

END GENDER BASED VIOLENCE AND HARASSMENT

Pillar 1

Gender Justice on Garment Global Supply Chains: An Agenda to Transform Fast-Fashion

ILO Recommendations and Key Research Findings

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[Global Labor Justice \(GLJ\)](#) is a strategy hub supporting transnational collaboration among worker and migrant organizations to expand labor rights and new forms of bargaining on global value chains and international labor migration corridors.

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The [Asia Floor Wage Alliance \(AFWA\)](#) was founded in 2007 as an Asian labour-led global social alliance across garment producing countries in Asia and retail regions (USA and Europe) for addressing poverty level wages, gender discrimination, and freedom of association in global garment production networks.

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This advocacy brief, including recommendations and supporting research, is extracted from an extended report, available at www.globallaborjustice.com. Please see the complete report for extended analysis of patterns and structures of GBVH on garment production lines, building blocks for corporate accountability to end GBVH, and complete citations and acknowledgments.

Global standards addressing GBVH

Standard Setting on Violence and Harassment in the World of Work at the ILO Centennial

This year, deliberations toward a standard and recommendation on violence and harassment in the world of work occur as the ILO celebrates its Centennial Anniversary. The ILO was founded in 1919, even before the United Nations, with the understanding that labor peace was an important component of broader peace and security, that economic interdependence among countries would continue to grow, and that workers, employers, and government had a shared interest and capacity to advance social justice. Labor peace was conditioned on advancing social justice. The notion of social justice addresses the power imbalance in the labor relationship beyond the restitution of rights.

The ILO brings together tripartite constituencies—governments, employers and workers—of the now 187 member States, to set labor standards, develop policies, and devise program promoting decent work for all women and men. This bold vision for a shared forum to advance social justice, which arose as the global community grappled with the end of the First World War and rising fascism is no less relevant in our contemporary moment, characterized by persistent global economic and job crises, worsening climate change, deepening socio-economic inequality, and rising populism and xenophobic nationalism.

Women Workers' Leadership in Elevating GBVH as a priority in International Labor Standard Setting

Elevation of GBVH as a priority in the ILO standard setting process on violence and harassment in the world

of work is rooted in gendered shifts in employment within the global economy, including increased engagement of women in industrial work in supply chain contexts—which according to the International Trade Union Confederation (ITUC), not only include an overrepresentation of women in informal and precarious work arrangements, but also account for 60 per cent of global production, transport, and services (ITUC 2017).

While women workers have long been organizing across the globe, the increased presence of women in the global economy has corresponded with ascension of women leaders into key positions within international labor movement positions. In 2010, Sharan Burrow was elected as the first woman leader of the International Trade Union Confederation (ITUC). 2013 marked the formal founding of the International Domestic Workers Federation (IDWF)—the first fully women-led Global Union Federation (GUF) representing a sector of predominantly women of color and migrants who led with a commitment to organize women in the workplace and elevate them in their unions.

“I am a warrior for women and we still have work to ensure the inclusion of women in the work place and in our unions. The struggles for women are multiple – too often within their families for independence, then in the workplace for rights and equal opportunity, in their unions for access and representation and then as union leaders. But the investment in and participation of women is not only a moral mandate it is an investment in democracy and a bulwark against fundamentalism and oppression. Organising women is and must continue to be a priority for the ITUC.”— Sharan Burrow, Acceptance Speech (2010)

The sustained surge of organizing to address GBVH globally across formal and informal sectors has had significant impact in elevating and prioritizing workplace GBVH in the global human rights arena. In turn, the ILO standard setting process on violence and harassment in the world of work continues to catalyze a groundswell

Violence and Harassment in the World of Work is a Human Rights Violation

Fair and humane labor conditions have been included in international frameworks since the League of Nations Covenant, signed in June 1919 at the Paris Peace Conference in the aftermath of World War I. Article 23 of the League of Nations Covenant envisioned the establishment of the International Labour Organization (ILO) to promote fair and humane conditions for workers through legal mechanisms and monitoring procedures.

