; (v) gender policies for factories; (vi) the establishment of knowledge management systems; (vii) the implementation of laws and the specifics regarding sexual harassment and gender-based violence, together with transparency, accountability, monitoring, and which organisations represent the supporting laws in order to monitor and implement the laws; (viii) inclusive training for men and women to include gender sensitisation.

Some issues were taken up for further discussion and to obtain feedback for the gender experts.

Sustainable structure solutions such as committees and implementing policies and laws

The two central questions were:

1. Are international certification and standards functional?
2. Is there international pressure, and how do you see this as a solution?

- **Argentina:** If the government is not very interested in the law, it will not be implemented. So the law has to be pushed by the unions, the employer, and the media. Another way is to have demonstrations to stimulate implementation of the laws.
- **India:** Who is the actual authority to implement the laws? Where does the labour department play a role in following up with big companies as to why they have not formed a committee and put it in place? It is only the big companies with a parent company abroad that will have this system in place, as it is a mandatory process, and they are the ones that are strict in implementing this. Smaller companies are only monitored once a year during the annual auditing process, and they will not be followed up until the next year. India does not have a general gender policy for women at a national or state level, so although there is talk about sexual harassment, in the background there is no policy to support this. The international institutions have clear guidance and rules. However, women's issues are very sensitive, and it is the garment industry that decides about the judicial bodies and how they function. If they do not allow for committee meetings, there needs to be pressure from the labour department.

Some employers pay workers to do the work for the union: namely, they do not work in the factory but are paid by the employer to do the union work.

- **Bangladesh:** If this pressure serves the government's interests, and if there is money that goes into the system, then it works. Big companies have their own operations within the supply chain, and the implementation and functioning of the committees is based on the operations. For the garment industries, there is a state levy system if they have an internal complaints commission. When submitting reports to the revenue department for the export volume, the same internal complaints committee has to be shown, and then the levy deduction is received. The country does have a women's policy, but it is not effective at the national level. Every organisation has its own gender policy. We need to put pressure on the government to have a mandatory law for every institution and to put the gender policy firmly in place.
- **Myanmar:** The Workplace Foundation Committee is required by law to set up within the company representatives of employers and workers as one of the ways to raise the issues to discuss with the management and trade unions. It is new for the factory to work with the trade unions and the Confederation. Workers are not really aware of how this committee would function or what the role of the trade union is in the factory, and sometimes they are afraid to talk with the union leaders, managers, or supervisors. Encouragement is needed to have the trade unions because they cover the broader issues in the factory. The law itself states that if over 50% of the workforce are trade unions members, you can nominate two workers to be representatives in the workplace co-ordination committee, where you can start talking about the issues. But most factories do not have transparent channels. The supervisors manage the problems and relations between the workers and the unions, and there is not much interaction between workers and the workplace co-ordination committee. The union leaders are busy with their work even though the law states they should have two days off per month to take care of union business, but the workplace co-ordination committee does not have specific criteria for extra work on these issues. One of the reasons the union worker can take ten days away from the factory to do the union work is because he is from the administrative department, and the factory does not require him all the time. But if it is a woman operator, that is a different issue.
- **Indonesia:** The law in Indonesia says it is easy for a regular activist to go to work if there is a workshop, but it's only for the beginner, not for the garment worker.

There are several elements that can increase sustainability of structures and laws of the trade union: capacity building; gender sensitivity; union structures; central unions; more women in the union bodies and for more sensitivity; more negotiating space to union leaders; ensuring factory protection, and having proper monitoring and supervision.

Monitoring, training, gender issues, and GBV

- **Netherlands:** Another gender issue is that there is too much work for women. They have a triple burden, because they also have work to do with their children and families. This makes it more difficult for them to participate in training programmes.
- The FNV women's committee gives training to women members. Their conclusion is that a one- or two-day training session is not enough, because after the sessions the woman will forget what they learned. The women's committee has a system of coaching where volunteers coach women over a training period of nine months, once a week or on request; they interact and refresh the training, and ask if they can help with problems. This is a possible solution regarding the sustainability of training. You need a follow-up, and maybe the volunteers are a way to do this.
- **Indonesia:** We now have a multi-company collective bargaining agreement in the garment sector in Subau and Java. We were able to get eleven South Korean companies to sign one CBA, including for a prolonged maternity leave. However, attention to gender-based violence still needs to be improved in these CBAs. This seems to be successful, however, and we want to expand to other regions such as Vietnam and South America.
- **India:** Sometimes regional inspectors who are aware of the issues are transferred to another area, and suddenly we have to begin again from zero.

