



# Violence Against Women at the Workplace

A survey by CNV Internationaal,  
University of Amsterdam/AIAS,  
WageIndicator Foundation



Internationaal

# Research about Violence Against Women at the Workplace in Honduras, Benin, Moldova, Indonesia

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Report to CNV Internationaal, based on the proposal "20150605 ToR VAW research FINAL.doc".

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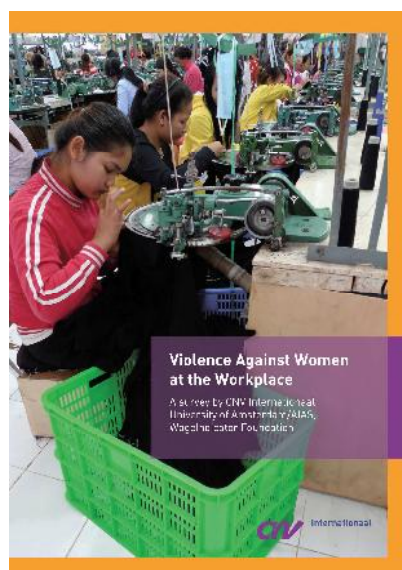
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# 1. Introduction

## 1.1 VIOLENCE AGAINST WOMEN AT THE WORKPLACE

Violence against women at the workplace is a major problem, though the statistical evidence is not well developed for many countries. This report aims at gaining a better insight into the extent to which working women are facing violence at work. The research focussed on the extent and characteristics of violence against women at the workplace and on the perpetrators of violence, notably bosses, co-workers or clients/patients/customers/pupils and similar. It focusses on women in the working age population (15-65 years of age), hence adolescent and adult women.

Our research focussed on sexual harassment and bullying at the workplace. It did neither cover domestic violence against women nor human trafficking and forced prostitution, because the causes and consequences of these phenomena are different from those of violence at the workplace, and so are the statistics. The research also does not include indirect violence against women, such as job insecurity due to flexibility of employment contracts. In addition, it will also not focus on gender-biased issues related to health and safety at work.

The research focussed on violence against women at the workplace in four countries: Honduras, Indonesia, Moldova, and Benin. Each country report starts with an overview concerning the female workforce in that country, followed by a description of the legal framework concerning violence at work. It then tries to provide an overview of the institutional responses to violence at work. Although data on the incidence of violence against women at work are mostly quite scarce, the research tries to estimate the frequencies of these types of violence in the countries at stake. Then, the reports provide anecdotal evidence of violence at work, and end with conclusions and recommendations.

## 1.2 METHODOLOGICAL NOTE

The research was conducted on behalf of CNV Internationaal. It was coordinated by the University of Amsterdam/AIAS, in cooperation with *WageIndicator* Foundation (WIF) and its team members. For the University of Amsterdam/AIAS a research team consisting of Kea Tijdens (research coordinator), Janna Besamusca (PhD student), Maarten van Klaveren (senior researcher) and Alejandro Zerain (student assistant) contributed to the report. For *WageIndicator* a team coordinated by Paulien Osse (director *WageIndicator* Foundation) consisted of Dani Ceccon (*WageIndicator* global data bases Collective Agreements, Labour Law, Minimum Wages manager), Nadia Pralitasari (*WageIndicator* Indonesia manager), Angélica Flores (*WageIndicator* Central America manager), Alastaire Sèna Alinsato (*WageIndicator* Benin team member), Alina Popescu (*WageIndicator* Moldova team member), and Iftikhar Ahmad (*WageIndicator* Global Labour Law database manager).

The division of work was as follows. Flores delivered a major contribution to Chapter 2, on Honduras. Pralitasari delivered a major contribution to Chapter 3, on Indonesia. Popescu delivered a major contribution to Chapter 4, on Moldova. Alinsato delivered a major contribution to Chapter 5, on Benin. Tijdens and Osse contributed substantially to all chapters. Ahmad (labour law), Besamusca (research questions, country information), Ceccon (collective bargaining agreements) and Zerain (labour market information) delivered specific information for all chapters. Van Klaveren did the final editing. Based on the research proposal of CNV Internationaal and the subsequent discussions, researchers of the University of Amsterdam drafted a set of questions for the national researchers and provided a list of relevant definitions (See Appendix 1 and 2). Research team members answered the research questions for each of the four countries at stake by means of desk research, (telephone) interviews with key persons and national experts, and reviewing newspapers, trade union and other reports concerning this topic.

Each country report consists of a brief introduction on the country, based on data from World Bank, ILO and other institutions. Next, an overview of the legal framework concerning violence against women at work is provided, based on the information from the team members and on the labour law pages of [www.WageIndicator.org](http://www.WageIndicator.org) for all countries except Moldova. Then, the views of the most relevant institutions in the country on this issue are summarized, based on interviews and publications of these institutions. The Collective Bargaining Agreements available in the database of [www.WageIndicator.org](http://www.WageIndicator.org) were scrolled as to find relevant clauses concerning violence against women at the workplace. This has been followed by an overview of the incidence of violence against women at the workplace, if available based on statistical sources. An overview of anecdotal evidence is based on media publications, websites and interviews. Finally, conclusions are drawn. The sources used in the country studies are listed at the end of each country report. A list of general publications is included in Appendix 3.

## 2. Honduras

### 2.1 INTRODUCTION

To which extent are working women faced with violence at the workplace? This report deals with this important topic. On behalf of CNV Internationaal the research has been conducted in July and August 2015 by a team of researchers in Honduras and in the Netherlands; it is based on desk research and interviews. Similar studies have been undertaken in Benin, Indonesia and Moldova.

The outline of this report is as follows. After a brief introduction to the country, the legal framework concerning violence against women at work is discussed. Then, the views of the most relevant institutions in the country on this issue are summarized, followed by an overview of the incidence of violence against women at the workplace, based on statistical sources, and an overview of anecdotal evidence, based on media publications, websites and interviews. Finally, conclusions are drawn. The Appendix lists all sources used in this report.

### 2.2 COUNTRY OVERVIEW

#### 2.2.1 GENERAL INFORMATION

Honduras has a population by 2014 estimated at 8,261 million people.<sup>1</sup> The overwhelming majority is Roman Catholic (97%) and a small minority is Protestant (3%).<sup>2</sup> According to the OECD DAC rating, Honduras belongs to the group of Lower Middle-Income Countries.<sup>3</sup> The World Bank measures the poverty headcount ratio at national poverty lines in percentages of the population; in Honduras, 64.5% falls under the poverty line.<sup>4</sup>

The country has minimum wages at a level above World Bank's poverty line of \$1.25 a day. The agreed national minimum wages vary across industries and across firm size categories. From January 1, 2015 on, the level of the monthly minimum wages ranges from 5,385.52 in the agricultural sector to 8,882.30 in the financial sector (HN lempiras).<sup>5</sup>

On a scale from 0 to 1, the United Nations Development Programme (UNDP) has computed the Human Development Index of Honduras for 2013 at 0.617. This value falls in the category Medium Human Development. On UNDP's Gender Equality Index, the country in 2013 ranked 99<sup>th</sup> with a score of 0.482.<sup>6</sup> Compared to other countries, the country falls in the group of low Internet users with 17.8% of the population. Mobile-cellular subscriptions are high with 95.92 per 100 inhabitants (2014).<sup>7</sup> On the rating of Press Freedom, the country ranks 132<sup>th</sup> with a score of 39.27.<sup>8</sup>

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<sup>1</sup> See <http://data.World Bank.org/country/honduras>, accessed 06-Aug-15

<sup>2</sup> Source: CIA Factbook <https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html#bn>, accessed 04-Aug-15

<sup>3</sup> Source: <http://www.oecd.org/dac/stats/49483614.pdf>, accessed 04-Aug-15

<sup>4</sup> See <http://data.World Bank.org/country/honduras>, accessed 06-Aug-15

<sup>5</sup> See <http://www.WageIndicator.org/main/salary/minimum-wage/honduras>, accessed 06-Aug-15

<sup>6</sup> UNDP (2014) *Human Development Report 2014. Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience*. New York.

<sup>7</sup> See <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>, accessed 06-Aug-15

<sup>8</sup> See <https://freedomhouse.org/>, accessed 06-Aug-15

### 2.2.2 WOMEN IN THE COUNTRY

In Honduras, almost five in ten women in the working age population are included in the labour force, as the table below shows. Almost half of the female labour force is low educated, and almost one third has a middle education. The vast majority of the female labour force is employed in the services industry. According to 2011 statistics, more than 70% of working women are in the informal labour force.

	2011	2012	2013	2014
Female population	3,887,809	3,966,425	4,046,525	4,127,197
Education of women				
Percentage women with low education (2)	43.7	..	..	..
Percentage women with mid education (2)	29.0	..	..	..
Percentage women with high education (2)	8.7	..	..	..
Female working age population (15-65)	2,327,111	2,392,564	2,458,114	2,522,999
Female labour force (15-65) (1)	1,025,400	1,061,600	1,098,400	1,135,600
Female informal labour force (15-65) (5)	729,400	738,400	852,800	..
Female unemployment rate (15-65) (2)	6.3	6.1	5.7	..
Percentage women in labour force (15-65) (4)	44.1	44.4	44.7	..
Percentage women in informal labour force (15-65) (3)	72	..	..	..
Distribution over industries				
Female employment in agriculture (1)	9.4	..	..	..
Female employment in industry (1)	20.6	..	..	..
Female employment in services (1)	69.8	..	..	..

Sources: World Bank: Gender Statistics; ILOSTAT

(1) % of female employment

(2) % of female labor force

(3) Informal employment (% of total nonagricultural employment, female)

(4) Labor force participation rate, female (% of female population ages 15-64)

(5) Informal employment not labour force (rounded as it was x1000): only non-agricultural

.. no data available

### 2.2.3 THE LEGAL FRAMEWORK CONCERNING VIOLENCE AGAINST WOMEN AT WORK

The legal framework concerning violence against women at work seems well-developed in Honduras. The country has ratified the ILO Conventions that are most relevant for this topic, notably<sup>9</sup>:

- Convention C029: Forced Labour Convention
- Convention C087: Freedom of Association and Protection of the Right to Organise Convention
- Convention C100: Equal Remuneration Convention
- Convention C111: Discrimination (Employment and Occupation) Convention

According to Constitution of the Republic of Honduras 1982, as amended to 2012, the employer must observe and enforce in the facilities of his establishments the legal provisions concerning hygiene and health and adopt adequate safety measures in work, which help to prevent occupational hazards and ensure the physical and mental integrity of workers.<sup>10</sup>

The country has a law against sexual harassment at the workplace.<sup>11</sup> This law prohibits sexual harassment of women at the workplace and provides for penalties of one to three years of imprisonment. It requires immediate termination of a worker who engages in sexual harassment (Art. 60 of Law on Equal Opportunities for Women, 2000 & Art. 147-A of Penal Code).<sup>12</sup> The law states: Those who take advantage of a situation of labour, administrative, educational or similar hierarchical superiority, causing the victim to job instability, disqualification from performing their job or job promotions or preventing access to a job; as retaliation to the rejection of indecent acts through advances or

<sup>9</sup> ILO NORMLEX database, accessed 04-Aug-15

<sup>10</sup> See

<http://constitutions.unwomen.org/en/search?country=57921b5ad9cf4e2eb3997e54610f3d15&keyword=violence%20against%20women#sthash.yLVEHBVR.dpuf>

<sup>11</sup> <http://www.WageIndicator.org/documents/decentworkcheck/latinamerica/Decentworkcheck-Honduras-English.pdf>, accessed 04-Aug-15

<sup>12</sup> Equal Opportunities for Woman Act, Código Penal De Honduras, Decreto Número 144-83, Artículo 147-A.

request for sexual favours for himself or for a third party committing the crime of sexual harassment and shall be punished by imprisonment of one to three years or disqualification for the same period, where appropriate, provided that the advances or requests for sexual favours had been rejected before the questioner or had, since timely, informed the working hierarchical authority or guild that is affiliated the taxpayer.<sup>13</sup>

Furthermore, Article 60 in the Law On Equal Opportunities For Women<sup>14</sup> states that sexual harassment by the employer or head of state or a private company, empowers the worker or public servant in his case, to terminate the employment relationship without notice without liability on their part, retaining the right to legal compensation benefits as in the case of unfair dismissal. When that implements the harassment, he was a worker, proceed to immediate dismissal without liability for the employer or state institution.<sup>15</sup>

## 2.3 OVERVIEW OF VIOLENCE AGAINST WOMEN AT WORK

### 2.3.1 INSTITUTIONAL RESPONSES

In Honduras, a wide range of institutional responses regarding violence against women are implemented in enterprises, industry-wide or national. We came across eight institutional responses, which are summarized in this section.

First, the campaign *Say no to the harassment in your workplace* is an awareness-raising campaign to report the sexual violence against woman; in charge is the Honduran President's wife (source#12).

Second, a Special Prosecutor for Women has been created. This is an instance in charge of investigating every sort of violence against women (source#17).

Third, the Center of Women Rights organizes workshops to teach women which can be the kinds of violence they are exposed to (source#15).

The National Institute of Women in Honduras (INMH) is a governmental organization, located in Tegucigalpa, the country's capital (source#1).<sup>16</sup> The Institute undertakes activities towards work-related violence, seeks a change of mentality, and develops social campaigns to create an open way of thinking. The INMH works with public and private organizations to share information about laws, and to communicate legal instruments as to incorporate gender equality in social life. It cooperates with labour associations and justice instances to watch that the laws be applied.

The Center Studies of Women is a Non-Governmental Organisation (NGO), located in Tegucigalpa (source#2).<sup>17</sup> The Center undertakes activities towards work-related violence. Among others, they have undertaken social advertising campaigns: field work,

<sup>13</sup> Spanish text of ARTICULO 147-A: "Quien valiéndose de una situación de superioridad jerárquica laboral, administrativa, docente o análoga, cause a la víctima inestabilidad laboral, descalificación en el desempeño de su trabajo o para ascensos laborales o le impida el acceso a un puesto de trabajo; como represalias al rechazo de actos indecorosos realizados a través de insinuaciones o solicitud de favores de carácter sexual para sí o para un tercero, incurrirá en el delito de hostigamiento sexual y será sancionado con pena de reclusión de uno (1) a tres (3) años o de inhabilitación especial por ese mismo período, cuando proceda, siempre y cuando las insinuaciones o solicitud de favores sexuales hubiesen sido rechazadas ante quien la formula o se hubiesen, puesto oportunamente, en conocimiento de la autoridad jerárquica laboral o del gremio a que está afiliado el sujeto pasivo."

<sup>14</sup> Código Penal De Honduras, Decreto Numero 144-83

<sup>15</sup> Ley De Igualdad De Oportunidades Para La Mujer: Artículo 60: "El acoso sexual cometido por el patrono o titular del Estado o de una empresa privada, faculta a la trabajadora o servidora pública en su caso, para dar por terminada la relación de trabajo sin preaviso y sin responsabilidad de su parte, conservando el derecho a las prestaciones indemnizaciones legales como en el caso del despido injusto. Cuando el que ejecutare el acoso, fuese un trabajador, deberá procederse a su despido inmediato sin responsabilidad para el patrono o institución estatal."

<sup>16</sup> [www.inam.gob.hn/](http://www.inam.gob.hn/)

<sup>17</sup> <http://www.cemh.org.hn/>



meetings and counseling, legal assistance and meetings with decision makers. The Center takes part in public debates and has started a violence observatory. Additionally, the Center organizes studies and produces gender reports, producing knowledge about the patriarchal context prevailing in Honduras. Also, the Center works with women in the field to give them support and information. It aims to create a large and strong network of women organizations to prevent violence at the workplace and enable them to defend their rights.

The Labour Union of Culture, Arts and Sports (CGT) is a trade union, located in Tegucigalpa.<sup>18</sup> According to an interview with Melba Bardales, President of the CGT, the union has a special office to attend women's demands. The union's reports stands are not attended by government, because of a collusion between government and union leaders (source#16).

The Center of Women Rights is a NGO, located in Tegucigalpa.<sup>19</sup> This institution undertakes activities towards work-related violence (sources#4 and #15). They map violence against women in Honduras, and produce knowledge related to human rights and gender equality. The center speaks out with formal protests through public documents. It also has a database with important documents available for everyone, and runs a program called Women and Decent Work Program.

The Movimiento de Mujeres por la paz Visitación Padilla is a NGO, located in Comayagua, La Ceiba, El Progreso, and Tegucigalpa.<sup>20</sup> This NGO undertakes activities towards work-related violence by means of legal assistance, public advocacy, and organizing workshops, talks and lectures about women's rights (source#5). Besides a lack of knowledge about women's rights, linked with Low access to information, the Movimiento de Mujeres NGO identifies a lack of political will to change the current order, arguing that nowadays it is easier to approve mining projects than to review equality rights for women or against discrimination. This NGO points to impunity, because they argue that 98% of the violence toward women cases are not punished. Therefore, this NGO thinks it is important to strive for cultural and social change, and to receive more resources from the state to combat violence against women at the workplace. In Honduras, violence is systemic and institutionalized while no education to prevent it exists. In conclusion, educating new generations could be part of the solution, and assigning more financial and human resources to combat violence is necessary.