The adoption of the Universal Declaration of Human Rights as a foundational human rights text in 1948 formally recognized rights to just and favorable conditions of work as fundamental human rights. Article 23(1) of the Universal Declaration of Human Rights (UDHR) protects these rights at work for everyone:

UDHR Article 23(1): Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

Inclusion of Article 23 in the UDHR unequivocally establishes the workplace as an important site of intervention in addressing human rights violations.

Prohibitions against GBVH are also well established in international law. General recommendation No. 19 on violence against women, adopted by the CEDAW Committee, defines gender based violence as “violence which is directed against a woman because she is a woman or that affects women disproportionately”, and, as such, is a violation of their human rights” (article 1). As explained by the CEDAW Committee in General recommendation No. 35 on gender-based violence against women, the prohibition of gender based violence against women has evolved into a principle of customary international law (paragraph 2)—in other words, although it is not formally included in a binding convention, the definition of GBVH in CEDAW General recommendation No. 19 has been so widely cited and applied that it has been recognized in the international arena as a source of international law.

Although the extension of human rights protections to the workplace, and prohibitions on violence and harassment, including GBVH, are both well-established principles of international law, there is still no law at the international level that mandates explicit action to eradicate violence and harassment in the world of work. The institutional commitment to end GBVH and all other forms of violence and harassment in the world of work currently under formulation in tripartite deliberations at the ILO’s International Labour Conference draws upon and strengthens longstanding recognition that GBVH is a human rights violation, rooted in decades of feminist jurisprudence developed under CEDAW.

The ILO is the only global tripartite international institution—a unique forum for negotiation and adoption of international labor standards on a tripartite basis with governments, employers, and workers. Accordingly, the ILO has a unique role to play in ensuring that standards on violence in the world of work, including GBVH, extend to protect workers in supply chain production contexts.

of organizing around the world, both aimed at ensuring that the perspectives of women workers are included in this important standard; and organizing continues to make the standard real in their workplaces.

Notwithstanding the well-known limitations of enforcing binding international law, the current international standard setting process on violence and harassment in the world of work is a huge milestone for workers—both men and women. The standard setting process represents a framework for shared commitment and action to end violence in the world of work, including GBVH. This alignment and consensus among trade unions, governments, economic actors, and across civil society, represents momentum to change behavior, consequences, and priorities across institutions.

Current Status of Standard Setting on Violence and Harassment in the World of Work

From June 10-21, 2019, the International Labour Organization (ILO) Standard Setting Committee on violence and harassment in the world of work will convene a second tripartite deliberation aimed at framing a new ILO instrument on ending violence and harassment in the world of work. This convening follows the first tripartite negotiation of this standard held in June 2018.

According to the October 2016 report on the outcomes of the Meeting of Experts on ‘Violence against Women and Men in the World of Work,’ risk factors for violence in the world of work include factors associated with the nature and setting of work as well as the structure of the labour market. According to the Committee, effective instruments must be both sufficiently focused and flexible enough to address different socio-economic realities, different types of enterprises, and different forms of violence and harassment, as well as different contexts. Such instruments should also be able to

respond to the new challenges and risks which might lead to violence and harassment in the world of work, such as those arising from changing forms of work and technology (GB.328/INS/17/5, Appendix I, para. 18).

Women workers at the base of garment global production networks are routinely exposed to GBVH by gendered patterns of employment that concentrate women in low-wage, contingent employment. As detailed in the previous section on risk factors for GBVH associated with gendered workforce demographics, women garment workers inhabit intersecting categories of vulnerability that may be heightened based on their status as daily wage contract workers, migrant women, single women, and women from socially marginalized communities. Women workers are also exposed to risk factors associated with brand purchasing practices, and industrial employment practices in garment production factories.

The sections that follow include recommendations to inform active standard setting on violence and harassment in the world of work, and updates on key linkages between standards on violence and harassment in the world of work and the ILO “Follow-up to the resolution concerning decent work in global supply chains: Roadmap for the program of action” (GB.329/INS/3/2).