Informal workers and the workplace

- **India:** We have been talking a lot about the formal economy. I want to draw attention to the informal sector: the migrant and home-based workers.
- There is no good information, nor are there data or studies on what we can do for migrants. Research is needed. This needs to be looked at holistically, because increasingly more people are being pushed into the informal sector. As has already been discussed, there is no clear definition regarding employer,

employee, and the workplace, so unionising becomes more difficult. Informal workers are not defined as workers. That is the main problem. Home-based workers do not fall within the definition of worker. We are encouraging home-based workers to form a co-operative so that they have a platform where they can speak up. Most of the time they ask for financial benefits, and we have helped them understand that the work is generating income for them, so unless they are recognised as workers they cannot receive any benefits. Some states do not recognise unions for informal workers.

- Then there is the whole added factor of sexual harassment especially when it concerns vulnerable workers like street vendors and domestic workers. Studies have been done on sexual harassment of this vulnerable group in their places of work. On top of this, other discrimination facts are not addressed: no crèches, no benefits, no legislation exists. We have to push the government because there is no law. Data are being collected, and ministers have promised a survey on street vendors, but unless it is at a national level there is not much value in it. Positive is that the sexual harassment act covers the informal sector. Internal complaints committees have been set up, but it is up to the trade unions to order an inquiry if a sexual harassment incident occurs. But how does the employer deal with that? Because the employer says that the informal worker is not in a workplace, so they cannot take action if a complaint is made.
- **Indonesia:** For discussion and in the law, there needs to be a new definition or an overview regarding the workplace, not only for the factory or the office but also for home workers.
- Vietnam recently adopted the law for occupational safety and health, which applies in the informal sector as well. With the new law, the government would like to promote the idea of prevention control in the informal sector. Last year, the government began an inspection campaign for one month as well as focused on the garment industry, and this year [2017] the focus was on electronics and seafood processing. This is an example of how we could approach the government with regard to the prevention of gender-based violence.

3. AFTERNOON SESSIONS:

UPDATE ON THE IMPLEMENTATION OF THE ILO CONVENTION PROCESS; REVIEW OF ACTION PLAN 2016; AND FOLLOW-UP ACTIVITIES

The afternoon session began with an update regarding implementation of the ILO convention on gender-based violence, followed by updating activities implemented under the GBV Action Plan 2016, and preparing a plan to follow up on the activities.

3.1. UPDATE ON THE IMPLEMENTATION OF THE ILO STANDARD PROCESS: QUESTIONNAIRES

Deadlines have been given to employers, governments, and trade unions to fill in the questionnaire for the ILO standard on 'ending violence and harassment against women and men in the world of work'. It will be interesting to hear the feedback that has been provided by participants in this process.

Bangladesh

- Brainstorm meeting with seven of our GBV platform organisations;
- Discussed the whole process;
- Many organisations in Bangladesh, including NGOs, were very active and translated the questionnaire. Understanding all the questions, all 16 participants gave their comments, and found points that were missing and that did not fit the context for the country of Bangladesh;
- Incorporated and included these points;
- The last question was related more to the cultural context;
- Discussed putting pressure on the government by saying that they have to implement these things. The monitoring organisations say they do not have time to visit the more than 5000 garment companies and workplaces, with the result that there is no regular monitoring. Some female inspectors have been appointed.

QUESTIONS AND ANSWERS

Q: Did you have any interaction with the government?

A: We included the government platform in emails, and suggested sharing and incorporating the points. On the basis of feedback through the various channels, many other organisations requested to be included in the platform.

Indonesia

- Translated the questionnaire to Bahasa, disseminated it, organised an alliance with the domestic workers union for this convention, and filled in the questionnaire together;
- Met the ministry to tell them about this convention and to discuss the questionnaire; met the main power ministry but do not know about the questionnaire;
- Worked to distribute the questionnaire to the ministry, but we do not know their process;
- Discussions with SBSI, but we have not yet formed an alliance, and so we do not know their response. The process for arranging a convention is slow, but we think this content is important for us to know, and to improve and to position the power;
- The national centre was coordinating the whole process, but there was some confusion as to where the questionnaire was to be submitted, and whether it was to go to the ILO or not;
- The government agrees that there should be a convention supplemented by a recommendation. A recommendation is necessary to guide implementation of the convention at a national level.

India

- Worked with ITWF and the National Domestic Workers Association, and submitted the questionnaire; another organisation also submitted the questionnaire.