No Collective Bargaining Agreements with clauses addressing violence against women at the workplace were encountered for Honduras.

### 2.3.2 STATISTICAL EVIDENCE

Hardly any country has a sound and continuous measurement of violence against women at the workplace. The ideal survey design would require random sampled surveys targeting a national population with questions on a broad range of issues but with a few questions about violence against women. However, in this survey design respondents may underreport the incidence, because they may not want to disclose this information to an interviewer. Therefore, these surveys typically also ask whether respondents have heard of these incidences at their workplace, though the answers to this question do not reflect a reliable picture of the incidence. Volunteer surveys, specifically aiming to measure violence at the workplace, may on the other hand overestimate the incidence, because only respondents who want to report so are inclined to complete such a survey. Hence statistical evidence of women workers suffering from violence against women at the workplace is facing several methodological problems. Therefore, surveys only targeting the parts of the national population, either in cities or in enterprises or alike, reports from the police or support agencies, or small-scale surveys of experts may shed

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<sup>18</sup> <http://cgthonduras.org/web/>

<sup>19</sup> <http://www.derechosdelamujer.org/>

<sup>20</sup> <http://www.laschonas.com/>

light on the incidence of violence against women at the workplace. For Honduras, four of these studies were found.

The study *The Impact of Free Trade on Labor Rights of Women Workers in the Textile Industry in Honduras* was published by the Center of Women Rights in 2009 (source#6). The report was based on interviews as well as a large-scale survey.<sup>21</sup> It addressed, among others, sexual harassment, mobbing and other forms of violence against women at the workplace. The main purpose was to document how free trade had worsened the working conditions in the manufacturing industry (*maquilas*) in Honduras, deepening violence at the workplace and labour and human rights violations regardless of the existing Honduran labour legislation. The population addressed consisted of female workers located in cities in the districts of San Pedro Sula, Choloma and Villanueva, where 70% of the companies in the “maquiladora” industry are located. The data was collected in two different periods (2003 and 2007). The female workers were selected randomly in the geographical areas previously mentioned. The percentage of respondents was the same per factory sampled. Based on the quantitative data, key informants were selected for interviews. Both in 2003 and in 2007 the survey sample consisted of 2% of the total female population working in the districts with a large concentration of factories. It has been estimated that the total number of workers in the “maquiladora” industry was around 130,000, and that 69% were women. Twelve survey questions in the report were explicitly included in the female violence section. These were closed questions (Yes or no), referring to different types of violence at work workers had experienced. The shares of respondents that experienced aggression is included for 2003 and 2007. The figures show that on all issues the experienced violence had grown heavily in four years’ time, to a 4-to-10-fold level (Report, p. 52).

For the qualitative part of the study high officials and experts were interviewed: public officials from the municipalities where the sample was taken; prominent members from civil society organizations involved in labour and human rights issues, and the leader of a national trade union (not the largest union). The interviews mostly referred to workers’ exploitation and violations of labour legislation; some types of violence/intimidation were mentioned briefly, but not specific to women. The main conclusions are summarized by one of the interviewees, Jose Amado Mancia, coordinator of Rights Team Human Reflection, Research and Communication of the Society of Jesus (ERIC), Honduras: “The flexibilization also has to do with the high production targets, with the mandatory extra hours disguised as bonuses and nutrition if they stay, but when workers refuse to work extra hours because they are tired or their bodies cannot cope, then they are punished, and that is one the lowest ways to blackmail workers” (Jose Amado, p. 45).

In 2011, the National Institute for Safety and Health at Work and the Ibero-American Social Security Organization published a report about their *2011 Survey on Working Conditions and Health* (source#7), covering the six Central American countries Honduras, Costa Rica, Nicaragua, Panama, Guatemala and El Salvador.<sup>22</sup> The study addressed among other things sexual harassment at the workplace, and was based on interviews and large-scale surveys. Its main purpose was to get to know more about the working conditions of Central American workers, focusing on health and safety; to identify perceived exposures to occupational risk factors and health problems possibly associated with these occupational hazards; to evaluate the assigned resources and the adopted preventive activities to protect workers’ health in Central America, and to help promote health and safety in the region’s countries. For the qualitative study, 132 workers (both male and female) were interviewed in 12 different focus groups (2 per country). Each focus group had between 8 and 12 workers. In the survey the targeted population were adults (over 18 years) working during the time of the interview, either in the formal or informal sector, or temporarily absent from work. A multistage and stratified sampling method was used with random selection among segments (167 segments per country and 12 adults surveyed in each point). The secondary stratification included quotas on

<sup>21</sup> <http://www.corteidh.or.cr/tablas/29031.pdf>

<sup>22</sup> [http://www.upf.edu/cisal/pdf/20120928\\_2\\_Benavides\\_Rojas\\_VII\\_Taller\\_ECCTS.pdf](http://www.upf.edu/cisal/pdf/20120928_2_Benavides_Rojas_VII_Taller_ECCTS.pdf)

gender and economic sector. There were 12,024 respondents, or 2,004 per country. According to the report, only three questions were directly related to violence. These were closed survey questions, asked both to men and women. These questions asked whether they had personally experienced: a) physical violence from co-workers, b) sexual abuse and harassment, c) and/or threats. The results were provided in a graph, disaggregated per country and by gender, showing that for both genders the percentages for Honduras were relatively low. For women, in Honduras experience with sexual abuse and harassment had the highest score (just over 2%), followed by physical violence from co-workers (1.6%) and threats (0.4%)(Survey presentation, p. 22).

The report *Diagnosis of the national situation of violence against women in Honduras* was published in 2012 by the National Institute of Women (source#8). The report aims to produce an overview of the current state regarding violence against women in Honduras, in order to evaluate the effectiveness of actions, mechanisms and institutions created to prevent, address and eradicate violence against women of all ages.<sup>23</sup> The report is based on the findings in workshops, secondary sources and interviews. Coordinated workshops were held in several cities with representatives from governmental institutions, NGOs working with women and children, and on human rights; women organizations and members from municipal administrations. There were also interviews with key informants from relevant institutions and organizations related to the prevention and treatment of violence against women. Quantitative data was taken from secondary sources including databases from the Supreme Court of Justice, the Attorney General, the National Preventive Police and the National Statistics Institute (INE), among others. Most of the questions from the studies were about violence against women. A large part of the data does not refer to questions but consist of statistics from police reports and helpline services for women. The percentage of complaints is shown according to what type of violence was at hand (physical, psychological, domestic, et cetera), and what type of aggression was experienced (violations, threats, femicide). Results from a previous study regarding violence against women with HIV were included. Interviews were only carried out with experts and people highly involved in the prevention and treatment of violence against women, including public officials from the judiciary system, national human rights commissions, police forces and the health system, as well as academics, members of women institutions (e.g. refugee houses, health institutes), and activists from women's organizations – in total 25 people. The interviews focussed mostly on the governmental response and prevention of violence against women. Even though institutions to address violence against women have been created, efforts in this field in Honduras remain insufficient. There is a lack of funding according to the population's and institutions' needs preventing them from tackling the issue effectively. Moreover, the existing poor judicial infrastructure leads to significant delays or leaves many complaints unresolved. Due to the lack of an effective and quick response, many female victims have opted for not denouncing their aggressors at all.

The *Report of the Special Rapporteur on violence against women, its causes and consequences*, Rashida Manjoo, has been published in 2015 by the United Nations (UN) General Assembly (source#9). This report provides an overview of the legally binding provisions, implementing mechanisms and relevant jurisprudence regarding violence against women in three regional human rights systems: the African, European and Inter-American systems.<sup>24</sup> It also highlights that in order for the regional systems to reinforce universal human rights standards as contained in international human rights instruments, a legally binding framework on violence against women and girls is essential within the UN system. The report is based on a literature survey. Only existing legal decisions made on cases and developments in the legal provisions for the three human-rights systems mentioned above have been studied.

<sup>23</sup> [http://www.inam.gob.hn/web/index.php?option=com\\_phocadownload&view=file&id=27:diagnostico-del-estado-de-la-situacion-de-la-violencia-contra-las-mujeres-en-honduras&Itemid=110](http://www.inam.gob.hn/web/index.php?option=com_phocadownload&view=file&id=27:diagnostico-del-estado-de-la-situacion-de-la-violencia-contra-las-mujeres-en-honduras&Itemid=110)

<sup>24</sup> <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/068/67/PDF/G1506867.pdf?OpenElement>

### 2.3.3 ANECDOTAL EVIDENCE

Anecdotal evidence of violence against women at the workplace is considered an informative source, particularly when statistical sources are lacking or limited in scope. Anecdotal evidence has been collected from newspapers, websites, social media, trade union reports, police reporting or other sources. In the case of Honduras, five anecdotal cases were found.

The first anecdotal evidence is based on a March 2015 article on the website of the British newspaper The Guardian (source#10).<sup>25</sup> When Lesbia Pacheco was sexually harassed in her workplace by her boss, she reported the harassment to the authorities but they did not help her. After that, Lesbia Pacheco look for support to Movimiento de Mujeres por la paz Visitación Padilla (Las Chonas); they gave Lesbia legal assistance and supported her by public advocacy. First, the judge declined in favour of Lesbia and the job was given back to her. Yet, after that, Lesbia's boss argued that he was a victim of slander and that his personal reputation was harmed. Finally, Lesbia's lawyer and the president of Las Chonas were declared guilty of defamation. No consequences of this violence for the victim were reported.

According to a message on a Honduran website<sup>26</sup>, a technician made physical sexual harassment on a co-worker (source#11). He had followed her to her house and he had forced hugging. She complained to her boss but the person in question continued the same sort of harassment. No consequences of this violence for the victim was reported.

According to an article in the newspaper La Prensa in 2015 (source#12), many teachers, 88 to be exact, from the National Autonomus University of Honduras have practiced sexual violence to students and co-workers. No consequences of this violence were reported.

According to an article in the newspaper Diez HN in 2014 (source#13), Nora Buchanan, a Honduran female painter, experienced verbal sexual harassment that year when Ponce Morazán, Minister of Culture, Arts and Sports, invited her to meet in a hotel. No consequences of this violence were reported.

According to an article in the newspaper El Heraldo in 2012 (source#14), a man called Gabriel Casco was found guilty of harassing, when he was the boss in a factory and asked for sexual favours in order to guarantee extension of the job. No consequences of this violence were reported, neither for the victims nor for the offender.

## 2.4 CONCLUSIONS AND RECOMMENDATIONS

Adequate legislation seems in place in Honduras, but according to the interviewees in practice there remain quite some loopholes. Though some laws also need to be revised and updated, the execution of the legal framework is the main weak spot. The existing judicial infrastructure is poor; it leads to significant delays and leaves many complaints unresolved. Also, there is an overall lack of information on women's rights as well as of resources to disseminate legal rights. These loopholes have to be projected against the country's dominant patriarchal culture where widespread violence against girls and women is commonplace, with sexual harassment evidently starting at school and subsequently finding its way in working life. Adding a lack of a culture of legal complaints, under these conditions many female victims of violence at the workplace opt for not denouncing their aggressors at all.

Obviously, in Honduras broad programs are needed strengthening the spread of information on women's rights, protective measures for adolescent girls and women who

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<sup>25</sup> <http://www.theguardian.com/global-development/2015/mar/18/honduras-women-gladys-lanza-feminism-human-rights>

<sup>26</sup> <http://www.honduraslaboral.org/article/el-acoso-sexual-en-las-fabricas-maquiladoras/>



have been victims of harassment and abuse, including shelters, as well as stronger support for legal complaints of female victims.

## APPENDIX SOURCES USED IN THE STUDY

### Source 1 Interview (Anonymity preferred)

Name Ms X  
Position Employee  
Status Centro de Documentación, Instituto Nacional De La Mujer  
Date of interview 28/07/2015 10:30

### Source 2 Interview (Anonymity preferred)

Name Ms X  
Position Employee  
Organisation Centro De Estudios De La Mujer  
Date of interview 28/07/2015 12:20

### Source 3 Interview (Anonymity preferred)

Name Ms X  
Position Employee  
Organisation Central General De Trabajadores (trade union)  
Date of interview 28/07/2015 17:50

### Source 4 Website

Name Centro de Derechos de Mujeres  
URL [www.derechosdelamujer.org](http://www.derechosdelamujer.org)  
Date of access 28/07/2015

### Source 5 Website

Name Movimiento de Mujeres por la paz Visitación Padilla  
URL <http://www.laschonas.com/>  
Date of access 28/07/2015

### Source 6 Report

Name Impact of Free Trade on Labor Rights of women workers in the textile industry in Honduras  
Published 2009  
URL <http://www.corteidh.or.cr/tablas/29031.pdf>

### Source 7 Report

Name Central Survey on Working Conditions and Health 2011 (6 countries)  
Published 2011  
URL [http://www.upf.edu/cisal/\\_pdf/20120928\\_2\\_Benavides\\_Rojas\\_VII\\_Taller\\_ECCTS.pdf](http://www.upf.edu/cisal/_pdf/20120928_2_Benavides_Rojas_VII_Taller_ECCTS.pdf)

### Source 8 Report

Name Diagnosis of the National Situation of Violence against Women in Honduras  
Published 2012  
URL [http://www.inam.gob.hn/web/index.php?option=com\\_phocadownload&view=file&id=27:diagnostico-del-estado-de-la-situacion-de-la-violencia-contra-las-mujeres-en-honduras&Itemid=110](http://www.inam.gob.hn/web/index.php?option=com_phocadownload&view=file&id=27:diagnostico-del-estado-de-la-situacion-de-la-violencia-contra-las-mujeres-en-honduras&Itemid=110)

### Source 9 Report

Name Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo  
Published 2015  
URL <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/068/67/PDF/G1506867.pdf?OpenElement>

### Source 10 Newspaper

Name The Guardian, "Honduran Women Refuse to be Silenced in Face of yet Another Setback"  
Published 18/03/2015  
URL <http://www.theguardian.com/global-development/2015/mar/18/honduras-women-gladys-landa-feminism-human-rights>

Date of access 28/07/2015

**Source 11 Newspaper**

Name Honduras Laboral

Published 2009

URL <http://www.honduraslaboral.org/article/el-acoso-sexual-en-las-fabricas-maquiladoras/>

Date of access 28/07/2015

**Source 12 Newspaper**

Name Honduras: Al descubierto el acoso universitario

Published 01/02/2015

URL <http://www.laprensa.hn/honduras/790909-410/honduras-al-descubierto-el-acoso-universitario>

Date of access 30/07/2015

**Source 13 Newspaper**

Name Diez HN

Published 18/08/2014

URL <http://www.diez.hn/inicio/739265-332/pintora-hondure%C3%B1a-exige-disculpa-de-ponce-moraz%C3%A1n-por-supuesto-acoso-sexual>

Date of access 31/07/2015

**Source 14 Newspaper**

Name El Heraldito HN

Published 23/05/2012

URL <http://www.elheraldo.hn/csp/mediapool/sites/ElHeraldo/Sucesos/story.csp?cid=619221&sid=293&fid=219>

Date of access 31/07/2015

**Source 15 Interview (Anonymity preferred)**

Name Ms X

Position Employee of Centro de Derechos de Mujeres

Organisation Programa Mujer y Trabajo Digno

Date of interview 30/07/2015

**Source 16 Interview**

Name Melba Bardales

Position Presidenta del Sindicato de Cultura, Artes y Deportes

Organisation Secretaria Ejecutiva de la CGT

Secretaría de Formación de la Federación Auténtica Sindical de Honduras

Date of interview 31/07/2015

**Source 17 Website**

Name Special Prosecutor for Women

URL [https://www.mp.hn/index.php?option=com\\_content&view=article&id=776&Itemid=235](https://www.mp.hn/index.php?option=com_content&view=article&id=776&Itemid=235)

Date of access 30/07/2015

## 3. Indonesia

### 3.1 INTRODUCTION

To which extent are working women faced with violence at the workplace? This report deals with this important topic. The research on behalf of CNV Internationaal has been conducted in July and August 2015, by a team of researchers in Indonesia and in the Netherlands and is based on desk research and interviews. Similar studies have been undertaken in Benin, Honduras and Moldova.

The outline of this report is as follows. After a brief introduction to the country, the legal framework concerning violence against women at work is discussed. Then, the views of the most relevant institutions in the country on this issue are summarized, followed by an overview of the incidence of violence against women at the workplace, based on statistical sources, and an overview of anecdotal evidence, based on media publications, websites and interviews. Finally, conclusions are drawn. The Appendix lists all sources used in this report.