Recommendations to the ILO to inform standard setting on Violence and harassment in the world of work, current status in draft text, and next advocacy steps

Following the sequence of the draft text for deliberation that was released in advance of the June 2019 Standard Setting Committee on violence and harassment in the world of work (ILO Blue Report), the table that follows (Table 2) presents an updated slate of recommendations from AFWA and GLJ (column 1), their current status in the draft text (column 2), and an accounting of the status of these recommendations and next steps (column 3).

GLJ/AFWA recommendations

Current status/draft text as released in the Blue Report

Status and advocacy position

Form of the standard

The International Labour Conference should adopt standards on violence and harassment in the world of work. These standards should take the form of a Convention supplemented by a Recommendation.

If the Conference so decides, these texts will serve as a basis for the second discussion, at its 108th Session (June 2019), with a view to adopting a Convention supplemented by a Recommendation concerning the elimination of violence and harassment in the world of work.

Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.

Preamble

Recognizing that under international law, it is well established that human rights protections extend to the workplace; and gender based violence and harassment is a human rights violation, draw upon and strengthen definitions and prohibitions addressing violence against women by the Committee on the Elimination of Discrimination against Women (CEDAW), and apply these standards to gender based violence in the world of work.

Recalling that violence and harassment in the world of work is a form of human rights violation, is a threat to equal opportunities, is unacceptable and incompatible with decent work, and

Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.

Definitions

- Consistent with General Recommendation No. 19, adopted by the Committee on the Elimination of Discrimination against Women (CEDAW), the definition of violence should include acts that inflict physical harm, mental harm, sexual harm or suffering, threats of any of these acts, coercion, and deprivations of liberty (article 6)

Article 1
1. For the purpose of this convention (a) the term “violence and harassment” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and

Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.

Interpretation note: Consistent with the definition of violence set out in General Recommendation No. 19, adopted by the Committee on the Elimination of Discrimination against Women (CEDAW), in order to protect

- Consistent with General Recommendation No. 19 on violence against women, ILO standards should include and address (1) “violence which is directed against a woman because she is a woman”; and (2) violence that “affects women disproportionately” (article 1).
- harassment;
- (b) the term “gender-based violence and harassment” means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.
2. Without prejudice to paragraph 1(a) of this Article, violence and harassment may be defined in laws and regulations as a single concept or separate concepts
- women workers from the spectrum of violence documented by AFWA and GLJ in garment supplier factories in Asia, AFWA and GLJ recommend that psychological harm should be interpreted to include threats of any recognized forms of violence, coercion and deprivations of liberty. See AFWA and GLJ et al. 2018a, 2018b, 2018c.

Scope

As presented in the Proposed Conclusions of Report V(2) on Ending violence and harassment in the work of work, the term “worker” should cover persons in the formal and informal economy, including “(i) persons in any employment or occupation, irrespective of their contractual status; (ii) persons in training, including interns and apprentices; (iii) laid-off and suspended workers; (iv) volunteers; and (v) jobseekers and job applicants.”

This Convention covers workers and other persons, including employees as de-fined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, in all sectors, both in the formal and informal economy, and whether in urban or rural areas.

Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.

Violence and harassment in the world of work should cover situations, including

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid or takes a rest break or a meal;
- (c) when commuting to and from work;
- (d) during work-related trips or

Article 3

This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work:

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;

Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.

Advocacy position: AFWA and GLJ recommend that the proposed language should be expanded to explicitly include:

- recruitment sites, including day-labor recruitment sites;
- home-based work; and
- export processing zones