Netherlands:

- Discussed with FNV and CNV, and made recommendations regarding how to fill it in;
- The Dutch Ministry of Social Affairs does not want a convention or a recommendation. They want to include the matter of sexual harassment in existing ILO conventions on occupational health and safety;
- FNV and CNV were not in agreement, and have sent comments with arguments as to why a standard on GBV is important;
- If our government is against a standard, it is possible they will convince other governments in Europe to vote against it as well;
- Several issues were discussed: (i) if we begin changing existing ILO conventions and open them up again for discussions and negotiations, it could be very risky. The existing conventions have already been voted on, and already ratified, so to open them up again is highly counterproductive; (ii) even if sexual harassment were not important in the Netherlands – which is not the case – it is not the case

for the rest of the world, so it is very short-sighted not to discuss it. In the convention we talk about the whole world not just about the Netherlands; (iii) domestic violence is also affecting the workplace, and a lot of harassment takes place on social media. This can be very stressful, and sometimes so severe that some people do not go to work because of this. This is also connected to domestic violence. It was calculated that half a million to a million days are lost because of domestic violence; (iv) for the informal sector such as home-based workers, attention to violence at the work place is important; (v) it is also important to include migrant workers; (vi) we need to do a lot of lobbying of our governments and also the employers, because employers in the Netherlands did not fill in the questionnaire. So we cannot just sit back and think that now the ILO will take care of this, because they will not. They might support us, but I think it is up to us to work on this, and make sure that there is a positive outcome for this convention; (vii) it is important to include the ILO in the action plan.

3.2. REVIEW OF THE GBV ACTION PLAN OF 2016, AND PROPOSED FOLLOW-UP ACTIVITIES

The group of experts on gender-based violence was created last year during a meeting in Amsterdam, and this year the Bangladesh platform was created. It was then discussed to extend the platform to other countries of the Strategic Partnership, and to plan gender-based violence discussions together. All participants agreed that it is valuable to have an annual international meeting, because so many things are learned and it is fascinating and productive from the perspective of knowledge sharing.

Several exchange visits were organised this year on the issue of GBV. All participants agreed that it is valuable to have more exchange visits, because there are various things to learn from different countries, and each country has its own strength. The exchange visit between Bangladesh and India was worthwhile.

The importance of efficient group communication was obvious; linking through electronic systems was piloted, and a Google group was shared but it did not really work out. It has been suggested to start an international WhatsApp group, as it is more accessible. More detailed and in-depth communication and the possibility of sharing reports and so on could be through email or Skype. Action: to share phone numbers in order to connect via a WhatsApp group.

With regard to the follow-up and planning of the platform and expert group, it was suggested to organise a webinar every six months. Time zones may be a challenge, but the timing and dates can be discussed for March, April, or May 2018. March 8th is International Women's Day. Main purpose points for the next meeting: consider what to achieve in exchanging and sharing information.

The involvement of participants in the process of the ILO convention was considered important. It was examined how the topic of gender-based violence would contribute to the ILO convention process, and how it would be further investigated:

- We have exchanged information and determined where we are in the process; it remains to be seen whether there is to be a joint activity in the coming year. Each country needs to see how it shapes and presents GBV awareness to employers and to governments.
- Ideas about awareness raising and lobbying campaigns to governments, employers and trade unions for the ILO convention? A lot of work needs to be done before having a convention.
- What activities can be undertaken in the different countries, or is a joint activity possible? For example, a joint activity, with domestic workers doing the work with the trade union, and submitting this to the ILO for organised campaign activities; sharing them with other countries, exchanging ideas, and seeing what is possible.

With respect to the role and involvement of gender experts, it was discussed whether it was useful and necessary, or are the realities of Argentina and Tanzania too far removed? A suggestion is to send materials or accounts of experiences, but a personal visit perhaps would be quite expensive. For example, the Asian countries will get help from the Asian experts, and everyone will be in contact through WhatsApp for interesting feedback.

As regards the implementation and drafting of laws, it was discussed whether we can do something jointly or think of an activity. An important comment was that in many countries the national centres are already involved, and maybe they are doing things that we are not aware of; therefore, it is a good idea to link to them for a combined lobbying and campaigning effort. In Bangladesh, for example, organisations are submitting feedback on the new law to the Ministry, with additions for the part in that law that pertains to women.

Different activities will take place in different countries: in Myanmar, there will be a working group after this meeting, including stakeholders, NGOs, and trade unions, to start talking about sexual harassment and violence against women in the garment sector. We still have to discuss the process. As regards domestic workers in Bali, there are no real trade unions there. A first step is to establish a union to represent the home-based workers in the garment sector. Then once the discussion is moving, the topic of gender-based violence can be added to the discussion. We can discuss this with the other countries. We are just starting to work in Indonesia, Myanmar, and Vietnam, so we do not have much support there yet. Cambodia has just begun, and it is more difficult because of the new trade union law, plus the cost of registering the union is extremely high.