### 3.2 COUNTRY OVERVIEW

#### 3.2.1 GENERAL INFORMATION

Indonesia has a population estimated by mid-2015 at 256 million people. Based on a 2010 estimate, the overwhelming majority is Muslim (87.2%), with smaller shares of Christians (7%), Roman Catholics (2.9%), Hindu (1.7%), others 0.9% (includes Buddhist and Confucian), and unspecified 0.4%.<sup>27</sup> According to the OECD DAC rating, Indonesia belongs to the group Lower Middle Income Countries.<sup>28</sup> The World Bank measures the poverty headcount ratio at national poverty lines in percentage of the population. In Indonesia, 11.3% recently falls under the poverty line.<sup>29</sup>

The country has minimum wages at a level above World Bank's poverty line of \$1.25 a day. The agreed monthly minimum wages vary substantially across the country's 33 provinces, ranging from 2,700,000 in Jakarta to 1,100,000 in Jawa Tengah (ID Rupiah).<sup>30</sup>

On a scale from 0 to 1, the United Nations Development Programme (UNDP) calculated the Human Development Index of Indonesia for 2013 at 0.684; this value falls in the category Medium Human Development. On UNDP's Equality Index, the country in 2013 ranked 98<sup>th</sup> with a score of 0.500.<sup>31</sup> Compared to other countries, the country falls in the group of low Internet users with 15.8% of the population. Mobile-cellular subscriptions are high with 125.36 per 100 inhabitants.<sup>32</sup> On the rating of Press Freedom, Indonesia in 2014 ranked 138<sup>th</sup> with a score of 40.75.<sup>33</sup>

#### 3.2.2 WOMEN IN THE COUNTRY

In Indonesia, the female employment rate is slightly lower than 50%. Over one-third of females employed is working in agriculture, whereas almost half is working in the services industry. Unemployment rates vary around 7-8%. Concerning informal labour,

<sup>27</sup> Source: CIA Factbook <https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html#bn>, accessed 04-Aug-15

<sup>28</sup> Source: <http://www.oecd.org/dac/stats/49483614.pdf>, accessed 04-Aug-15

<sup>29</sup> See <http://data.WorldBank.org/country/indonesia>, accessed 06-Aug-15

<sup>30</sup> See <http://www.WageIndicator.org/main/salary/minimum-wage/indonesia>, accessed 06-Aug-15

<sup>31</sup> UNDP (2014) *Human Development Report 2014. Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience*. New York.

<sup>32</sup> See <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>, accessed 06-Aug-15

<sup>33</sup> See <https://freedomhouse.org/>, accessed 06-Aug-15

for 2013 it can be calculated based on official statistics that over two-thirds of the female labour force is in informal employment.

	2011	2012	2013	2014
Female population	121,132,001	122,658,456	124,165,031	125,649,068
Education of women				
Percentage women with low education (2)	55.9	54.2	54.3	
Percentage women with mid education (2)	38.2	39.5	39.6	
Percentage women with high education (2)	5.9	6.3	6.1	
Female working age population (15-65)	79,260,818	80,527,056	81,837,906	83,171,207
Female labour force (15-65)	44,171,997	44,916,947	45,783,736	..
Female informal labour force (15-65) (in millions)	..	..	31.1	..
Female unemployment rate (15-65) (3)	7.9	7.1	7.3	..
Percentage women in labour force (15-65)	53.3	53.4	53.5	..
Percentage women in informal labour force (15-65) (4)	..	..	68	..
Distribution over industries				
Female employment in agriculture (1)	38.5	34.5	..	..
Female employment in industry (1)	15.4	16.0	..	..
Female employment in services (1)	46.2	49.5	..	..

Sources: World Bank: Gender Statistics; BPS (Statistics Indonesia)

(1) % of total female employment in this particular sector

(2) % of female population 10 years and older

(3) Unemployment, female (% of female labour force) (modelled ILO estimate)

(4) % of total female labour force

.. no data available

### 3.2.3 THE LEGAL FRAMEWORK CONCERNING VIOLENCE AGAINST WOMEN AT WORK

The legal framework concerning violence against women at work seems well-developed in Indonesia. The country has ratified the ILO Conventions, most relevant for this topic, notably<sup>34</sup>:

- Convention C029: Forced Labour Convention
- Convention C087: Freedom of Association and Protection of the Right to Organise Convention
- Convention C100: Equal Remuneration Convention
- Convention C111: Discrimination (Employment and Occupation) Convention

The legal basis is the Constitution of the Republic of Indonesia 1945. The Constitution grants all citizens the right of recognition, guarantees, protection and certainty before a just law, and of equal treatment before the law. The State Ministry of the Empowerment of Women has been established to enhance the role and full participation of women in the development process.

The second legal basis is the Penal Code of Indonesia. Sexual harassment is an issue that has not yet been much regulated in Indonesia, but there is a general provision in the Indonesian Criminal Code on crimes against decency. Although 'sexual harassment' is not specifically mentioned, Article 281, 289-296 of the Criminal Code can be used as the basis for filing a complaint against such an act. More specific legal rules regulating forms of sexual harassment/sexual abuse, sanctions and ways to cope with sexual harassment at the workplace are lacking. Relevant texts are:

- Article 281: By a maximum imprisonment of two years and eight months or a maximum fine of three thousand rupiahs shall be punished:  
1st, any person who with deliberate intent publicly offends against decency;  
2nd, the people who with deliberate intent offend against decency whereby another person is present in spite of himself.
- Article 289: Any person who by using force or threat of force forces someone to commit or tolerate obscene acts, shall, being guilty of factual assault of the chastity, be punished by a maximum imprisonment of nine years.
- Article 294:

<sup>34</sup> See ILO NORMLEX database, accessed 04-Aug-15



(1) Any person who commits any obscene act with his under age child, stepchild or foster-child, his pupil, a minor entrusted to his care, education or vigilance or his under-age servant or subordinate, shall be punished by a maximum imprisonment of seven years.

(2) By the same punishment shall be punished: 1st, the official who commits any obscene act with a person who is officially subordinate to him or has been entrusted or recommended to his vigilance.

Other Indonesian laws and articles thereof than can be of relevance here, are:

- Law No. 7 (1984) on the Ratification of Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
- Law 39 (1999) on Human Rights. Article 49 states:
  - (1) Women have the right to select, be selected and appointed to an adequate job, position or a profession, in line with prevailing law.
  - (2) Women have the right to special protection in the undertaking of work or a profession that could put her safety and/or her reproductive health.
- Law No. 13 (2002) Regarding Manpower. Article 86 states:
  - (1) Every worker/ labourer has the right to receive protection on: a. Occupational safety and health; b. morality and decency; and c. Treatment that shows respect to human dignity and religious values.
- Law No. 2 (2004) Regarding Settlement of Industrial Relations Dispute. Settlement of disputes under this Law would depend on the characteristic of the dispute. The law formulates four types of disputes, namely: (a) dispute concerning rights, (b) dispute arising out of difference in interest, (c) employment termination and (d) dispute between labour unions within a company. The primary features of the Law are the mechanisms for resolving industrial disputes; namely, bipartite negotiations, mediation, conciliation, and arbitration. All disputes must first be settled through bipartite negotiations. Only if this process is exhausted, the parties may refer their dispute to be settled through other mechanisms, in accordance with their types of dispute. If, on the other hand, parties of the dispute fail to determine which institution it would recourse, then it will be directed through mediation. The use of a conciliation or mediation instrument is obligatory as the court will dismiss application from a party who did not attached records of settlement through those mechanisms.
- Law No. 80 (1957) Regarding the Ratification of Convention Equal Remuneration Among Men and Women Workers. Article 2 states:
  - (1) Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and, in so far as is consistent with such methods, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.
- Law No. 21 (1999) Regarding the Ratification Discrimination In Respect Of Employment And Occupation. Article 1 states:
  - (1) For the purpose of this Convention the term discrimination includes:
    - (a) any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;
    - (b) any other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies;
  - (2) any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination;

- (3) for the purpose of this Convention the terms employment and occupation include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

The interviewees stated that the current level of legislation is not satisfactory. The laws do not cover sexual harassment specifically. Any cases for sexual harassment fall under the Criminal Code in the Penal Code of Indonesia, in which the penalty is nothing compared to the damage done. Many victims of sexual harassment are dropping their cases: it takes long to proceed whereas in the end the sanction for the executor is unfairly low. In 2011, the Ministry of Manpower and Transmigration, together with the ILO, issued a *Circular Note on Sexual Harassment Prevention at the Workplace*.<sup>35</sup> However, this has no legally binding force, it just encourages employers to follow the written policy. In a bid to curb rampant sexual violence in Indonesia, the National Commission on Violence Against Women (Komnas Perempuan) with their partners are pushing for lawmakers to include a bill on the eradication of sexual violence in the national legislation program (Prolegnas) 2015-2019. They also have started a social media campaign in order to gather support for such a law.

## 3.3 OVERVIEW OF VIOLENCE AGAINST WOMEN AT WORK

### 3.3.1 INSTITUTIONAL RESPONSES

In Indonesia, a wide range of institutional responses regarding violence against women have been implemented in enterprises, industry-wide or national. We came across several institutional responses, summarized below, as well as across three collective bargaining agreements with clauses in this respect.

#### Activities and views of institutions

As said, in 2011 the Minister of Manpower and Transmigration issued a *Circular Note Regarding Sexual Harassment Prevention at the Workplace*. According to this note, sexual harassment at the workplace is prohibited. Sexual harassment is verbal or physical conduct of a sexual nature affecting the dignity of women or men, which is unwelcome, unreasonable and offensive to the recipient. Employees must perceive that their reactions to the sexual harassing conduct may affect decisions regarding their job, or be a factor in evaluating job performance. Conduct that creates a hostile or inappropriate working environment also can constitute sexual harassment. Sexual harassment can involve conduct such as:

- unwelcome touching, hugging or kissing;
- staring or leering;
- suggestive comments or jokes;
- unwanted invitations for sex or persistent request to go out on dates;
- intrusive questions about another person's private life or body;
- insults or taunts of a sexual nature.

This relates to behaviour that would also be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications. As said, the Circular Note is not legally binding.

The Ministry of Women Empowerment and Child Protection undertakes several activities towards work-related violence, as reported in an interview (source#5), increasing:

- the number of protection policies regarding violence against women;
- supply and use of data to protect women from violence;
- prevention, care and empowerment for women, in particular victims of violence.

Based on its annual performance report 2014, the Ministry's achieved work can be summarized as follows (source#9):

- the allocation of budgets for handling cases of violence against women in 25 provinces and 83 districts/cities;

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<sup>35</sup> No. SE.03/MEN/IV/2011

- the establishment of Integrated Service Centers for Women and Children (P2TP2A) in 33 provinces and 247 district/cities; P2TP2A serves women and children if they are victims of violence;
- the creation of 123 hospital-based service institutions;
- the creation of service units in the 17 Ministries/Institutions to monitor compliance on violence cases;
- the creation of lactation/breastfeeding rooms in the 17 Ministries/Institutions.

Indonesia's National Commission on Violence against Women (Komnas Perempuan), located in Jakarta, is an independent national institution promoting women's rights (source#8). The Commission was established by Presidential Decree no. 181 on 15 October 1998. In response to organizational development within Komnas Perempuan, Presidential Decree no. 65 and 66 were signed in 2005, superseding the former decree. Komnas Perempuan undertakes several activities concerning work-related violence:

- it publishes annual notes on violence against women (CATAHU) concerning the spread, forms and trends in violence against women in Indonesia and the quality of services available for victims provided by governmental agencies or civil society organizations.
- it actively provides policy inputs to legislative, executive and judicial institutions in order to improve national and local legislation. This initiative is conducted via the legislation process within the national and local parliaments, judicial reviews of the Constitutional Court, and dialogue with state institutions holding a strategic role in the elimination of violence against women.
- it conducts research on various issues of violence against women. These efforts include collaboration with the Postgraduate Program on Women's Studies at the University of Indonesia through a program called "Knowledge from Women".
- it strives to provide the public with robust information on the forms, root causes and consequences of violence against women, and the efforts to eliminate that. Komnas Perempuan's three main campaign activities are: the Sixteen-day Plus Campaign against VAW, Let's Talk Truth, and the Pundi Perempuan, a forum to raise and manage funds for the Women's Crisis Center (WCC) and institutions that deal with issues of violence against women.<sup>36</sup>

Better Work Indonesia (BWI) is a Non-Governmental Organisation (NGO) and located in the ILO Jakarta Office (source#4). BWI offers services combining assessment, advisory, and training for practical and sustainable improvement at the enterprise level. Assessments and advisory services help enterprises identify the root causes of the issues that need improvement. This allows enterprises to systemically improve their business, and retain and attract new international buyers. BWI includes harassment and abuse at workplace as one of critical issues covered in their assessment. BWI also provides training services to ensure the sustainability of improvement in the factories, by educating both factory management and workers about how to improve compliance and workplace cooperation. This also includes training regarding fighting sexual harassment.

Kalyanamitra (Women's Information and Communication Centre) is a NGO located in Jakarta, with much of its work revolving around community facilitation (source#2): a process aiming at establishing friendship relations with women or the community in general. Kalyanamitra's community facilitation focuses on improving critical awareness and local knowledge about women. The community facilitation process also stresses the importance of sustainable education, as well as forming and strengthening community groups and women's organizations.

The Indonesian trade union confederation Konfederasi Serikat Buruh Sejahtera Indonesia (KSBSI) has its headquarters in Jakarta (source#3). KSBSI's Equality Commission has conducted activities and work related to sexual harassment for more than 4 years now, in particular:

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<sup>36</sup> <http://www.komnasperempuan.or.id/en/pundi-perempuan/>, accessed 18-Aug-15

- socialization on sexual harassment: as many workers do not have an understanding how to identify sexual harassment, they have arranged a socialization program regarding sexual harassment prevention according to the guidelines of the Minister of Manpower and Transmigration and the ILO;
- gender-responsive collective bargaining training for negotiators and women trade union members, aiming to involve more women in negotiation processes and adding articles on women issues in collective agreements, including sexual harassment;
- the provision of helpdesks in all provinces; however, due to lack of human resources the helpdesk service does not continue anymore.

### Collective bargaining agreements

We came across three collective bargaining agreements with relevant clauses that forbid or regulate violence against women at the workplace in enterprises. We did not come across agreements proposing the presence of a person of trust.

The Collective Bargaining Agreement between PT. Terminal Petikemas Koja and PT. Terminal Petikemas Koja Trade Union 2012 – 2014 states in Article 101 about Work Ethics: "During business hours or in the office environment as well as in the framework of official duties, the worker is prohibited to say harsh words that were impolite, spreading derogatory information or gossip about others, and sexual harassment." In Article 114 a clause defines as a severe violation: "Perform immoral acts, sexual abuse or gambling within the company area."

The Collective Bargaining Agreement for the Bank Nasional Indonesia (BNI) 2011 – 2013 includes clauses about harassment.<sup>37</sup> The Agreement identifies in Article 62 as a violation with the most severe sanctions: "A worker does not maintain good relationships and working environment by doing suppression, humiliation, harassment, unfair competition in a working relationship."

The Collective Bargaining Agreement for Jakarta International Container Terminal 2011-2013 includes clauses about sexual harassment.<sup>38</sup> According to Article 103, discussing disciplinary actions, the employer will protect workers from sexual harassment.

Moreover, we came across one enterprise-level Code of Conduct regarding violence against women (source#15). This Supplier Code of Conduct has been established by New Balance Athletic Shoe Inc. brands and lays down the basic requirements suppliers have to meet in order to do business with this firm. The Code of Conduct defines New Balance's minimum expectations. New Balance suppliers have to ensure that no exploitative conditions or unsafe working conditions exist at the facilities where New Balance merchandise is manufactured. Regarding sexual harassment, violence and abuse this is phrased as follows:

- workers shall be treated with respect and dignity. Workers shall not be subject to any physical, verbal, sexual or psychological harassment or abuse in connection with their employment;
- there shall be no corporal punishment;
- behaviour that is sexually coercive, threatening, abusive or exploitative shall not be permitted.

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<sup>37</sup> The agreement was signed on the employers side by Gatot Mudiantoro Soewondo – Executive Director PT Bank Negara Indonesia (Persero) Tbk and elia Salim – Vice Executive Director PT Bank Negara Indonesia (Persero) Tbk, and on the trade union side by Agus Setia Permana – Chief of PT Bank Negara Indonesia (Persero) Tbk Trade Union and by Rosady T.A. Montol – Secretary General of PT Bank Negara Indonesia (Persero) Tbk Trade Union.

<sup>38</sup> The signatories of this agreement were from the employer's side Helman Sembiring – Executive Director PT. Jakarta International Container Terminal. On the trade union side, the agreement was signed by Hazris Malsyah - Chief of PT. Jakarta International Container Terminal Trade Union.