<p>travel, training, events or social activities; and</p> <ul style="list-style-type: none"> • (e) through work-related communications enabled by information and communication technologies.” <p>The proposed situations should be expanded to include the following situations:</p> <p>employer-provided housing; recruitment sites, including day-labor recruitment sites; home-based work; and export processing zones linked to global supply chains</p>	<p>(c) during work-related trips or travel, training, events or social activities;</p> <p>(d) through work-related communications enabled by information and communication technologies;</p> <p>(e) in employer-provided accommodation; and</p> <p>(f) so far as is reasonably practicable, when commuting to and from work.</p>	<p>linked to global supply chains, including those characterized by exemptions from labor laws, taxes, and restrictions on union activities and collective bargaining</p> <p>AFWA and GLJ also recommend that the proposed language should categorically protect workers from violence and harassment when commuting to and from work. The language “so far as is reasonably practicable” dilutes this protection and should be struck from the text.</p>
<ul style="list-style-type: none"> • As presented in the Proposed Conclusions of Report V(2), “victims and perpetrators of violence and harassment in the work of work can be employers, workers and third parties, including clients, customers, service providers, users, patients, and the public. • The proposed definition of “victims and perpetrators” should be expanded to include the following roles: <ul style="list-style-type: none"> • Multi-national corporations and brands, supplier factories, and labor contractors in production, agricultural, food processing, and other relevant global supply chain contexts. • private employment agencies as defined under Article 1 of the ILO Private Employment Agencies Convention, 1997 (No. 181), including any enterprise or person, independent of the public authorities, which provides one or more of the following 	<p>Article 4</p> <p>For the purposes of this Convention, victims and perpetrators of violence and harassment in the world of work can be:</p> <p>(a) employers and workers, and their respective representatives, and other persons referred to in Article 2; and</p> <p>(b) in accordance with national law and practice, third parties, including clients, customers, service providers, users, patients and members of the public.</p>	<p>Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.</p> <p>Advocacy position: AFWA and GLJ recommend that the proposed definition of “victims and perpetrators” should be expanded to include the following roles:</p> <ul style="list-style-type: none"> • Multi-national corporations and brands, supplier factories, and labor contractors in production, agricultural, food processing, and other relevant global supply chain contexts. • Private employment agencies as defined under Article 1 of the ILO Private Employment Agencies Convention, 1997 (No. 181), including any enterprise or person, independent of the public authorities, which provides one or more of the following labour market services: <ul style="list-style-type: none"> (a) services for matching offers of and applications for employment; (b) services for

labour market services: (a) services for matching offers of and applications for employment; (b) services for employing workers with a view to making them available to a third party (“user enterprise”); (c) other services relating to job seeking, such as the provision of information, that do not aim to match specific employment offers and applications.

employing workers with a view to making them available to a third party (“user enterprise”); (c) other services relating to job seeking, such as the provision of information, that do not aim to match specific employment offers and applications

Core Principles

Address cultures of impunity for violence in the workplace by prohibiting workplace retaliation, and safeguarding fundamental rights to freedom of association and collective bargaining.

Article 6
With a view to eliminating violence and harassment in the world of work, each Member shall respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation, as well as promote safe and decent work.

Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.

Note: Prohibition of workplace retaliation is covered in Article 11 of the proposed text.

The proposed definition of worker should explicitly include all migrant workers, regardless of their legal status in the place of employment. Recognize and address discrimination against women that intersects with other axes of discrimination, including low economic resources, migrant status, race, ethnicity, caste, tribe, religion, and disability

Article 7
Each Member shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work.

Status: Current language emphasizing the rights of vulnerable workers is broad and inclusive and in line with AFWA/GLJ recommendations as adopted.

Protection and Prevention

- Address risk factors for violence rooted in the structure of the labour market. Consistent with the Report of the Committee of Experts convened by the ILO in October 2016, recognize gender based violence as a social rather than an individual problem, requiring comprehensive responses that extend beyond specific events, individual perpetrators, and victims/survivors (No. 35, para. 9).
- Identify (1) garment and other global production networks and (2) migration corridors as sectors and sites in which workers, including women and migrant workers, are more exposed to violence and harassment. Take corresponding measures to ensure these workers are effectively protected.
- Address concentration of women and migrant workers in low wage, contingent work, especially in the lower tiers of the supply chain.
- Increase numbers of women in supervisory and managerial positions
- Call for and implement living wage standards.

Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted

Advocacy position: While the importance of identifying risk factors with the participation of workers and their representatives has been addressed in Article 10, the proposed text does not specifically particular high risk employment contexts.

AFWA/ GLJ recommend expanding the language to explicitly include:

1. Global production networks, including garment and others; and
2. Migration corridors in which workers, including women and migrant workers, are routinely exposed to violence and harassment, but may not be included in identifying risk factors for violence due to low levels of worker representation in these contexts.

