



Towards a strong ILO convention and recommendation on violence and harassment in the world of work

The time is now for an instrument that addresses gender-based violence in the world of work.

The adoption of this new instrument provides an important opportunity to recognize and address the ways in which violence and harassment in the world of work affect all workers, including the gendered dynamics that perpetuate these issues in a way that disproportionately impacts women. We note with concern that violence and harassment in the context of work, specifically against women, remains pervasive in all countries with high levels of impunity. The adoption of this instrument aligns with the International Labour Organization's (ILO) vision of decent work for all, which is being renewed in 2019 as the organization celebrates its 100th anniversary. A century without a standard that specifically addresses gender-based violence is too long, and this absence has hindered the possibility of decent work for women. The time is now for this instrument and for women to obtain dignified work and, therefore, women's full enjoyment of their rights.

In the final discussions prior to the expected adoption of an instrument on violence and harassment in the world of work (International Labour Conference, 10-21 June 2019, Geneva), we call on governments, employers and workers' representatives to consider the following positions during negotiations as critical to maintaining existing language in the draft instrument and, ultimately, in the final version that is necessary to ensuring women work free from violence. This includes the following components of the instrument, among others, which would most adequately achieve this goal in the form of a binding convention supplemented by a recommendation:

We call for the instrument to be adopted as a legally binding convention supplemented by a recommendation, and to strongly address violence faced by all women workers, including by:

- 1. Recognizing that violence and harassment in the world of work is a form of human rights violation.**

We welcome that the draft instrument recognizes and frames violence and harassment in the world of work as a human rights violation. Existing international law foregrounds this position, including the Convention on the Elimination of Violence against Women (CEDAW), the International Covenant of Economic, Social and Cultural Rights (ICESCR), as well as other resolutions, conventions, and corresponding General Recommendations. CEDAW General

Recommendation 19 reinforces this relationship, defining gender-based violence as including sexual harassment in the realm of work. Similarly, the CEDAW Committee as well as the UN Committee on Economic, Social and Cultural Rights (UN CESCR) and the Commission on the Status of Women (CSW) have provided progressive recognition of women's unpaid domestic and care work. We emphasize that eliminating violence and harassment in the world of work is fundamentally linked with the pursuit of preventing unfair discrimination, promoting substantive equality and extending economic security to all, but especially to women. The existence of and pervasiveness of this issue remains a threat to equal opportunities for women and to the realization of their human rights. By treating violence and harassment against women in the world of work as a human rights violation, this instrument addresses this issue in a way that strongly respects, protects, and fulfills the rights of women across their work realities.

2. Promoting substantive equality and being responsive to, and inclusive of, women workers with a higher exposure to violence and harassment, including in consideration of intersecting identities and/or circumstances.

We further welcome the approach adopted in the current draft of the instrument which speaks to intersectionality by requiring a "gender-responsive approach" for national laws and policies. As women's labor often remains unseen, undervalued, or within informal sectors, factors that lead to situations of vulnerability uniquely impact women in the form of gender-based discrimination, harassment, and violence. This is often compounded by their other intersecting identities (indigenous, black, rural, migrant women, LBT women, women with AIDS, among others), and the conditions in those more-exposed sectors to informality and exploitation (domestic workers, sex workers, rural workers, garment workers, and others). In order to guarantee a world of work free from violence and harassment, the leadership and lived experiences of diverse women must be proactively recognized, valued, and considered as critical to the development of human rights normative frameworks at all levels.

A strong normative framework which recognizes women's rights to, and at work, the disproportionate impact of violence against women, and the devastating impact of the violence in women's lives is therefore imperative when finalizing the text of the instrument. It must speak to the lived realities of diversely situated women, from women in garment factories to domestic workers and street-based traders, from farm workers tending the fields for the market to women engaged in subsistence farming, and particularly to all women in the informal economy. We can only achieve substantive equality if we adopt a multifaceted approach grounded in common demands which seeks to redress historical and current disadvantage, address harmful stereotypes, stigma and prejudice and transform the institutional structures and practices impacting all women's work environments.

3. Ensuring that the adoption of the instrument is followed by ratification and implementation such that these rights become a reality for all women, ensuring their ability to access and carry out work free from violence and harassment.

The draft instrument articulates the responsibility of member States and employers to combat and prohibit gender-based discrimination – including violence and harassment. To promote adequate implementation, it must also ensure that reasonable and appropriate measures are taken to prevent violence and harassment, and to ensure access to remedies and avoid revictimization when it occurs.

Upon the adoption of the ILO instrument, we call for governments to demonstrate their commitment to women's rights to, and at work, through ratification and implementation of the ILO instrument, as reflected in national laws and, ultimately, the lived experiences of women and their worlds of work.

Take action!

- [Sign this petition](#) for a world of work free of gender-based violence and harassment.
- Explore and join these campaigns: [Women workers, unite!](#), [16 Days of Activism](#) and [STOP gender-based violence at work!](#).
- Join the online conversation using hashtags [#AllWomenWork](#), [#ILOendGBV](#), and [#StopGBVatWork](#).
- Read the [draft of the](#) instrument to be discussed in June, and the [positions of states, employers and workers](#).
- Find out the position of your Government and mobilize to support the adoption of the Instrument. Advocate for a convention (which is a binding instrument) supplemented by a recommendation.

The ESCR-Net [Women and ESCR Working Group](#) promotes substantive equality at the advancement of women's economic, social and cultural rights, including the overcoming of the injustices being faced by women in the world of work. Through engagement with UN bodies, capacity building and advocacy, it is collectively striving to ensure women's experiences and analyses are at the center of domestic and international policy-making and legal developments. The [International Network for Economic, Social and Cultural Rights \(ESCR-Net\)](#) connects over 280 social movements, indigenous peoples' groups, NGOs and advocates across more than 75 countries to build a global movement to make human rights and social justice a reality for all.