### 3.3.2 STATISTICAL EVIDENCE

Hardly any country has a sound and continuous measurement of violence against women at the workplace. The ideal survey design would require random sampled surveys targeting a national population with questions on a broad range of issues but with a few questions about violence against women. However, in this survey design respondents may underreport the incidence, because they may not want to disclose this information to an interviewer. Therefore, these surveys typically also ask whether respondents have heard of these incidences in their workplace, though the answers to this question do not reflect a reliable picture of the incidence. Volunteer surveys, specifically aiming to measure violence at the workplace, may on the other hand overestimate the incidence, because only respondents who want to report so are inclined to complete such a survey. Hence statistical evidence of women workers suffering from violence against women at the workplace is facing several methodological problems. Therefore, surveys only targeting the parts of the national population, either in cities or in enterprises or alike, reports from the police or support agencies, or small-scale surveys of experts may shed light on the incidence of violence against women at the workplace. For Indonesia, six more recent studies were found in this respect.

#### **Sexual Harassment in Garment Factories**

The study *Sexual Harassment in Garment Factories: Firm Structure, Organizational Culture and Incentive Systems* (2014) has been conducted by the ILO/IFC Better Work programme (source#10). This study addressed sexual harassment at the workplace, mobbing at the workplace as well as other forms of work-related violence against women. Its data consisted of survey responses from 1,248 workers at 44 Indonesian garment factories monitored by the Better Work programme; 98% of participants surveyed were female. Age fell approximately at the 26- to 30-years-old group and time worked at the factory averaged at 19 to 23 months. The average education level was between the junior high and high school groups. The study indicates that Indonesian participants were far more likely to report concerns with sexual harassment than their counterparts in other countries studied, notably Vietnam (Report, p. 48).

#### **Sexual harassment and foreign domestic workers**

The study *Sexual Harassment and Discrimination in Employment – Questionnaire Survey for Foreign Domestic Workers* (2014) has been conducted from 30 March to 13 April 2014 on behalf of the Equal Opportunities Commission (source#11). It focuses on foreign domestic workers, and addresses sexual harassment at the workplace and mobbing at the workplace but no other forms of work-related violence against women. The study is based on a survey, targeting Filipino and Indonesian domestic workers who make up 98% of the Foreign Domestic Workers (FDW) serving families in HongKong. This survey found that 6.5% of the FDWs have encountered sexual harassment at their workplace or in a work-related event in the past 12 months. A total of 981 valid completed questionnaires were collected; 525 were from Filipinos and 456 from Indonesians. Average age in the respondent group was 35 years. The data of this study was collected through convenience sampling. Thus the results based on 981 questionnaires may not be representative of the more than 300,000 FDWs working in Hong Kong, and one has to be cautious not to generalize the findings to the total FDW population in Hong Kong.

#### **Better Work Indonesia Impact Assessment**

As part of a *Better Work Indonesia Impact Assessment*, Better Work Indonesia and Tufts University (US) undertook a baseline data collection starting in September 2011 (source#12). Based on surveys in factories, the study addressed sexual harassment, mobbing and other forms of violence against women at the workplace. To date, 70 Better Work factories have completed a baseline worker survey. Through March 2014, 21 factories from the baseline assessment had been resurveyed, providing year-over-year changes in worker perceptions of factory life. A random sample of approximately 30 workers in each participating factory was surveyed. Verbal abuse was reported by 250 respondents, Physical Abuse was so by 219 respondents, and sexual harassment by 219 respondents. Reported rates concerning verbal abuse such as yelling or vulgar language

were up to 83.7% of workers compared to 78.0% in the baseline survey. Physical abuse such as hitting or shoving elicited concerns from 88.9% of workers, up from 85.8% at baseline. 86.3% of workers at baseline and 85.4% at follow-up reported concerns with sexual harassment. Respondents were typically between the ages of 21 and 35. However, 9.3% were between the ages of 18 and 20 at baseline and 8.6% were this age at follow-up.

### **Recording cases of sexual violence from 1998 to 2013**

The National Commission on Violence against Women (Komnas Perempuan) has conducted research on sexual violence from 1998 to 2013 (source#8). The Commission comes up with 15 forms of sexual violence, including rape, sexual intimidation, sexual harassment, sexual exploitation, sexual trading, forced prostitution, sexual slavery, forced marriage, forced pregnancy, forced abortion, forced contraception and sterilization, sexual torture, sexually-charged punishment (caning), sexually-charged traditional practices (female circumcision) and sexual control. According to the Annual Notes of the National Commission, violence against women is rapidly increasing; in 2012 216,156 cases were registered against 119,107 cases in 2011. In the Reformasi era, from 1998 to 2011, 97,000 cases of *sexual* violence were noted; additionally, over 2012 4,336 cases of sexual violence were recorded, increasing to 5,629 cases in 2013.

### **Recording cases of sexual harassment in 2013**

The number of sexual harassment cases reported to the Legal Aid Foundation of the Indonesian Women's Association for Justice (LBH APIK) was much smaller than that of cases of violence against women, which amounted to 600 in 2013 (source#21).

### **Recording cases of sexual harassment in 2013**

The city police of Jakarta did not list sexual harassment cases in their 2013 annual report and only reported 57 cases of rape, 36 of which made their way to court (source#18).

### **3.3.3 ANECDOTAL EVIDENCE**

Anecdotal evidence of violence against women at the workplace is considered informative, particularly when statistical sources are lacking or limited in scope. Anecdotal evidence has been collected from newspapers, websites, social media, trade union reports, police reporting or other sources. In the case of Indonesia, only few anecdotal cases were found.

The first anecdotal evidence is based on a report of the Clean Clothes Campaign as of 2002 (source#13), referring to a Nike-funded Global Alliance report released in February 2001. According to the latter report (Center for Societal Development Studies 2001), 7.8% of workers reported receiving unwelcome sexual comments and 3.3% reported being touched inappropriately. This report did not mention the consequences for the victims, but described the consequences for the offenders.

On a newspaper website in 2014 five women reported an executive of a major media organization, identified as FK, to the Jakarta Police for alleged sexual harassment (source#14). FK had been promoted as an executive of the media organization to its headquarters in Jakarta after served it elsewhere in the country. TS, the husband of one of the women identified as IW, alleged that FK had sexually harassed his wife and four other women over a period from August until December: "My wife told me that he harassed her twice". The first harassment incident happened when FK introduced himself to IW as her new boss. FK summoned IW into his office and extended his hand for a handshake. But he quickly kissed IW's cheek when they were shaking hands. As IW did not have the courage to express her anger, FK harassed her again a few days later. On the second occasion FK summoned IW to his office to discuss a work matter. After discussion ended, FK kissed her again. Another woman, IR, said that FK touched and kissed her inside his room. IR, said FK, also warned her not to tell anybody about the harassment or he would not extend her contract. According to IR, her report to the police had caused controversy among her colleagues, including another alleged victim. The women had reported FK to the police for having violated Article 289 of the Criminal Code

with the maximum punishment of nine years in prison. The article did not mention consequences for the victims, yet it described the consequences for its offender: FK's media organization had imposed administrative sanctions on him.

The next story is based on an interview of a previous case, handled by Kalyanamitra regarding sexual harassment and rape (source#2). A female employee working in a supplier company of a famous shoe brand was sexually harassed and raped by her male leader. She reported the incidents to the plant level trade union, and, accompanied by that union, filed a complaint to the management. The offender was fired. After that case, the multinational brand included a specific clause on sexual harassment in its code of conduct.

A fourth case of anecdotal evidence stems from an interview with a female taxi driver (source#16). The Indonesian co-author of this chapter brings in a recent interview held in Jakarta, after having taken a taxi, with its female driver – a rather unique phenomenon in this male-dominated job in the country's capital. The female driver reported that she had to endure much verbal abuse and discrimination from her male colleagues. One of the worst verbal abuses by them was to call her "whore", obviously because she often took the night shift. That disrespectful attitude from her colleagues made her furious. Once, after have ended her shift and walking home, she found a colleague offending her in a street coffee shop with harsh words. She responded with a punch in his face. This behaviour led her and her male colleague to be called to the company's HR office. No one got fired; the HR department did not sanction the female driver because of the fight as that happened outside working hours and outside the office. The express company in question added topics on sexual harassment to their training modules, and the offender had to follow a training course on sexual harassment.

### 3.4 CONCLUSIONS AND RECOMMENDATIONS

In Indonesia, a patchwork of laws is in existence regarding labour rights, equality, discrimination, and punishment for indecent or obscene acts. However, 'sexual harassment' is not specifically mentioned, in particular not in connection with the workplace. Workplace sexual harassment is prohibited in a ministerial note, but that is not legally binding. By contrast, a wide range of institutional responses regarding violence against women have been implemented at various levels, aiming at workplaces/factories, industries and target groups. Reporting and pursuing complaints legally obviously meet major constraints in Indonesia. Clearly, there is a parallel here between domestic violence and workplace violence against women. Domestic violence is considered a private matter and incidents are under-reported, as NGOs working in Indonesia on women and children's issues tend to believe (source#22). Against the backdrop of the same social, cultural and largely also legal conditions, similar mechanisms will be at work concerning violence against women at the workplace.

In Indonesia, a first need clearly is the inclusion of workplace violence and/or sexual harassment in the country's legislation. That would obviously improve and secure the position of the women in employment. It would also be highly supportive for programs concerning information on women's rights and supporting legal complaints of female victims.

## APPENDIX SOURCES USED IN THE STUDY

### Source 1

### Interview

Name	Pratiwi Febry
Position	Public Defender and Head of Research
Organisation	Legal Aid Institute Jakarta
Date of interview	04/08/2015, 10.00
URL	<a href="http://en.bantuanhukum.or.id/">http://en.bantuanhukum.or.id/</a>

**Source 2 Interview (Anonymity preferred)**

Name Mrs X  
Position Executive Director  
Organisation Kalyanamitra Foundation  
Date of interview 29/07/2015, 14.00  
URL <http://www.kalyanamitra.or.id/en/>

**Source 3 Interview**

Name Yatini Sulistyowati  
Position Secretary of Equality Commission  
Organisation KSBSI  
Date of interview 27/07/2015, 13.30  
URL [www.ksbsi.org/](http://www.ksbsi.org/)

**Source 4 Interview**

Name Mohammad Anis Nugroho and Shelly Woyla  
Position Operational Manager and Training Officer  
Organisation Better Work Indonesia  
Date of interview 07/08/2015, 14.00  
URL <http://www.betterwork.com/Indonesia>

**Source 5 Interview (Anonymity preferred)**

Name Mrs X  
Position Deputy Assistant Women Protection  
Organisation Ministry of Women Empowerment and Child Protection  
Date of interview 08/08/ 2015, 13.00  
URL <http://www.kemenpppa.go.id/>

**Source 6 Report**

Name Guidelines on Sexual Harassment Prevention at the Workplace  
Published by ILO and Ministry of Manpower and Transmigration  
Date 01/04/2011  
URL [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms\\_171329.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_171329.pdf)

**Source 7 report**

Name Indonesian Labour Law Guide  
Published by Better Work Indonesia  
URL <http://betterwork.org/indonesia/wp-content/uploads/Better-Work-Indonesia-E-Book-with-Audio-ENGLISH.pdf>

**Source 8 Website / Report**

Name Komnas Perempuan (National Commission on Violence Against Women)  
Type of Organisation Independent National Institution  
URL <http://www.komnasperempuan.or.id/>;  
<http://www.komnasperempuan.or.id/en/category/publications/>  
Date of access 19/08/2015

**Source 9 Report**

Name Annual Performance Report 2014  
Published by Ministry of Women Empowerment and Child Protection  
URL <http://www.kemenpppa.go.id/index.php/informasi-publik/dokumen-kinerja/category/176-lakipdantapkin#>  
Date of Report 08/04/2014

**Source 10 Report**

Name Sexual Harassment in Garment Factories: Firm Structure, Organizational Culture and Incentive Systems (Better Work Discussion Paper Series: No. 14)  
Published by ILO, Geneva / Better Work Indonesia  
Authors Yulya Truskinovsky, Janet Rubin and Drusilla Brown  
URL <http://betterwork.org/global/wp-content/uploads/DP-14-final.pdf>  
Date of Report March 2014

**Source 11 Report**

Name Sexual Harassment and Discrimination in Employment – Questionnaire Survey for Foreign Domestic Workers



Published by The Equal Opportunities Commission  
URL <http://www.eoc.org.hk/eoc/upload/ResearchReport/2014112711564340970.pdf>  
Date of Report July 2015

**Source 12 Report**

Name Better Work Indonesia Impact Assessment : Indonesia Worker Survey Summary  
Published by Medford, MA: Tufts University / Better Work Indonesia (ILO/IFC)  
URL <http://betterwork.org/indonesia/wp-content/uploads/Indonesia-Worker-Survey-second-internal-report-updated-Mar-2014.pdf>  
Date of Report 01/03/2014

**Source 13 Report**

Name We are not machines  
Published by Clean Clothes Campaign  
Author Timothy Connor  
URL <http://www.cleanclothes.org/resources/publications/we-are-not-machines.pdf>  
Date of Report 01/03/2002

**Source 14 Newspaper**

Title Article Media Executive Reported for Alleged Sexual Harassment  
Name The Jakarta Post  
URL <http://www.thejakartapost.com/news/2014/01/23/media-executive-reported-alleged-sexual-harassment.html>  
Date of the article 23/01/2014  
Date of Access 31/07/2015

**Source 15 Publication**

Name Supplier Code of Conduct  
Published by New Balance Athletic Shoe, Inc.  
URL [http://assets.newbalance.com/nb-us/about\\_nb/leadership/documents/nb\\_code\\_of\\_conduct\\_eng.pdf](http://assets.newbalance.com/nb-us/about_nb/leadership/documents/nb_code_of_conduct_eng.pdf)  
Date of Access 03/08/2015

**Source 16 Interview (Anonymity preferred)**

Name Mrs X  
Position Taxi Driver, Jakarta  
Organisation express group  
Date of interview 07/08/2015

**Source 17 Newspaper**

Title Article Women Still Face High Rates Sexual Violence: Komnas  
Name The Jakarta Post  
URL <http://www.thejakartapost.com/news/2011/11/25/women-still-face-high-rates-sexual-violence-komnas.html>  
Date of the article 25/11/2011  
Date of Access 07/08/2015

**Source 18 Newspaper**

Title Article Sexual Harassment Victims Face Hurdles Getting Justice  
Name The Jakarta Post  
URL <http://www.thejakartapost.com/news/2014/01/28/sexual-harassment-victims-face-hurdles-getting-justice.html>  
Date of the article 28/01/2014  
Date of Access 07/08/2015

**Source 19 Newspaper**

Title Article Komnas Perempuan Pushes Bill Sexual Violence Eradication  
Name The Jakarta Post  
URL <http://www.thejakartapost.com/news/2014/12/01/komnas-perempuan-pushes-bill-sexual-violence-eradication.html>  
Date of the article 01/12/2014  
Date of Access 07/08/2015

**Source 20 Website**

Title Article Database Perjanjian Kerja Bersama  
Name [www.gajimu.com](http://www.gajimu.com)  
URL <http://www.gajimu.com/main/pekerjaan-yanglayak/perjanjian-kerja-bersama->

basis-data  
Date of Access 5 – 7/08/2015

**Source 21 Website**

Name Legal Aid Foundation of the Indonesian Women's Association for Justice (LBH APIK)  
URL <http://www.humantrafficking.org/organizations/112>  
Date of Access 19/08/2015

**Source 22 Report**

Name An Overview of Women's Work and Employment in Indonesia  
Published by University of Amsterdam/AIAS, Working Paper 10-91  
Authors Maarten van Klaveren, Kea Tijdens, Melanie Hughie-Williams, and Nuria Ramos Martin  
Date May 2010  
URL [http://www.uva-aias.net/uploaded\\_files/publications/WP91-Klaveren,Tijdens,Hughie-Williams,Ramos-Indonesia.pdf](http://www.uva-aias.net/uploaded_files/publications/WP91-Klaveren,Tijdens,Hughie-Williams,Ramos-Indonesia.pdf)

## 4. Moldova

### 4.1 INTRODUCTION

To which extent are working women faced with violence at the workplace? This report deals with this important topic. On behalf of CNV Internationaal the research has been conducted in July and August 2015, by a team of researchers in Moldova and in the Netherlands and is based on desk research and interviews. Similar studies have been undertaken in Benin, Honduras and Indonesia.

The outline of this report is as follows. After a brief introduction to the country, the legal framework concerning violence against women at work is discussed. Then, the views of the most relevant institutions in the country on this issue are summarized, followed by an overview of the incidence of violence against women at the workplace, based on statistical sources, and an overview of anecdotal evidence, based on media publications, websites and interviews. Finally, conclusions are drawn. The Appendix lists all sources used in this report.