AFWA/ GLJ also recommend explicitly including the following risk factors for GBVH:

1. concentration of women and migrant workers in low wage, contingent work, especially in the lower tiers of the supply chain;
2. low representation of women in supervisory and managerial

Enforcement and Remedies

<ul style="list-style-type: none"> • Address cultures of impunity for violence in the workplace by prohibiting workplace retaliation, and safeguarding fundamental rights to freedom of association and collective bargaining. • Require multi-national corporations, employers, contractors, and states to maintain effective remedies and safe, fair and effective dispute resolution mechanisms in cases of violence and harassment, including: <ul style="list-style-type: none"> • complaint and investigation mechanisms at the workplace level; • dispute resolution mechanisms external to the workplace; • access to courts or tribunals; • protection against victimization of complainants, witnesses and whistle-blowers; and • legal, social and administrative support measures for complainants. 	<p>Article 11</p> <p>Each Member shall take appropriate measures to:</p> <p>(a) monitor and enforce national laws and regulations regarding violence and harassment in the world of work;</p> <p>(b) ensure that workers and other persons concerned have easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms in cases of violence and harassment in the world of work, including:</p> <p>(i) complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level;</p> <p>(ii) dispute resolution mechanisms external to the workplace;</p> <p>(iii) courts or tribunals;</p> <p>(iv) protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and</p> <p>(v) legal, social, medical and administrative support measures for complainants and victims;</p> <p>(c) protect the privacy of those individuals involved and confidentiality, to the extent possible and as appropriate;</p> <p>(d) provide for sanctions, where appropriate, in cases of violence and harassment in the world of work;</p> <p>(e) provide that victims of gender-based violence and harassment in the world of work have effective access to gender-responsive, safe and effective dispute resolution mechanisms, support, services and</p>	<p>Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.</p> <p>Advocacy position: AFWA and GLJ recommend that the proposed text should explicitly include obligations for multi-national corporations to uphold Article 11(b)(i)-(V) provisions.</p>
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remedies;

(f) recognize the effects of domestic violence on the world of work and take measures to address them;

(g) ensure that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to life or health due to violence and harassment, without suffering undue consequences; and
 (h) ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life or health, subject to any right of appeal to a judicial or administrative authority which may be provided by law.

Guidance, Training, and Awareness Raising

Provide workers with information and training on the identified hazards and risks of violence and harassment and the associated prevention and protection measures.

Each Member, in consultation with representative employers' and workers' organizations, shall seek to ensure that:

(a) violence and harassment in the world of work is addressed in relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination, and migration;

(b) guidance, resources, training or other tools are provided to employers and workers and their organizations, and to relevant authorities, on violence and harassment in the world of work, in particular on gender-based violence and harassment; and

(c) initiatives, including awareness-raising campaigns, are undertaken.

Status: Current standard setting approach is in line with AFWA/GLJ recommendations and should be included in the text as adopted.

Decent Work in Global Supply Chains

The 2017 report on Violence and Harassment Against Women and Men in the World of Work: Trade Union Perspectives and Action, released by the International Labour Office in 2017, directs attention to new and emerging risks in the workplace, including work pressures, changes in work organization, and long working hours in manufacturing and other sectors (Pillinger 2017: xiii-xiv).

Women garment workers and other workers employed at the base of global supply chains confront these new and emerging risks daily. They are, in fact, features of work in garment and other supply chain contexts. In this context, it is also important to highlight the importance of the ILO's ongoing work towards decent work in global supply chains.

Following International Labour Conference (ILC) deliberations on global supply chains at the 105th Session (2016), the ILO Committee on Decent Work in Global Supply Chains, submitted a report with resolution and conclusions for adoption by the Conference (ILC105-PR14-1-En). The Committee noted the significance of the ILO in ensuring decent work in global supply chains:

With its mandate, experience and expertise in the world of work, its normative approach to development and its tripartite structure, the ILO is uniquely positioned to address governance gaps in global supply chains so that they can fulfill their potential as ladders for development (para. 7).

As the only global tripartite institution, the ILO has a unique role to play in not only advancing decent work in supply chains, but also ensuring that supply chain governance addresses risk factors for gender based violence, and provides accessible avenues for relief.