The GBV platform ended with an important remark. It was suggested to prepare a fact sheet for an action plan so that we can see the timelines of activities; this way, in three months' time we can see how much of the planning has been fulfilled. For example, the work that has to be done with policy; the work that has to be done with the ILO process; certain points that came out were that we all need to be involved together, the legal level, which country is at which stage, and so on. All of us came to this meeting, and we know now what level each country is at in terms of law, drafts, legal issues, and so forth, and the interventions that have been undertaken in each country. From here on, during the coming months, each of us in our own country can take responsibility for our own process, and each item goes on the fact sheet. There could be some kind of continuous 'wall' on which we would post our processes. It is a good idea, so we need the input of all of you to fill in the fact sheet in order for it to be effective. FNV could co-ordinate it.

The report of this meeting will be circulated to all participants in order for them to give feedback regarding the specific information, especially to do with what participants want to include in the fact sheet.

Ms Wilma Roos (Mondiaal), wrapped up the meeting, stating that it had been extremely valuable, and thanking everyone for the group sharing and for all the contributions.

ANNEX 1: MEETING AGENDA

Programme Gender-Based Violence meeting of the Bangladesh platform and the International Expert Group

1 October 2017, Ha Long Bay, Vietnam

This meeting in Ha Long Bay, Vietnam, is the follow-up of the global gender-expert group that was formed in 2016 in Amsterdam. In early 2017, a gender-based violence platform was created in Bangladesh, and several activities were carried out during that year within the framework of the Strategic Partnership on RMG.

TIME	ACTIVITY
09:00	Welcome and introduction to all participants
09.15 - 10.15	Short Presentations from participants from Bangladesh:
10.15 - 10.30	Short presentation of research on GBV in Bangladesh
10.30 - 11.00	Feedback from gender experts and discussion
11.00 - 11.30	Tea/coffee break with film on GBV Indonesia
11.30 - 12.30	Short presentations from participants from Indonesia, India, Myanmar, Vietnam, and Cambodia
12.30 - 13.00	Feedback from gender experts and discussion
12.00 - 14.00	Lunch (showing film on GBV from Indonesia)
14.00 - 15.00	Presentations of ILO convention process
15.00 - 16.00	Discussion on follow-up/action plan (group work and plenary)
16.00	Tea and close

ANNEX 2: MEETING PARTICIPANTS

No	Name	Organisation	Country & E-mail address
1	Geeta Menon	India	
2	Prabhu Rajendran	Mondiaal FNV	India, prabhu_rajendran@hotmail.com
3	Miriam Berlak	Mondiaal FNV	Argentina
4	Eutropia Ngido	Mondiaal FNV	Tanzania
5	Jumisih	FBLP	Indonesia, gadismerah2004@yahoo.com
6	Vivi Widjawati	Perempuan Mahardika	Indonesia, mahardhika@gmail.com
7	Saki Rizwana	OSHE	Bangladesh
8	Viyakula Mary	SAVE	Bangladesh
9	Ashraf Uddin	BLF	Bangladesh
10	Ainoon Naher	Coordinator gender platform Bangladesh	Bangladesh
11	Nazma Yesmin	BILS Bangladesh Inst. of Labour Studies-BILS	Bangladesh, nyesmin83@yahoo.com
12	Swe Swe Khaing	CTUM	Myanmar
13	Thureing Aung	ALR	Myanmar
14		Awaj Foundation	Bangladesh
15		Karmojibi Nari	Bangladesh
16	Wilma Roos	Mondial FNV	Netherlands, wilma.roos@fnv.nl
17	Janneke Bosman	CNV International	Netherlands, j.bosman@cnv.nl
18	Paraduan Pakpahan	GARTEKS	Indonesia, pakpahanparaduan@gmail.com
19	Rin Maktin	CLC	Cambodia, matin.clc@gmail.com
20	Nguyen Thi Hai Yen	SP Coordinator	Vietnam
21	Sharan KC	Apheda	Vietnam, sharankc@apheda.org.au
22	Representative from FWF	FWF	
23	Nguyen Thi Loi	USAID- VLEEP	Vietnam, loinguyen0904@gmail.com



October 2017 - Venue: Wyndham Legend Hotel in Ha Long Bay, Vietnam

This report is published as part of the Strategic Partnership for Garment Supply Chain Transformation, supported by the Dutch Ministry of Foreign Affairs





mondiaalfnv.nl