### 4.2 COUNTRY OVERVIEW

#### 4.2.1 GENERAL INFORMATION

Moldova has a population of 3.5 million people. Based on a 2004 estimate, the overwhelming majority is Orthodox (93.3%). The remaining population is Baptist (1%), other Christian (1.2%), other (0.9%), atheist (0.4%), none (1%), and unspecified 2.2%.<sup>39</sup> According to the OECD DAC rating, Moldova belongs to the group Lower Middle Income Countries.<sup>40</sup> The World Bank measures the poverty headcount ratio at national poverty lines in percentage of the population. In Moldova in 2013, 12.7% fell under the poverty line.<sup>41</sup>

The country has a minimum wage at a level above the World Bank's poverty line of \$1.25 a day. From April 1, 2014, the agreed national monthly minimum wage has been 1,650.00 lei.<sup>42</sup>

On a scale from 0 to 1, the United Nations Development Programme (UNDP) calculated the Human Development Index of Moldova for 2013 at 0.663. This value falls in the category Medium Human Development. On UNDP's Gender Equality Index, the country ranks 51<sup>st</sup> of the world (2013 data) with a score of 0.302.<sup>43</sup> Compared to other countries, the country falls in the medium group of Internet users with 43% of the population. Mobile-cellular subscriptions are high with 106 per 100 inhabitants.<sup>44</sup> On the rating of Press Freedom the country ranks 56<sup>th</sup> of the world with a score of 25.35.<sup>45</sup>

#### 4.2.2 WOMEN IN THE COUNTRY

In Moldova, almost half of the female population in working age is in the labour force. The majority of them is working in the services sector. Unemployment rate among

<sup>39</sup> Source: CIA Factbook (<https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html#bn>), accessed 04-Aug-15

<sup>40</sup> Source: <http://www.oecd.org/dac/stats/49483614.pdf>, accessed 04-Aug-15

<sup>41</sup> See <http://data.WorldBank.org/country/moldova>, accessed 06-Aug-15

<sup>42</sup> See <http://www.fedee.com/pay-job-evaluation/minimum-wage-rates/>, accessed 06-Aug-15

<sup>43</sup> UNDP (2014) *Human Development Report 2014. Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience*. New York.

<sup>44</sup> See <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>, accessed 06-Aug-15

<sup>45</sup> See <https://freedomhouse.org/>, accessed 06-Aug-15

women has been decreasing over the years until slightly less than 4%. The female labour force is well educated: more than half has a middle education and more than one quarter has a high education. According to Moldovan Labour Force Surveys, recently 11-12% of all women in the working age population are in informal employment, a share similar to 25-27% of the female labour force -- a slightly lower share than about 30% as reported by other sources for the late 2000s (source#20, and Pfau-Effinger et al. 2009<sup>46</sup>).

	2011	2012	2013	2014
Female population	1,871,858	1,872,088	1,872,069	1,871,412
Education of women				
Percentage women with low education (3)	22.0	20.5	..	..
Percentage women with mid education (3)	51.0	50.2	..	..
Percentage women with high education (3)	26.2	27.7	..	..
Female working age population (15-65) (1)	1,331,112	1,331,858	1,329,983	1,325,741
Female labour force (15-65)	604,783	586,170	595,413	..
Female informal labour force (15-65) (4)	161,900	150,200	157,300	..
Female unemployment rate (15-65) (5)	5.6	4.3	3.9	..
Percentage women in labour force (15-65)	44.4	43.1	43.7	..
Percentage women in informal labour force (15-65)(6)	12.2	11.3	11.8	..
Distribution over industries				
Female employment in agriculture (2)	24.1	23.2	..	..
Female employment in industry (2)	12.3	12.8	..	..
Female employment in services (2)	54.9	64.0	..	..

Sources: World Bank: Gender Statistics; ILOSTAT; Labour Force Surveys Moldova 2011, 2012, 2013

(1) Rounded: x1000

(2) % of female employment

(3) % of female labor force

(4) Informal employment not labour force (rounded as it was x1000): includes agricultural and non-agriculture

(5) Unemployment, female (% of female labor force, 15-64) (modeled ILO estimate)

(6) Calculated: (Inf. LF/Working age pop)\*100ty

.. no data available

#### 4.2.3 THE LEGAL FRAMEWORK CONCERNING VIOLENCE AGAINST WOMEN AT WORK

The legal framework concerning violence against women at work seems well-developed in Moldova. The country has ratified the ILO Conventions, most relevant for this topic, notably<sup>47</sup>:

- Convention C029: Forced Labour Convention
- Convention C087: Freedom of Association and Protection of the Right to Organise Convention
- Convention C100: Equal Remuneration Convention
- Convention C111: Discrimination (Employment and Occupation) Convention

Sexual violence *in general* is regulated by the Criminal Code of Republic of Moldova. Its Article 173 stipulates that constraining a person to sexual act, homosexuality, lesbianism or other actions of sexual nature through blackmail or by material, workplace (point 5) or of other nature dependency is to be punished with a fine or imprisonment from 2 to 5 years. This article does not include all elements of sexual harassment; basically it refers only to raping. In addition, it is difficult to demonstrate sexual harassment: the liability for the act might appear after the incurrence of the act, and this has to be demonstrated (with witnesses or medically).

Moldova has a law that forbids or regulates violence against women, addressing *domestic* violence against women (Law 45/2007). One expert (source#8) regards Law 45/2007 an important step to stop domestic violence, marking the recognition and implementation of Moldova's international commitments to respect human rights. The law contains important concepts on domestic violence and its forms, establishing an institutional

<sup>46</sup> Birgit Pfau-Effinger, Andrea Salvini, Elena Stribu, Stefan Roch, and Paul Borsdorf (2009) *Assessment of the Informal Economy in Moldova: Tackling Undeclared Work*, mentioned in Cristina Miheș, Natalia Popova, and Stefan Roch (2011) *A Comparative Overview of Informal Employment in Albania, Bosnia and Herzegovina, Moldova and Montenegro*. Geneva: ILO.

<sup>47</sup> See ILO database, accessed 04-Aug-15



framework responsible detailing competent authorities, foresees the creation of support centers for victims of violence and an effective mechanism for resolving cases of violence by the possibility of filing complaints, enforcement order protection and isolation of the abuser.

The Labour Code prohibits discrimination in labour relations and proclaims the equality of employees, with no discrimination in promotion, professional training, et cetera. This Code does not define sexual harassment as a form of discrimination. Yet, the term "sexual harassment at the workplace" has been recently introduced by Law 168/2010 as an amendment of the Labour Code. As such, Article 1 of the Labour Code, entitled "Basic concepts", already included also the terms "sexual harassment" and "work dignity". In addition, sexual harassment at the workplace is defined by Law 5/2006 on ensuring equality between women and men, as "any form of physical, verbal or non-verbal behaviour of sexual nature that violates a person's dignity or creates an unpleasant, hostile, degrading, humiliating or insulting atmosphere". Apart from this definition, the only provision on sexual harassment can be found in Article 10d: "To ensure equality between men and women, the employer is obliged to undertake measures to prevent sexual harassment of women and men at the workplace and persecution as well, to submit complaints against discrimination to the competent body". Harassment, in general, is regulated by Law 121/2012 on ensuring equality.

An expert (source#8) argued that, although sexual harassment is regulated, it is very difficult to implement measures in practice. This problem was also mentioned in the comments of the Committee for the Elimination of Discrimination against Women on the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2013: "The Committee notes the introduction of Article 173 in the Criminal Code of the Republic of Moldova, which criminalizes sexual harassment, but regrets the lack of information on court cases in which these provisions apply. The Committee is particularly concerned that, in practice, women who have suffered sexual harassment often resign from their jobs and that perpetrators often enjoy impunity. The Committee urged the State to disseminate and effectively implement legislation prohibiting and criminalizing sexual harassment at the workplace; to ensure that women are aware about this legislation and have access to effective remedies civil and criminal law; and collect data disaggregated by sex on the number and outcome of labor inspections, cases in courts and administrative complaints related to discrimination in the workplace based on sex and sexual harassment in the workplace."

It should also be noted that violence against women at the workplace is not regulated explicitly in Moldova. The terms used in legislation are "workplace discrimination" (Labour Code/2003 amendment, articles 5 and 8) and "gender equality" (Labour Code/2003, article 5). The terms used are in line with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified by the Parliament of Moldova through Decision no. 87-XII of April 28, 1994. As shown above, recently steps forward in Moldovan legislation have been made, especially those required by the CEDAW Convention. More so, the Association Agreement between Moldova and the European Union (2014) stipulates the implementation of several European directives into Moldovan legislation, in a period of three to 10 years. Nevertheless, a 2013 monitoring report set up jointly with the United Nations Development Program (UNDP, source#18) stated concerning Moldova: "Public authorities, including those in charge with law enforcement, still do not address the issue of sexual harassment as a serious assault on women's dignity and a serious violation of fundamental human rights. Unpunished cases, including at the highest level of state leadership, let other aggressors understand that sexual harassment is acceptable, and that the state tolerates it" (Report, p. 10).

## 4.3 OVERVIEW OF VIOLENCE AGAINST WOMEN AT WORK

### 4.3.1 INSTITUTIONAL RESPONSES

In Moldova, the activities and views of four institutions have been identified as relevant for policies towards work-related violence against women, which are summarized in this section. We did come across two collective bargaining agreements with clauses in this respect.

#### Activities and views of institutions

The Council for the Prevention and Elimination of Discrimination and Equality Assurance (CPPEDAE) is located in Chişinău (Kishinev).<sup>48</sup> It is a public institution established by Law 121/2012 for ensuring equality, and addresses discrimination issues (source#15). It deals with harassment as a form of discrimination and specifically undertakes activities towards work-related violence. For example, on February 18, 2015, CPPEDAE conducted a training on combating discrimination for the coordinators of the actions for preventing violence of the Regional Departments for Education, Youth and Sports from the main cities Chişinău and Bălţi, and from the Găgăuzia Region.

The National Federation of Employee Unions from Agriculture and Food "Agroindsind", located in Chişinău, is a trade union.<sup>49</sup> This union does not undertake any activities towards work-related violence. According to the spokesman: "The position of employees' unions is expressed in various resolutions and other declarative documents, but no one takes it seriously, since there are neither statistics nor researches conducted by the unions on the matter" (source#2).

The Labour Institute, located in Chişinău, is another trade union.<sup>50</sup> This union does not undertake any specific activities towards work-related violence. Yet, the Labour Institute has the mission to provide educational services to trade unions' staff (source#8). The goals of The Labour Institute are established based on the goals and objectives formulated by the Moldovan Trade Unions, and the economic and social realities. Matters related to gender equality and non-violence at workplace are included in the sphere of interests of this institute (ie. research plan, employment policies, other management policies), though specific actions towards work-related violence were not undertaken.

The Federatia Sindicala "Sanatatea" (Federation of Trade Unions from the Health Sector), located in Chişinău, is also a trade union.<sup>51</sup> This trade union has a "clear position regarding non-acceptance of discrimination at the workplace and sexual harassment at the workplace" (source#13). This position is declarative, as it is not expressed in any official documents. Nevertheless, the expert in question argued that this position is promoted at working meetings.

In Moldova, the following three types of measures have been taken to solve *non-workplace related* problems of violence and discrimination. First, international organisations and private donors are looking into the problem, financing pieces of research: United Nations - CEDAW Committee, UN Moldova, UNDP, UN Women, UNICEF, OSCE, USAID, Swedish Embassy, Swedish Agency for International Development Cooperation, Soros Foundation Moldova, Open Society Institute (New York), Friedrich Ebert Foundation, Bulgarian Foundation for Investigation. Second, support services for victims of violence (in general) are mostly provided through Non-Governmental Organisations (NGOs) with the support of international organizations. They create awareness and provide support to victims (education, psychological aid). Examples include: Gender Centru, Centrul Internațional "La Strada", Centrul de Drept Căușeni, Forul organizațiilor de femei din Republica Moldova, AO Refugiul "Casa Mărioarei", NGO

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<sup>48</sup> [www.egalitate.md](http://www.egalitate.md)

<sup>49</sup> [www.agroindsind.md/](http://www.agroindsind.md/)

<sup>50</sup> [www.institutulmuncii.md](http://www.institutulmuncii.md)

<sup>51</sup> [www.sindsan.md/](http://www.sindsan.md/)

“Onoarea și drepturile femeii contemporane” (Bălți), Centrul “SOTIS” (Bălți), Centrul sănătății femeii “Virginia” (Cahul), Centrul de Informare și Consiliere a Victimelor Violenței (Asociația Familiilor MonoParentale, Cahul), NGO “Asociația femeilor din Gagauzia” (Comrat), Centrul “Ariadna” (Drochia), NGO “CREDINTA”, “Resonance”, Asociația Femeilor “Inițiativa” (Strășeni), and Institutul Național pentru Femeile din Moldova “Equality” (source#8). Third, there is only one main shelter in the country - Casa Măriorarei - where victims of domestic violence and their children can take refuge to. This shelter, located in Chisinau, offers psychological, social and legal counselling and operates a hotline for actual and potential victims of violence and abuse.

### **Clauses in Collective Bargaining Agreements**

For Moldova, two Collective Bargaining Agreements were found with clauses about violence against women at the workplace. The first agreement was concluded in 2009 between the Prosecution of Rep. Moldova and the Employees Union of Moldovan Prosecutors. The main clause(s) in this respect state(s) that the Employer and the Trade Union commits itself to the examination of the factors that generate violence at workplace and implementation of measures for their removal (at point 7.1.6).<sup>52</sup>

A second agreement is the 2014-2017 agreement between the university “Nicolae Testemitanu” and the trade union at stake. Parties commit themselves to examine factors that generate violence at the workplace and elaborate measures to eradicate it (clause 8.1.18) and to elaborate measures to fight corruption and workplace violence (verbal, physical, of sexual nature, et cetera) (clause 8.1.19).<sup>53</sup>

### **4.3.2 STATISTICAL EVIDENCE**

Hardly any country has a sound and continuous measurement of violence against women at the workplace. The ideal survey design would require random sampled surveys targeting a national population with questions on a broad range of issues but with a few questions about violence against women. However, in this survey design respondents may underreport the incidence, because they may not want to disclose this information to an interviewer. Therefore, these surveys typically also ask whether respondents have heard of these incidences in their workplace, though the answers to this question do not reflect a reliable picture of the incidence. Volunteer surveys, specifically aiming to measure violence at the workplace, may on the other hand overestimate the incidence, because only respondents who want to report so are inclined to complete such a survey. Hence statistical evidence of women workers suffering from violence against women at the workplace is facing several methodological problems. Therefore, surveys only targeting the parts of the national population, either in cities or in enterprises or alike, reports from the police or support agencies, or small-scale surveys of experts may shed light on the incidence of violence against women at the workplace. For Moldova, the researcher found one study and conducted an own survey of a small sample of women.