The **Conclusions on Decent Work in Global Supply Chains** adopted by the 105th ILC provide guidance on how the Office should pursue the objective expressed in the conclusion's title (45). Paragraph 23 (here shortened) requires the ILO to:

- Promote the ratification and implementation of the ILO standards relevant to decent work in global supply chains;
- Strengthen capacity building and provide technical assistance to member States on labour administration and inspection systems;
- Promote effective national and cross-border social dialogue, thereby respecting the autonomy of the social partners.
- Assess the impact and scalability of development cooperation programmes, such as Better Work and SCORE, and develop sectoral and other approaches to address decent work challenges in global supply chains.
- Provide leadership and use the ILO's convening power and unique added value to drive policy coherence among all multilateral initiatives and processes related to decent work in global supply chains.
- Strengthen its capacity to give guidance to enterprises on the application of labour standards within their supply chains and make information available on specific country situations, laws and regulations, including on the implementation of labour rights due diligence in coherence with already existing international frameworks.
- Consider adopting an action plan to promote decent work and protection of fundamental principles and rights at work for workers in EPZs export processing zones (EPZs).
- Take a proactive role in generating and making accessible reliable data on decent work in global supply chains, in cooperation with all relevant organizations and forums.
- Carry out further research and analysis to better understand how supply chains work in practice, how they vary by industry, and what their impact is on decent work and fundamental rights.

Source: <https://www.ilo.org/global/topics/dw4sd/themes/supply-chains/lang--en/index.htm>

By August 2017, a year after the adoption of the resolution and conclusions submitted by the Committee on Decent Work in Global Supply Chains (GSC), the ILO and its constituents released “Follow-up to the resolution concerning decent work in global supply chains: Roadmap for the program of action” (GB.329/INS/3/2). Appendix II of the Roadmap addresses risk factors for workplace violence, disproportionately experienced by migrant, home-based, and women workers in global supply chains:

Migrant workers and homeworkers are found in many GSCs and may face various forms of discrimination and limited or no legal protection. In many sectors, women represent a large share of the workforce in GSCs. They are disproportionately represented in low-wage jobs in the lower tiers of the supply chain and are too often subject to discrimination, sexual harassment and other forms of workplace violence. In addition, they lack access to social protection measures in general, and maternity protection in particular, and their career opportunities are limited.

For women employed on global supply chains, this roadmap provides concrete steps toward the conclusions adopted from the 2016 Dialogue on Decent Work in Global Supply Chains and remains vital and complementary to this year’s International Standard Setting on GBVH. AFWA and GLJ continue to advocate for continued research, convening, and ultimately International Standard Setting on Decent Work in Global Supply Chains.

Patterns and Structure of GBVH on Garment Production Lines

Based upon extensive empirical research on GBVH in garment supply chains in Asia, this section revisits and updates our 2018 research, documenting a spectrum of GBVH faced by women workers on Asian garment supply chains. These forms of violence are not one-off occurrences, but are instead rooted in risk factors for GBVH related to brand purchasing practices and corresponding working conditions in garment supplier factories. The evidence presented in this section is a resounding demonstration that current approaches to addressing GBVH on garment supply chains are not working.

Spectrum of GBVH in Garment Global Production Networks

Guided by established international legal frameworks for identifying GBVH (CEDAW, General recommendation 19, article 1), from January 2018 – May 2018, AFWA investigated cases of GBVH in Asian garment supply chains, including H&M, and Walmart supply chains in Dhaka, Bangladesh; Phnom Penh, Cambodia; West Java and North Jakarta, Indonesia; Bangalore, Gurgaon, and Tiruppur, India; and in Gapaha District and Vavuniya District, Sri Lanka (AFWA and GLJ et al. 2018a-c).

Based upon the perspectives of 150 women workers from 37 different supplier factories, this 2018 research documented a spectrum of GBVH in Asian garment supply chains (Table 1). This spectrum of violence, developed in direct consultation with women garment workers, provides meaningful guidance to multinational brands on the adverse human rights impacts of their activities and business relationships. The persistence of this spectrum of violence has been verified through ongoing research conducted by AFWA in 2019.