The study *Fenomenul hărțuirii sexuale în Republica Moldova*, translated as the phenomenon of sexual harassment in the Republic of Moldova, was published in 2007 (source#14). The study reported about a survey conducted by IMAS, commissioned by the center “Parteneriat pentru Dezvoltare” (Partnership for Development), and financed by the Open Society Institute, the Soros Foundation Moldova, and the OSCE Mission to the Republic of Moldova. This survey addressed sexual harassment, mobbing and other forms of violence against women at the workplace. The survey was based on interviews with 1,139 respondents, including both female students (N=323) and female workers (N=816); results were presented separately for each category. The analysis of concrete situations of sexual harassment was made by measuring the frequency with which they happened in the last year at work/college: to female relatives, friends or acquaintances of respondents, and to respondents themselves. Questions followed on the reaction that

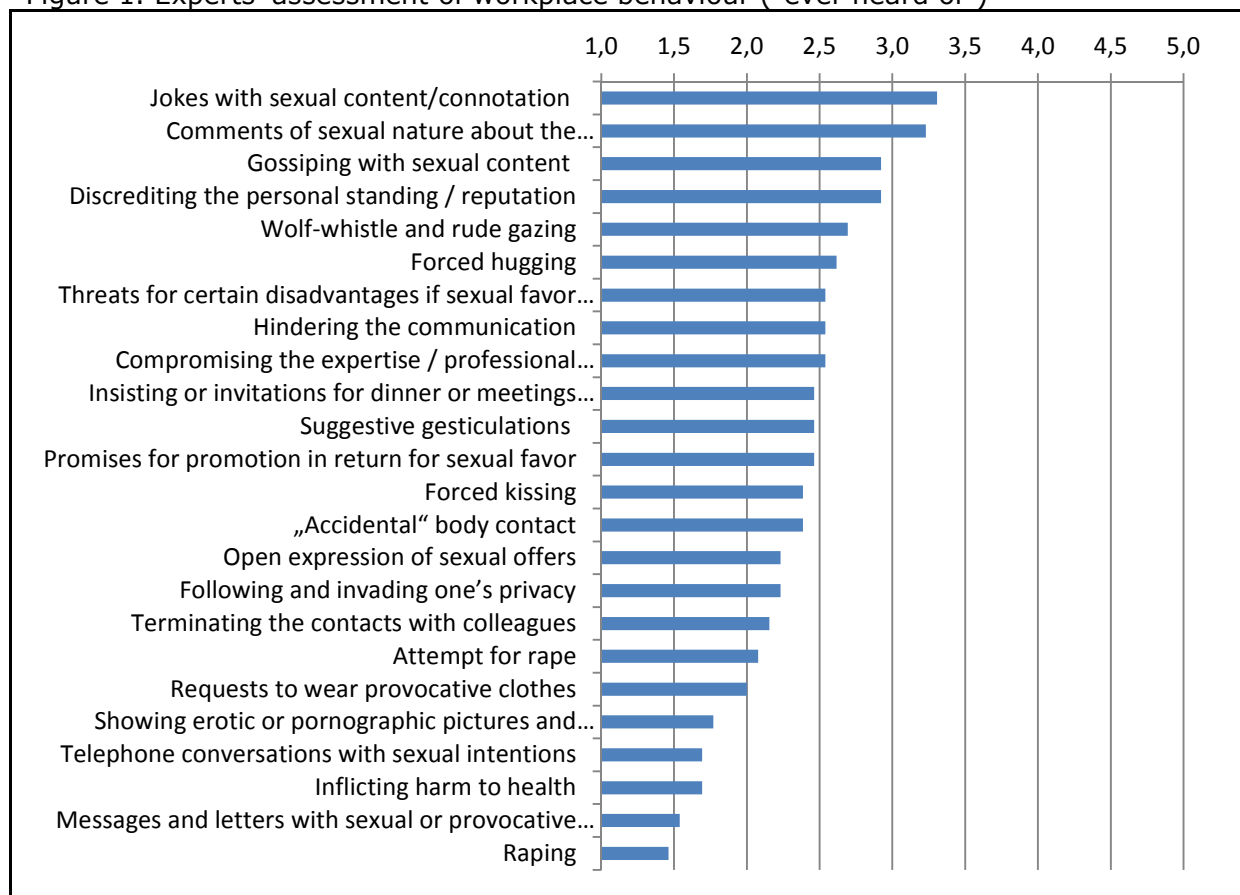
<sup>52</sup> See <http://www.procuratura.md/file/Sindicate%20CONTRAT%20COLECTIV%2031.12.09.pdf>

<sup>53</sup> See <http://usmf.md/wp-content/uploads/2013/06/CONTRACT-COLECTIV-2014-2017-var-finala-cu-toate-modificarile-si-completarile.pdf>

followed the harassment, the source of harassment, the reasons for not taking any action, the institution/organisation to be called for help. Main types of violence were addressed one by one. 18% of female workers reported discrimination at the workplace, 11% verbal violence, 2% sexual harassment, and 2% physical violence (Report, p. 20).

A second study was a self-administered questionnaire sent by e-mail to a limited number of experts in Moldova (N=13, of which 3 males and 10 females), in 2015 undertaken by Alina Popescu. The respondents were people with management positions at NGOs that deal with violence towards women (4 respondents), trade unions (5 respondents), and Regional Employment Offices (4 respondents). On a 5-point Likert scale (1-Never; 2-Rarely; 3-Sometimes; 4-Often; 5-Very often), they were asked to rate whether they had ever heard of the incidence of violence against women at the workplace, defined by 24 dimensions of violence. Figure 1 presents the results of this experts' assessment, from jokes with sexual connotation as most frequently reported and rape as least frequent reported.

Figure 1. Experts' assessment of workplace behaviour ("ever heard of")



Source: research by Alina Popescu, based on the interviews sources #1 - #13 (July/August 2015)

### 4.3.3 ANECDOTAL EVIDENCE

Anecdotal evidence of violence against women at the workplace is considered an informative source, particularly when statistical sources are lacking or limited in scope. Anecdotal evidence has been collected from newspapers, websites, social media, trade union reports, police reporting or other sources. In the case of Moldova, a few anecdotal cases were found.

One interviewee told that the mass media reported only two cases in the last two years (source#13). In both cases it has been reported that parties did not went to the court as they reconciled.

One interviewee reported the following case (source#2): "I know of case about the "Bucuria" chocolate factory, where male body guards used to do body search of female workers. The union approached the management and solved the problem. In general women do not talk about violence at the workplace, most likely because they feel ashamed, are afraid that they will be dismissed, or even derided. This is to regret the mentality of female Moldovans, but also the whole society".

## 4.4 CONCLUSIONS AND RECOMMENDATIONS

This final section considers the social, economic, legal and political facts as well as the actors maintaining the status quo in this field, as well as the question which facts and actors can contribute to solving the described problem. The great majority of respondents in this study considered that women would not report if they were victims of violence at workplace. One respondent refrained herself to make such a general statement, considering that the degree to which a woman would say that she has



become a victim of violence at workplace varies according to age, level of education, living environment (urban/rural), and level of self-determination (source#8).

Below, we go into three main factors leading to the current situation:

1. legal causes, including lack of trust in the judiciary system;
2. the existing patriarchal social relations;
3. economic causes, related to informality and poverty;

#### **4.4.1 LEGAL CAUSES, INCLUDING LACK OF TRUST IN THE JUDICIARY SYSTEM**

In Moldova, for the law the concept of "violence against women" until quite recently existed only in its domestic context. Concerning the workplace, concepts of "discrimination" and "gender equality" were recently introduced in legislation. Legislation explicitly addressing violence and sexual harassment at the workplace is new and relatively poor. Law#168/2010 for the amendment of the Labour Code introduced in the 1st Article of the Labour Code ("Basic concepts") the terms "sexual harassment" and "work dignity" (source#19, p. 15). However, in practice it seems to remain difficult for a victim of sexual violence at the workplace to find justice:

- victims find it difficult to prove misbehaviour;
- police appears to advise victims not to press charges, leading to suspicions that public authorities want to sweep the trash under the carpet (source#18, p.9);
- few legal cases are in existence; parties mostly did not end up in court but "reconciled".

Some respondents argued that women are not aware to be subject of violence at the workplace as they might not know all forms of violence (source#1, source#12), and that they might be 'used to' violence from home (source#1 and source#7). If a woman does perceive that she suffers from violence, she may not be aware of the right to challenge that (source#1). Other reasons are:

- Lack of moral support
- Lack of strong institutions (trade unions, police)
- Lack of solidarity among women
- Obstacles to take action, to demonstrate, et cetera.

Summarizing, there are quite some reasons for lack of trust in the judiciary system of Moldova. In particular the investigation and prosecution of cases remain poor. Investigations focus on the behaviour of the victim, rather than on that of the aggressor. There is a lack of procedures to prosecute aggressors; trials show a long duration and often do not end up in prosecution sentences. For instance, in a case of group raping it took more than eight years that this case eventually reached the European Court of Human Rights, after Moldovan judges let the seven aggressors go without punishment (source#29). Another example relates to the director of a public service institution, who was accused of sexual harassment by two of his subordinates. In this case criminal charges were dropped, as parties reconciled (source#23).

#### **4.4.2 THE PATRIARCHAL SOCIETY**

Next to the judiciary system, the social system or the "patriarchal society" (source#25) can be blamed for maintaining the status quo. First, it should be noted that several studies commissioned by international organisations have shown that sexual violence is highly prevalent in the Republic of Moldova (for example, source#18, p.9). Violence and sexual harassment seem to be perceived differently in Moldova than in quite some other countries, according to a number of sources:

- Many Moldovan women seem to be used to violence, especially domestic violence. As such, they often also accept it at the workplace (source#1, source#7). Violence against women at the workplace remains a tacit problem, in most cases only superficially dealt with" (source#8).
- According to a demography and health study, 20.8 % of females and 21.7% of males surveyed considered that there is at least one justification for violence against wives

for the following main reasons: she burns food, she argues, she goes out without informing, she neglects children, she refuses sexual intercourse (source#26). This outcome suggests that many women accept or even try to justify domestic violence.

- There is a limited or distorted understanding of the basic concept of violence (source#27). Most young people do not consider as being violence verbal threats, material destruction, or negligence (source#28).
- The acceptance of violence in combination with the lack of adequate coordination among social protection institutions and the lack of shelter opportunities have created a dangerous environment for women subject to violence: "Women and children are taught to believe that violence against them is justified and there is no safe shelter in their families and communities" (source#25, p.11).

The CEDAW Committee for Moldova concluded that "The persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society which adversely affect women's situation particularly in the labour market and in respect of their participation in political and public life" (source#22, p.3). Evidence for Moldova points to the following elements in these attitudes and stereotypes:

- The dominant attitude concerning the traditional role of women within the family according to which the woman is a housewife involved in reproduction and child care and less or not in professional development (source#19, p.7)
- The belief that women have difficulties in facing psychological and emotional pressure when confronted with obstacles in professional work (source#19, p.21).
- The existence of two basic myths: "The myth that the male has more powerful sexual desires than the female, thus it is considered natural that he is the one to initiate the conduct to lead to the conquest of the 'prey'", and the myth that "considers the female as a person that, even when she says NO, requests to be conquered (....) by any means. Thus, sexual harassment is often considered, by men mostly, as a natural and justified manifestation of sexual attraction"; "women ask for it" and men consider that women are pleased by compliments, gestures, and jokes with sexual connotations "just that they don't want to recognize it" (source#14, p. 4).

This attitude is fuelled by the fact that women at the workplace due to fear and social acceptance of male harassing behaviour hardly or not resist or fight back (source#14, p.4) – which leads to the perpetuation of the phenomenon in Moldova (source#24).

#### 4.4.3 ECONOMIC CAUSES

As said, 25-27% of the female labour force of Moldova is informally employed. It may be taken for granted that in informal work, women are in general at higher risk to be subject to workplace violence; as a recent UN declaration states: "While it affects all professions and sectors, women and girls working in the informal economy are particularly at risk from exploitation and abuse."<sup>54</sup> Poverty and income insecurity may well work in the same direction; under poor and insecure conditions women most likely tend to accept male wrongdoing. Worldwide, poverty falls heavily on the female population, and this is particularly the case in countries where women and adolescent girls are in many ways in a backward position.<sup>55</sup> Also in the Republic of Moldova, poverty and economic insecurity seem to have a distinct female face. Though recent data on gender and poverty is not available, it may still be relevant to know that in 2004 only 10.7% of women in Moldova were financially secure, while 54.6% had modest incomes, 25.6% was at the absolute poverty line and 8.4% were below the absolute poverty line (Government of Moldova,

<sup>54</sup> UN Declaration on Orange Day, 25th July 2014: Violence against Women and Girls in the Informal Economy ([http://www.unwomen.org/~media/headquarters/attachments/sections/what%20we%20do/orange\\_day\\_action\\_plan\\_july%20pdf.ashx](http://www.unwomen.org/~media/headquarters/attachments/sections/what%20we%20do/orange_day_action_plan_july%20pdf.ashx))

<sup>55</sup> Cf. Maarten van Klaveren and Kea Tijdens (2012) *Empowering Women in Work in Developing Countries*. Basingstoke: Palgrave Macmillan

Second and third periodical report presented to the UN Committee on the Elimination of Discrimination against Women, cited in source#21, p.6). Again, such conditions enlarge women's vulnerability for violence and harassment at their workplaces and diminish the likelihood that such violence and harassment will come into the open.

In Moldova, recently sexual harassment at the workplace has been included in legislation, but that is weakly operationalized; UN pressure is going on to convince the Moldovan government to more precise legal formulations. In a patriarchal society with deep-rooted gender stereotypes and under conditions of poverty and income insecurity for many female workers, and with the judiciary system and police and other authorities not being supportive, it remains difficult for female victims to question and demonstrate workplace violence, leave alone to issue complaints. Though a wide range of institutions, notably NGOs, is involved in tracing and solving problems of violence and discrimination, coordination in this field seems missing and there is only main shelter in existence in the country. Moreover, specific attention for violence against women at the workplace is lacking.

For Moldova, a first need clearly is to sharpen legal definitions of violence against women at the workplace. Though the wider societal and economic conditions remain difficult, that would improve and secure the position of women in employment. Second, institutional support for women's issues and gender equality needs to become more focused on workplace sexual violence.

## **APPENDIX      SOURCES USED IN THE STUDY**

### **Source 1                      Interview (Anonymity preferred)**

Name                      Ms X  
Position                  Freelance Trainer Women Human Rights  
Organisation            NGO  
Date of interview 10/07/2015

### **Source 2                      Interview (Anonymity preference)**

Name                      Ms X  
Position                  Director  
Organisation            The National Federation of Trade Unions from Agriculture and Food "Agroindsind"  
Date of interview 10/07/2015

### **Source 3                      Interview (Anonymity preferred)**

Name                      Ms X  
Position                  Director  
Organisation            The National Confederation of Moldovan Trade Unions  
Date of interview 13/07/2015

### **Source 4                      Interview (Anonymity preferred)**

Name                      Ms X  
Position                  Director  
Organisation            National Agency for Employment - Soldănești subsidiary  
Date of interview 13/07/2015

### **Source 5                      Interview (Anonymity preferred)**

Name                      Ms X  
Position                  President  
Organisation            The National Federation of Trade Unions from Agriculture and Food "Agroindsind"  
Date of interview 14/07/2015

### **Source 6                      Interview (Anonymity preferred)**

Name                      Ms X  
Position                  Director  
Organisation            National Agency for Employment - Drochia subsidiary  
Date of interview 16/07/2015

### **Source 7                      Interview (Anonymity preferred)**

Name                      Ms X

Position Gender Project Officer  
Organisation OSCE Office for Democratic Institutions and Human Rights  
Date of interview 18/07/2015

**Source 8 Interview (Anonymity preferred)**

Name Ms X  
Position Head of Department  
Organisation Labour Institute  
Date of interview 20/07/2015

**Source 9 Interview (Anonymity preferred)**

Name Ms X  
Position Director  
Organisation National Agency for Employment - Dubasari subsidiary  
Date of interview 20/07/2015

**Source 10 Interview (Anonymity preferred)**

Name Ms X  
Position Director  
Organisation National Agency for Employment - Strasenii subsidiary  
Date of interview 20/07/2015

**Source 11 Interview (Anonymity preferred)**

Name Ms X  
Position Expert  
Organisation NGO Women's Democracy Network Moldova  
Date of interview 20/07/2015

**Source 12 Interview (Anonymity preferred)**

Name Ms X  
Position Expert  
Organisation Centre of Investigations and Consultation "SocioPolis"  
Date of interview 21/07/2015

**Source 13 Interview (Anonymity preferred)**

Name Ms X  
Position Senior Advisor on Labour relations issues  
Organisation Health Syndicate  
Date of interview 27/07/2015

**Source 14 Report**

Name "Fenomenul hărțuirii sexuale în Republica Moldova" (The Phenomenon of Sexual Harassment in the Republic of Moldova)  
Published: Centrul "Parteneriat pentru Dezvoltare" (The Centre "Partnership for Development") (2007)  
Conducted by: IMAS-INC  
URL [http://progen.md/files/3401\\_fenom\\_hart\\_sex\\_rm.pdf](http://progen.md/files/3401_fenom_hart_sex_rm.pdf)

**Source 15 Website**

Name "Consiliul pentru prevenirea și eliminarea discriminării și asigurarea calității"  
Owner Council for the Prevention and Elimination of Discrimination and Quality Assurance (public institution)  
URL <http://www.egalitate.md/>  
Date of Access 28/07/2015

**Source 16 Report**

Name "Rele tratamente pe motiv de discriminare în Moldova" (Discrimination on grounds of ill-treatment in Moldova)  
Published Asociația Promo-Lex, The Equal Rights Trust (2012)  
URL [http://www.promolex.md/upload/publications/ro/doc\\_1332166962.pdf](http://www.promolex.md/upload/publications/ro/doc_1332166962.pdf)

**Source 17 Newspaper**

Name "Hărțuire sexuală într-o organizație de stat" (Sexual Harassment in a Public Institution)  
Published Ziarul de Gardă  
Time 26/04/2012  
URL <http://www.zdg.md/editia-print/investigatii/hartuire-sexuala-intr-o-organizatie->

Date of Access	de-stat 28/07/2015
<b>Source 18</b>	<b>Report</b>
Name	"Raportul de monitorizare a progreselor obținute de Republica Moldova în implementarea recomandărilor adresate în cadrul mecanismului ONU de Revizuire Universală Periodică pentru perioada ianuarie - octombrie 2013"
Published	Centrul de Informare în domeniul Drepturilor Omului / UNDP (2013)
URL	<a href="http://cido.org.md/attachments/article/106/UPR%20Report%20Oct%202013.pdf">http://cido.org.md/attachments/article/106/UPR%20Report%20Oct%202013.pdf</a>
<b>Source 19</b>	<b>Report</b>
Name	"Monitor social. Dimensiunea egalității de gen și măsuri pentru avansarea femeilor pe piața forței de muncă" (Social monitor. The Dimension of Gender Equality and Measures for the Promotion of Women on the Labour Market)
Published	Institutul pentru Dezvoltare și Inițiative Sociale (IDIS) "Viitorul" (2011)
URL	<a href="http://www.fes-moldova.org/media/publications/2011/Monitor%20social%2010%20Dimensiunea%20egalitatii%20de%20gen%20si%20masuri%20pentru%20avansarea%20femeilor%20pe%20piața%20forței%20de%20munca.pdf">http://www.fes-moldova.org/media/publications/2011/Monitor%20social%2010%20Dimensiunea%20egalitatii%20de%20gen%20si%20masuri%20pentru%20avansarea%20femeilor%20pe%20piața%20forței%20de%20munca.pdf</a>
<b>Source 20</b>	<b>Report</b>
Name	"Economia informală în Republica Moldova: O analiză cuprinzătoare"
Authors	Ana Popa, Adrian Lupușor, Iulian Roșca, Kenichi Hirose, and Miloslav Hetteš
Published	Confederația Națională a Patronatului din Republica Moldova (2015)
URL	<a href="http://www.cnpm.md/public/files/Economia_informala_26_03_2015.pdf">http://www.cnpm.md/public/files/Economia_informala_26_03_2015.pdf</a>
<b>Source 21</b>	<b>Report</b>
Name	Report of the Special Rapporteur on violence against women, its causes and consequences
Authors	Yakin Ertürk
Published	United Nations, Human Rights Council (2009)
URL	<a href="http://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.6.Add.4.pdf">http://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.6.Add.4.pdf</a>
<b>Source 22</b>	<b>Report</b>
Name	Concluding comments of the Committee on the Elimination of Discrimination against Women: Republic of Moldova
Authors	CEDAW Committee on the Elimination of Discrimination against Women
Published	United Nations, Human Rights Council (2006)
URL	<a href="http://www.un.org/ga/search/view_doc.asp?symbol=CEDAW/C/MDA/CO/3">http://www.un.org/ga/search/view_doc.asp?symbol=CEDAW/C/MDA/CO/3</a>
<b>Source 23</b>	<b>Website</b>
Name	"Scandalul sexual de la Hidrometeo: Boian scapă de dosarul penal"
Authors	Cristina Aramă
Published	10/01/2013
URL	<a href="http://unimedia.info/stiri/Scandalul-sexual-de-la-Hidrometeo-Boian-scapa-de-dosarul-penal-56056.html">http://unimedia.info/stiri/Scandalul-sexual-de-la-Hidrometeo-Boian-scapa-de-dosarul-penal-56056.html</a>
Date of Access	28/07/2015
<b>Source 24</b>	<b>Website</b>
Name	"Femeile din Moldova nu cunosc organizații la care s-ar putea adresa dacă ar fi hărțuite sexual"
Authors	Daniela Terzi-Barbarosie
Published	2007
URL	<a href="http://www.civic.md/stiri-ong/1442-femeile-din-moldova-nu-cunosc-organizatii-la-care-s-ar-putea-adresa-daca-ar-fi-hartuite-sexual.html">http://www.civic.md/stiri-ong/1442-femeile-din-moldova-nu-cunosc-organizatii-la-care-s-ar-putea-adresa-daca-ar-fi-hartuite-sexual.html</a>
Date of Access	28/07/2015
<b>Source 25</b>	<b>Report</b>
Name	"Creștem mari în Republica Moldova"
Authors	NN
Published	UNICEF (2008)
URL	<a href="http://www.unicef.org/moldova/GrowingUp_UNICEF_rom.pdf">http://www.unicef.org/moldova/GrowingUp_UNICEF_rom.pdf</a>
<b>Source 26</b>	<b>Report</b>
Moldova	"Studiul demografic și de sănătate în Moldova"



Authors NN  
 Published Centrul Național Științifico - Practic de Medicină Preventivă al Ministerului Sănătății și Protecției Sociale (2005)  
 URL <http://dhsprogram.com/pubs/pdf/FR178/FR178-Romanian.pdf>

#### **Source 27 Report**

Name "Violența față de copii"  
 Authors NN  
 Published UNICEF Moldova (2007)  
 URL [http://www.unicef.org/moldova/Violence\\_against\\_children\\_ro.pdf](http://www.unicef.org/moldova/Violence_against_children_ro.pdf)

#### **Source 28 Report**

Name "Sănătatea și dezvoltarea tinerilor. Studiu de evaluare a cunoștințelor, atitudinilor și practicilor tinerilor"  
 Authors NN  
 Published UNICEF Moldova (2005)

#### **Source 29 Website**

Name "Moldova a mai pierdut un dosar la CEDO într-un caz de viol. Vezi ce suma va primi o femeie din Chisinau"  
 Authors NN  
 Published PROTV  
 Time 24/09/2013  
 URL <http://protv.md/stiri/social/moldova-a-mai-pierdut-un-dosar-la-cedo-intr-un-caz-de-viol-vezi.html>  
 Date of Access 28/07/2015

# 5. Benin

## 5.1 INTRODUCTION

To which extent are working women faced with violence at the workplace? This report deals with this important topic. On behalf of CNV Internationaal the research is conducted in July and August 2015, by a team of researchers in Benin and in the Netherlands and is based on desk research and interviews. Similar studies have been undertaken in Moldova, Honduras and Indonesia.

The outline of this report is as follows. After a brief introduction to the country, the legal framework concerning violence against women at work is discussed. Then, the views of the most relevant institutions in the country on this issue are summarized, followed by an overview of the incidence of violence against women at the workplace, based on statistical sources, and an overview of anecdotal evidence, based on media publications, websites and interviews. Finally, conclusions are drawn. The Appendix lists all sources used in this report.

## 5.2 COUNTRY OVERVIEW

### 5.2.1 GENERAL INFORMATION

Benin has a population of 10.6 million people. Based on 2002 census data, the religious division was: Catholic 27.1%, Muslim 24.4%, Vodoun 17.3%, Protestant 10.4%, Celestial 5%, Methodist 3.2%, other Protestants 2.2%, other Christians 5.3%, other religions 15.5%.<sup>56</sup> According to the OECD DAC rating, Benin belongs to the group Least Developed Countries.<sup>57</sup> The World Bank measures the poverty headcount ratio at national poverty lines in percentage of the population. In Benin, 36.2% falls under the poverty line.<sup>58</sup>

The country has a minimum wage at a level above the World Bank's poverty line of \$1.25 a day. From April 2014 on, the national monthly minimum wage (SMIG) is 40,000.00 XOF (West African CFA franc).<sup>59</sup>

On a scale from 0 to 1, the United Nations Development Programme (UNDP) has computed for 2013 the Human Development Index of Benin at 0.476, falling in the category Low Human Development. Measured through UNDP's Gender Equality Index, the country by then ranked 134<sup>st</sup> of the world, with a score of 0.614.<sup>60</sup> Compared to other countries, the country falls in the group of low Internet users with 4.9% of the population. By contrast, mobile-cellular subscriptions are high with 93.36 per 100 inhabitants.<sup>61</sup> On the rating of Press Freedom, in 2014 the country ranked 84<sup>th</sup> of the world with a score of 29.24.<sup>62</sup>

### 5.2.2 WOMEN IN THE COUNTRY

In Benin, two-thirds of the women in the working age population are in the labour force. More than half of the female labour force is employed in the services industry. With 1%,

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<sup>56</sup> Source: CIA Factbook <https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html#bn>, accessed 04-Aug-15

<sup>57</sup> Source: <http://www.oecd.org/dac/stats/49483614.pdf>, accessed 04-Aug-15

<sup>58</sup> See <http://data.WorldBank.org/country/benin>, accessed 06-Aug-15

<sup>59</sup> See <http://www.WageIndicator.org/main/salary/minimum-wage/benin>, accessed 06-Aug-15

<sup>60</sup> UNDP (2014) *Human Development Report 2014. Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience*. New York.

<sup>61</sup> See <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>, accessed 06-Aug-15

<sup>62</sup> See <https://freedomhouse.org/>, accessed 06-Aug-15

women's official unemployment rate is very low. Unfortunately, no data is available concerning the size of the informal labour force.

	2011	2012	2013	2014
Female population	4,910,855	5,044,239	5,178,909	5,315,341
Education of women				
School enrollment, primary, female (% gross)	111.0	115.9	118.1	..
School enrollment, secondary, female (% gross)	36.1	..	42.9	..
Female working age population (15-65)	2,651,297	2,735,129	2,820,965	2,907,520
Female labour force (15-65)	1,898,217	1,960,750	2,024,749	..
Female informal labour force (15-65)	..	..	..	..
Female employment rate (15-65) (1)	66.5	66.7	66.9	..
Female unemployment rate (15-65) (2)	1.2	1.1	1	..
Percentage women in informal labour force (15-65)	..	..	..	..
Distribution over industries	..	..	..	..
Female employment in Agriculture (3)	38 (2010)	..	..	..
Female employment in Industry (3)	7 (2010)	..	..	..
Female employment in Services (3)	55 (2010)	..	..	..

Sources: World Bank Databank: Gender Statistics Database; ILOSTAT; AfDB: Country Gender Indicators Profile

(1) Employment to population ratio, 15+, female (%) (modeled ILO estimate)

(2) Unemployment, female (% of female labor force) (modeled ILO estimate)

(3) % of total female employment (% calculated)

.. no data available

### 5.2.3 THE LEGAL FRAMEWORK CONCERNING VIOLENCE AGAINST WOMEN AT WORK

The legal framework concerning violence against women at work seems well-developed in Benin. The country has ratified the ILO Conventions, most relevant for this topic, notably<sup>63</sup>:

- Convention C029: Forced Labour Convention
- Convention C087: Freedom of Association and Protection of the Right to Organise Convention
- Convention C100: Equal Remuneration Convention
- Convention C111: Discrimination (Employment and Occupation) Convention

According to the Constitution of the Republic of Benin (1990), the State shall assure to everyone equality before the law without distinction of origin, of race, of sex, of religion, of political opinion or of social position. Men and women are equal under the law. The State shall protect the family and particularly the mother and child (Art. 26).<sup>64</sup>

The country has a law against sexual harassment at the workplace<sup>65</sup>. This law regulates sexual harassment in general. However, there are no specific provisions that regulate forms of sexual harassment/sexual abuse, sanctions and ways to cope with sexual harassment at the workplace.

Law No. 2011-26 of January 9th, 2012, on the prevention and punishment of violence against women, forbids or regulates violence against women. Its purpose is to fight against all forms of violence against women and girls in Benin. Through its criminal, civil and social dimension, it aims to give a multidisciplinary response to violence against women and girls. The law also addresses sexual violence against women at the workplace. It emphasizes the different possibilities (right to information, to social assistance, free legal assistance, work-related rights) available to female victims of sexual harassment and the various measures taken for its progressive eradication from the Beninese society. According to law No. 2006-19 of 17 July 2006 on the Repression of sexual harassment and protection of victims in the Republic of Benin, sexual harassment is a criminal offense and the person convicted of sexual harassment is punishable by

<sup>63</sup> See ILO database, accessed 04-Aug-15

<sup>64</sup> See

<http://constitutions.unwomen.org/en/search?country=cb0bf22819e64d83aa986193ba97fc0e&keyword=violence%20against%20women#sthash.I9nC82m9.dpuf>, accessed 12 AUG 2015

<sup>65</sup> See <http://www.WageIndicator.org/documents/decentworkcheck/africa/Decentworkcheck-Benin-English.pdf>, accessed 19-Aug-15

imprisonment for one to two years and a fine ranging from 200 to 2000 USD. There are also penalties for those who are aware of sexual harassment and do not report it. The level of legislation is considered satisfactorily, but its implementation is not. Obviously, the culture and traditions of Benin hamper that women speak out. Traditions do not denounce the perpetrators because of social stigma and fears of reprisal. If the harassment has been subtle and the complainant agrees, the complaint is resolved informally with the help of HR officers (a.o. sources#7 and #8).

The Legal Assistance policy is implemented industry-wide and at enterprise level. According to the law No. 2011-26 of January 9, 2012, on the prevention and punishment of violence against women, after obtaining the consent of the company's doctor, the victim is entitled to the temporary reduction or reorganization of her working time, to a geographical transfer and assignment to another facility, to the suspension of her employment contract and resignation without notice as well as other work-related rights.

The Helpline of UNFPA (United Nations Population Fund) invites female victims of workplace violence or witnesses of all forms of violence against women to call its toll-free number (7344). The UNFPA can use its support staff to assist victims.

## 5.3 OVERVIEW OF VIOLENCE AGAINST WOMEN AT WORK

### 5.3.1 INSTITUTIONAL RESPONSES

#### Activities and views of institutions

For Benin, a few institutional responses regarding violence against women have been found, mainly by Non-Governmental Organisations (NGOs). We came across four institutional responses, which are summarized below.

The NGO RIFONGA Bénin, located in Benin's largest city Cotonou, undertakes activities towards work-related violence (sources#2 and 3). Their activities towards work-related violence include seminars on the fight against violence against women and girls.

The Association AFJB (Women Lawyers Association of Benin), located in Cotonou, undertakes activities towards work-related violence (source#4). They have developed outreaching activities on sexual violence and pregnancies in school environments as well as awareness sessions about the specific problems of the Code of Persons and Families: Marriage-Divorce-Offspring-Estate.

The NGO WANEP, located in Cotonou, also undertakes activities towards work-related violence (source#5). Among others, it has developed outreaching activities on the sanctions on different forms of violence against women and girls.

The NGO CARE International Benin – Togo is located in Cotonou as well (source#6). This institution undertakes activities towards work-related violence. In the implementation of the project EWPOWER SIN-DO, CARE was able to fight the systematic violence against women and girls through a dynamic synergy with key government actors, non-state actors and organized civil society. These activities include Communication for Behavior Changing, the prosecution of perpetrators as well as assistance and support for victims through physical rehabilitation, and moral, psychological, legal, economic and social support.

#### Clauses in Collective Bargaining Agreements

The check of collective agreements for Benin resulted in two relevant agreements (Source#11).

First, the Convention Collective du Travail Applicable au Personnel de Bénin Telecom SA.<sup>66</sup> In article 51 it mentions violence at the workplace (but not specifically on women).

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<sup>66</sup> <http://www.votresalaire.org/benin/home/droit-du-travail/conventions-collectives-base-de-donnees/convention-collective-du-travail-applicable-au-personnel-de-benin-telecoms-sa>. On the side of the

Second, the *Projet de Loi Portant Statut General de la Fonction Publique* (general CBA for public sector).<sup>67</sup> Article 32: against violence and sexual harassment (with women not specifically mentioned). Article 211 mentions: official warnings to employees. In listing it mentions 'sexual harassment' ('harcèlement sexuel sur les lieux de travail'). Women are not specifically mentioned, but obviously reference is to them. Article 216: sanctions: here again 'sexual harassment' is mentioned.

### 5.3.2 STATISTICAL EVIDENCE

Hardly any country has a sound and continuous measurement of violence against women at the workplace. The ideal survey design would require random sampled surveys targeting a national population with questions on a broad range of issues but with a few questions about violence against women. However, in this survey design respondents may underreport the incidence, because they may not want to disclose this information to an interviewer. Therefore, these surveys typically also ask whether respondents have heard of these incidences in their workplace, though the answers to this question do not reflect a reliable picture of the incidence. Volunteer surveys, specifically aiming to measure violence at the workplace, may on the other hand overestimate the incidence, because only respondents who want to report so are inclined to complete such a survey. Hence statistical evidence of women workers suffering from violence against women at the workplace is facing several methodological problems. Therefore, surveys only targeting the parts of the national population, either in cities or in enterprises or alike, reports from the police or support agencies, or small-scale surveys of experts may shed light on the incidence of violence against women at the workplace. Unfortunately, for Benin, no such evidence was found.

### 5.3.3 ANECDOTAL EVIDENCE

Anecdotal evidence of violence against women at the workplace is considered an informative source, particularly when statistical sources are lacking or limited in scope. Anecdotal evidence has been collected from newspapers, websites, social media, trade union reports, police reporting or other sources. In the case of Benin, two anecdotal evidences were found, both from 2014.

Both evidences have been filed in the complaint archives of a police station, the first reporting about a case of sexual harassment and mobbing at the workplace. Ms X worked in a private microfinance company and she has been victim of sexual harassment by her service manager. He had not been successful and then began to threaten her of coming too late and careless and poor work. X eventually resigned, leading to unemployment and traumatism (source#9).

A second anecdotal evidence was also found in a police source. In this case a young lady Y was intern in a public structure. Following the repeated harassment of her hierarchical superior, she relented hoping the internship would lead to a definitive job. Unfortunately she was not selected at the end of the internship, resulting in unemployment and depression (source#10).