Our findings reveal that women garment workers may be targets of violence on the basis of their gender, or because they are perceived as less likely or able to resist. Comprising the majority of workers in garment supply chains in Asia, women workers are also disproportionately impacted by forms of workplace violence perpetrated against both women and men. For women garment workers, violence and harassment in the world of work includes not only violence that takes place in physical workplaces, but also during commutes and in employer provided housing.

Risk Factors for GBVH

The 2017 report on *Violence and Harassment Against Women and Men in the World of Work: Trade Union Perspectives and Action*, released by the International Labour Office in 2017, directs attention to new and emerging risks in the workplace, including work pressures, changes in work organization, and long working hours in manufacturing and other sectors (Pillinger 2017: xiii-xiv).

The experience of AFWA, working with low-wage, informal sector garment workers engaged at the base of global production networks reveals that garment workers are subjected to many of the risk factors for violence in the world of work named by the ILO Expert Committee. Table 4 supplements the risk factors identified by the Expert Committee with the experiences of the AFWA and GLJ. These risk factors can be subdivided into three categories of risks: (1) risks associated with workforce demographics; (2) risks related to brand purchasing practices; and (3) risks within garment supplier factories.

Criteria for Effective Initiatives to End GBVH on Production Lines

The evidence presented in this section is a resounding demonstration that current approaches to addressing GBVH on garment supply chains are not working. Grounded in this up to date empirical account of the complex and multifaceted manifestations of GBVH on garment production lines and risk factors for GBVH related to brand purchasing practices and industrial practices in supplier factories, AFWA and GLJ propose the following criteria required for initiatives to end GBVH on production lines to be effective.

Initiatives must include:

1. Comprehensive identification of the locally-specific spectrum of GBVH—including all forms of violence covered by international law—and developed through proactive engagement with women production-line workers who are targets of violence
2. Opportunities for collaboration between women who are targets of violence, supervisors, and bystanders to address gendered relationships of power within factories and advance a shared goal of ending GBVH in the workplace
3. Protections against workplace retaliation for reporting violence and other violations of rights and work
4. Protection of freedom of association and collective bargaining to safeguard the rights of workers who participate in processes to transform their workplaces
5. Avenues to address risk factors for GBVH related to brand purchasing practices, including production targets, accelerated work, failure to pay living wages, and lack of job security

Table 1: Spectrum of GBVH in Garment Supply Chains

	<p>Gendered aspects of violence, including:</p> <ul style="list-style-type: none"> • Violence against a woman because she is a woman • Violence directed against a woman that affects women disproportionately due to (a) high concentration of women workers in risky production departments; and (b) gendered barriers to seeking relief
Forms of violence	
Acts that inflict physical harm	<ul style="list-style-type: none"> • Assault, including pushing to the floor, beating, and kicking, gendered aspects (1), 2(b) • Slapping, gendered aspects 2(a) and (b) • Pushing, gendered aspects 2(a) and (b) • Throwing heavy bundles of papers, clothes, scissors, and other projectiles, gendered aspects 2(a) and (b) • Overwork with low wages, resulting in fainting due to calorie deficit, high heat, and poor air circulation, gendered aspect 2(a) • Long hours performing repetitive manual tasks leading to chronic leg pain, ulcers, and other adverse health consequences, gendered aspect 2(a) • Traffic accidents during commutes in large trucks without seats, seatbelts, and other safety systems, gendered aspect 2(a)
Acts that inflict mental harm	<ul style="list-style-type: none"> • General verbal abuse, including bullying and verbal public humiliation, gendered aspect 2(a) • Verbal abuse linked to gender and sexuality, gendered aspect (1) • Verbal abuse linked to caste or social group, gendered aspect 2(a) and (b) • Verbal abuse targeting senior women workers so that they voluntarily resign prior to receiving benefits associated with seniority, gendered aspect 2(a)
Acts that inflict sexual harm or suffering (including sexual harassment, abuse, assault, and rape)	<ul style="list-style-type: none"> • Sexual advances from management and mechanics and retaliation for reporting, gendered aspect (1), 2(a) • Sexual harassment from management and co-workers, gendered aspect (1) • Unwanted physical touch, including inappropriate touching, pulling hair, and bodily contact by managers and male co-workers, gendered aspect (1) • Rape outside the factory at accommodation, gendered aspect (1)
Coercion, threats, and retaliation	<ul style="list-style-type: none"> • Threats of retaliation for refusing sexual advances, gendered aspects 1, 2(a) and (b) • Retaliation for reporting gendered violence and harassment, gendered aspects 1, 2(a) and (b) • Blacklisting workers who report workplace violence, harassment, and other rights violations, gendered aspect 2(a)
Deprivations of liberty	<ul style="list-style-type: none"> • Forced to work during legally mandated lunch hours, gendered aspect 2(a) • Prevented from taking bathroom breaks, gendered aspect 2(a) • Forced overtime, gendered aspect 2(a) • Prevented from using legally mandated leave entitlements, gendered aspect 2(a) • Forced labour, including payment of advances to women workers and restricting mobility from the workplace, gendered aspect (1), 2(a), and 2(b)

Table 3: Risk factors identified by the ILO Expert Committee and AFWA that expose

Risk factors for GBVH associated with workforce demographics in the garment sector	
<p>ILO Expert Committee</p> <ul style="list-style-type: none"> • Concentration of women workers in low-wage jobs, especially in the lower tiers of the supply chains (para. 14) • Imbalanced power relationships, including due to gender, race and ethnicity, social origin, education, poverty, disability, HIV status, sexual orientation and gender identity, migrant status, and age (para. 12) • Workplaces where the workforce is dominated by one gender or ethnicity might be more hostile to people not conforming to established gender norms or individuals coming from under-represented groups (para. 12) • Intersecting grounds of discrimination, such as gender and race or disability (para. 12) • High rates of unemployment (para. 10) 	<p>AFWA and GLJ (2018a-c)</p> <ul style="list-style-type: none"> • Majority woman workforce • Inadequate representation of women workers in supervisory positions • Concentration of women workers in subordinate roles as machine operators, checkers, and helpers in production departments under male supervision • Multiple and different gender segregated and spatially separate working environments within the same factory • Inadequate representation of women in leadership positions within their unions • Daily wage contract workers, migrant women, single women, and women from socially marginalized communities may be at increased risk of violence within the factory • Gendered social hierarchies
Risk factors for GBVH related to brand purchasing practices	
<p>ILO Expert Committee</p> <p>Workers who cannot exercise their rights to freedom of association and collective bargaining, due to the inappropriate use of contractual arrangements leading to decent work deficits, including the misuse of self-employment, are also likely to be more at risk of violence and harassment (para. 13)</p>	<p>AFWA and GLJ (2018a-c)</p> <ul style="list-style-type: none"> • Fast fashion purchasing practices that accelerate production cycles • Pressure on suppliers to reduce costs and corresponding failure to pay a living wage • Low levels of job security among women workers and fear of retaliation.
Risks factors for GBVH in garment supplier factories	
<p>ILO Expert Committee</p> <ul style="list-style-type: none"> • Unrealistic production targets (para. 10) • Unsocial working hours (para. 9) • Working in resource-constrained settings (para. 9) • Working in situations that are not properly covered or protected by labour law and social protection (para. 9) • Discriminatory practices (para. 10) • Culture of impunity (para. 12) • Poor labour relations (para. 10) • Absence of effective and accessible dispute resolution mechanisms (para. 15). • Weak enforcement mechanisms, including understaffed and poorly equipped and insufficiently trained labour inspectorates (para. 15). • Labour inspectorates and occupational safety and health (OSH) systems at different levels not mandated to address discriminatory practices or violence and harassment (para. 15). 	<p>AFWA and GLJ (2018a-c)</p> <ul style="list-style-type: none"> • Gendered industrial discipline practices • Low wages • Excessive working hours • Performance of repetitive manual tasks under exposure to heat, noise, dust and chemicals. • Retaliation for reporting GBVH, including further targeting, loss of employment, social ostracizing, and personal and professional reputational harm • Male monopoly over authority in garment factories where majority male supervisors and line-managers oversee an overwhelmingly female workforce

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