## 5.4 CONCLUSIONS AND RECOMMENDATIONS

Benin has a law against sexual harassment at the workplace, but that lacks specific provisions regulating forms of sexual harassment/abuse, sanctions and ways to cope with

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trade unions, this agreement was signed by: Syndicat National des Travailleurs de Télécommunications (SYNATEL), l'Union des Travailleurs de Bénin Télécoms SA (UTBT), Syndicat des Travailleurs de BENIN TELECOMS SA (SYNTRA-BT), Syndicat National de BENIN TELECOMS SA (SYNABETEL), and Syndicat Libre des Travailleurs de Bénin Télécoms SA (SYLTRA BT).

<sup>67</sup> <http://www.votresalaire.org/benin/home/droit-du-travail/conventions-collectives-base-de-donnees/projet-de-loi-portant-statut-general-de-la-fonction-publique>



sexual harassment at the workplace. The few institutional responses regarding violence against women stem mainly from NGOs. Clearly, their activities have to be carried out against the backdrop of the country's culture and traditions, hampering that women speak out, in particular regarding harassment.

For Benin, a first need seems to extend and operationalize the legal framework concerning violence against women at the workplace, and improve legal definitions. Second, there seems quite some room for strengthening the country's institutional response in this field, in particular through international cooperation.

## APPENDIX SOURCES USED IN THE STUDY

<b>Source 1</b>	<b>Website</b>
Title Article	Helpline (Numéro vert de l'UNFPA)
URL	<a href="http://benin.unfpa.org/actualites/actualites_octobre_2009_revue_finale.htm">http://benin.unfpa.org/actualites/actualites_octobre_2009_revue_finale.htm</a>
Date of Access	27/07/2015
<b>Source 2</b>	<b>Website</b>
Name	RIFONGA
Article	"Courants des femmes" (General information)
URL	<a href="http://courantsdefemmes.free.fr/Assoces/Benin/RIFONGA/rifonga.html">http://courantsdefemmes.free.fr/Assoces/Benin/RIFONGA/rifonga.html</a>
Date of Access	25/07/2015
<b>Source 3</b>	<b>Website</b>
Name	RIFONGA
Article	"Entretien avec Mme Konou Idohou Léontine, Présidente Du RIFONGA-Bénin: "Il existe aujourd'hui au Bénin un arsenal juridique pour sanctionner les cas de violences""
Published	30/11/2012
URL	<a href="http://levenementprecis.com/2012/11/30/entretien-avec-mme-konou-idohou-leontine-presidente-du-rifonga-benin-il-existe-aujourd'hui-au-benin-un-arsenal-juridique-pour-sanctionner-les-cas-de-violences">http://levenementprecis.com/2012/11/30/entretien-avec-mme-konou-idohou-leontine-presidente-du-rifonga-benin-il-existe-aujourd'hui-au-benin-un-arsenal-juridique-pour-sanctionner-les-cas-de-violences</a>
Date of Access	25/07/2015
<b>Source 4</b>	<b>Website</b>
Name	AFJB
URL	<a href="http://www.afjbenin.net">www.afjbenin.net</a>
Date of Access	25/07/2015
<b>Source 5</b>	<b>Website</b>
Name	WANEP
URL	<a href="http://www.wanepbenin.org">www.wanepbenin.org</a>
Date of Access	26/07/2015
<b>Source 6</b>	<b>Website</b>
Name	CARE International Benin – Togo
URL's	<a href="http://www.care-international.org/where-we-work/benin.aspx">http://www.care-international.org/where-we-work/benin.aspx</a> ; <a href="http://www.care-international.org/uploaddocument/news/publications/country%20overviews/africa/english/togo-benin%202010.pdf">http://www.care-international.org/uploaddocument/news/publications/country%20overviews/africa/english/togo-benin%202010.pdf</a>
Date of Access	26/07/2015
<b>Source 7</b>	<b>Interview</b>
Name	Mr Philippe Gantin
Position	Secretary General
Organisation	Ministry in charge of MDGs and SDGs
Date of interview	16/07/2015
<b>Source 8</b>	<b>Interview (Anonymity preferred)</b>
Name	Mr X
Position	lawyer
Organisation	Court
Date of interview	20/07/2015
<b>Source 9</b>	<b>Police information</b>
Name	Complaint archive of police station

Date of Access 04/08/2015

**Source 10**      **Police information**

Name Complaint archive of police station

Date of Access 04/08/2015

**Source 11**      **Website**

Name WageIndicator Database of Collective Agreements in Benin

URL [www.votresalaire.org/benin/home/droit-du-travail/conventions-collectives-base-de-donnees](http://www.votresalaire.org/benin/home/droit-du-travail/conventions-collectives-base-de-donnees)

Date of Access 10/08/2015

# Appendix 1 Definitions

The study does include:	
Verbal sexual harassment	
	Jokes with sexual content/connotation
	Telephone conversations with sexual intentions
	Open expression of sexual offers
	Insisting or invitations for dinner or meetings outside of the workplace
	Comments of sexual nature about the appearance, clothing, body, sex life
	Gossiping with sexual content
	Requests to wear provocative clothes
Non-verbal sexual harassment	
	Showing erotic or pornographic pictures and contents
	Messages and letters with sexual or provocative content
	Wolf-whistle and rude gazing
	Suggestive gesticulations
	Following and invading one's privacy
Physical sexual harassment	
	Forced hugging
	Forced kissing
	„accidental“ body contact
	Attempt for rape
	Raping
Quid pro quo sexual harassment	
	Threats for certain disadvantages if sexual favor is not provided in return
	Promises for promotion in return for sexual favor
Psychological harassment	
	Discrediting the personal standing / reputation
	Hindering the communication
	Compromising the expertise / professional attitude and opinion
	Inflicting harm to health
	Terminating the contacts with colleagues
The study does not include	
	Domestic violence against women
	Forced prostitution
	Human trafficking
	Indirect violence against women at the workplace such as job insecurity due to flexibility of employment contracts.
	Gender-biased issues related to health and safety at work

## Appendix 2 Research Questions

Q#	Question	Question	Answer
Q1.1		Does law forbids or regulates violence against women?	Y/N
Q1.2	If Y:	Please summarize the law.	.....
Q1.3		Does this law also address sexual violence against women at the workplace?	Y/N
Q1.4		Please summarize how this is addressed in the law.	.....
Q1.5		Is the level of legislation satisfactory, based on your interviews?	....., source#
Q1.6		Did you come across evidence that workplace policies regarding violence against women are implemented in enterprises or industry-wide, for example the presence of a person of trust, (legal) assistance, helpline, or similar ?	Y/N
Q1.7	If Y:	Policy 1	source#
Q1.8		Is the policy implemented industry-wide or at enterprise level?	Industry-wide / Enterprise level / Both / Unspecified
Q1.9		Please summarize the policy	.....
Q1.10		Policy 2	source#
Q1.11		Is the policy implemented industry-wide or at enterprise level?	Industry-wide / Enterprise level / Both / Unspecified
Q1.12		Please summarize the policy	.....
Q1.13		Policy 3	source#
Q1.14		Is the policy implemented industry-wide or at enterprise level?	Industry-wide / Enterprise level / Both / Unspecified
Q1.15		Please summarize the policy	.....
Q1.16		Policy 4	source#
Q1.17		Is the policy implemented industry-wide or at enterprise level?	Industry-wide / Enterprise level / Both / Unspecified
Q1.18		Please summarize the policy	.....
Q1.19		Policy 5	source#
Q1.20		Is the policy implemented industry-wide or at enterprise level?	Industry-wide / Enterprise level / Both / Unspecified
Q1.21		Please summarize the policy	.....
Q1.22		Did you come across any Collective Bargaining agreement that forbids or regulates violence against women at the workplace in enterprises or industry-wide or proposes the presence of a person of trust (max 5)?	Y/N
Q1.23	If Y:	CBA 1	source#
Q1.24		Please list the names, signatories and main clauses of this agreement	.....
Q1.25		Please summarize the name(s) of the Agreement and the main clause(s) in this respect?	.....
Q1.26		CBA 2	source#
Q1.27		Please list the names, signatories and main clauses of this agreement	.....
Q1.28		Please summarize the name(s) of the Agreement and the main clause(s) in	.....

Q#	Question	Question	Answer
		this respect?	
Q1.29		CBA 3	source#
Q1.30		Please list the names, signatories and main clauses of this agreement	.....
Q1.31		Please summarize the name(s) of the Agreement and the main clause(s) in this respect?	.....
Q1.32		CBA 4	source#
Q1.33		Please list the names, signatories and main clauses of this agreement	.....
Q1.34		Please summarize the name(s) of the Agreement and the main clause(s) in this respect?	.....
Q1.35		CBA 5	source#
Q1.36		Please list the names, signatories and main clauses of this agreement	.....
Q1.37		Please summarize the name(s) of the Agreement and the main clause(s) in this respect?	.....
Q2.1	Based on your interviews/desk reports, what is the answer of relevant institutions towards work related violence against women (max 5 institutions)?		
Q2.2		Institution 1	source#
Q2.3		Name	.....
Q2.4		Place	.....
Q2.5		Weblink	.....
Q2.6		Type of institution	Trade Union / NGO / Religious organisation / Governmental organisation / other type .....
Q2.7		Does this institution undertake any activities towards work related violence?	Y/N
Q2.8		If Y, summarize their activities towards work related violence	.....
Q2.9		Institution 2	source#
Q2.10		Name	.....
Q2.11		Place	.....
Q2.12		Weblink	.....
Q2.13		Type of institution	Trade Union / NGO / Religious organisation / Governmental organisation / other type .....
Q2.14		Does this institution undertake any activities towards work related violence?	Y/N
Q2.15		If Y, summarize their activities towards work related violence	.....
Q2.16		Institution 3	source#
Q2.17		Name	.....
Q2.18		Place	.....
Q2.19		Weblink	.....
Q2.20		Type of institution	Trade Union / NGO /



Q#	Question	Question	Answer
			Religious organisation / Governmental organisation / other type .....
Q2.21		Does this institution undertake any activities towards work related violence?	Y/N
Q2.22		If Y, summarize their activities towards work related violence	.....
Q2.23		<b>Institution 4</b>	<b>source#</b>
Q2.24		Name	.....
Q2.25		Place	.....
Q2.26		Weblink	.....
Q2.27		Type of institution	Trade Union / NGO / Religious organisation / Governmental organisation / other type .....
Q2.28		Does this institution undertake any activities towards work related violence?	Y/N
Q2.29		If Y, summarize their activities towards work related violence	.....
Q2.30		<b>Institution 5</b>	<b>source#</b>
Q2.31		Name	.....
Q2.32		Place	.....
Q2.33		Weblink	.....
Q2.34		Type of institution	Trade Union / NGO / Religious organisation / Governmental organisation / other type .....
Q2.35		Does this institution undertake any activities towards work related violence?	Y/N
Q2.36		If Y, summarize their activities towards work related violence	.....
Q3.1	What are the social, economic, political (juridical) facts/actors maintaining the status quo of the above described situation (emphasize on the identified problems), and which facts/actors can contribute to solving the described problem?		....., Source#
Q4.1	Did you come across any study regarding the number of women workers suffering from violence against women at the workplace (max 5)?		Y/N
Q4.2	If Y:	<b>Study 1</b>	<b>source#</b>
Q4.3		Title of study	.....
Q4.4		Year of publication	YYYY
Q4.5		Published by	Name institution or name person
Q4.6		Does the study address sexual harassment at the workplace?	Y/N
Q4.7		Does the study address mobbing at the workplace?	Y/N
Q4.8		Does the study address other forms of violence against women at the	Y ...../N

Q#	Question	Question	Answer
		workplace?	
Q4.9		Is the study based on interviews or large-scale surveys?	Interviews/Survey/Both/None
Q4.10		Does the study include a reference to the frequency of this violence?	Y/N
Q4.11		If Y, describe the reported frequency, including calendar years, age group, population, limitations	.....
Q4.12		Study 2	source#
Q4.13		Title of study	.....
Q4.14		Year of publication	YYYY
Q4.15		Published by	Name institution or name person
Q4.16		Does the study address sexual harassment at the workplace?	Y/N
Q4.17		Does the study address mobbing at the workplace?	Y/N
Q4.18		Does the study address other forms of violence against women at the workplace?	Y ...../N
Q4.19		Is the study based on interviews or large-scale surveys?	Interviews/Survey/Both/None
Q4.20		Does the study include a reference to the frequency of this violence?	Y/N
Q4.21		If Y, describe the reported frequency, including calendar years, age group, population, limitations	.....
Q4.22		Study 3	source#
Q4.23		Title of study	.....
Q4.24		Year of publication	YYYY
Q4.25		Published by	Name institution or name person
Q4.26		Does the study address sexual harassment at the workplace?	Y/N
Q4.27		Does the study address mobbing at the workplace?	Y/N
Q4.28		Does the study address other forms of violence against women at the workplace?	Y ...../N
Q4.29		Is the study based on interviews or large-scale surveys?	Interviews/Survey/Both/None
Q4.30		Does the study include a reference to the frequency of this violence?	Y/N
Q4.31		If Y, describe the reported frequency, including calendar years, age group, population, limitations	.....
Q4.32		Study 4	source#
Q4.33		Title of study	.....
Q4.34		Year of publication	YYYY
Q4.35		Published by	Name institution or name person
Q4.36		Does the study address sexual harassment at the workplace?	Y/N
Q4.37		Does the study address mobbing at the workplace?	Y/N

Q#	Question	Question	Answer
Q4.38		Does the study address other forms of violence against women at the workplace?	Y ...../N
Q4.39		Is the study based on interviews or large-scale surveys?	Interviews/Survey/Both/None
Q4.40		Does the study include a reference to the frequency of this violence?	Y/N
Q4.41		If Y, describe the reported frequency, including calendar years, age group, population, limitations	.....
Q4.42		Study 5	source#
Q4.43		Title of study	.....
Q4.44		Year of publication	YYYY
Q4.45		Published by	Name institution or name person
Q4.46		Does the study address sexual harassment at the workplace?	Y/N
Q4.47		Does the study address mobbing at the workplace?	Y/N
Q4.48		Does the study address other forms of violence against women at the workplace?	Y ...../N
Q4.49		Is the study based on interviews or large-scale surveys?	Interviews/Survey/Both/None
Q4.50		Does the study include a reference to the frequency of this violence?	Y/N
Q4.51		If Y, describe the reported frequency, including calendar years, age group, population, limitations	.....
Q5+6.1	Did you come across any anecdotal evidence of violence against women at the workplace available from newspapers, social media, trade union reports, emails send to WageIndicator, other sources (max 5)? If so, is any anecdotal evidence available about the consequences of this violence for the victims?		Y/N
Q5+6.2	If Y:	Anecdotal evidence 1	source#
Q5+6.3		Does the evidence address sexual harassment at the workplace?	Y/N
Q5+6.4		Does the evidence address mobbing at the workplace?	Y/N
Q5+6.5		Does the evidence address other forms of violence against women at the workplace?	Y ...../N
Q5+6.6		In what source is the evidence reported?	Interview / website / newspaper / social media / other
Q5+6.7		Please summarize the evidence	.....
Q5+6.8		Are the consequences of this violence for the victims reported?	Y/N
Q5+6.9		If Y, please describe the consequences	.....
Q5+6.10		Anecdotal evidence 2	source#
Q5+6.11		Does the evidence address sexual harassment at the workplace?	Y/N
Q5+6.12		Does the evidence address mobbing at	Y/N

Q#	Question	Question	Answer
		the workplace?	
Q5+6.13		Does the evidence address other forms of violence against women at the workplace?	Y ...../N
Q5+6.14		In what source is the evidence reported?	Interview / website / newspaper / social media / other
Q5+6.15		Please summarize the evidence	.....
Q5+6.16		Are the consequences of this violence for the victims reported?	Y/N
Q5+6.17		If Y, please describe the consequences	.....
Q5+6.18		Anecdotal evidence 3	source#
Q5+6.19		Does the evidence address sexual harassment at the workplace?	Y/N
Q5+6.20		Does the evidence address mobbing at the workplace?	Y/N
Q5+6.21		Does the evidence address other forms of violence against women at the workplace?	Y ...../N
Q5+6.22		In what source is the evidence reported?	Interview / website / newspaper / social media / other
Q5+6.23		Please summarize the evidence	.....
Q5+6.24		Are the consequences of this violence for the victims reported?	Y/N
Q5+6.25		If Y, please describe the consequences	.....
Q5+6.26		Anecdotal evidence 4	source#
Q5+6.27		Does the evidence address sexual harassment at the workplace?	Y/N
Q5+6.28		Does the evidence address mobbing at the workplace?	Y/N
Q5+6.29		Does the evidence address other forms of violence against women at the workplace?	Y ...../N
Q5+6.30		In what source is the evidence reported?	Interview / website / newspaper / social media / other
Q5+6.31		Please summarize the evidence	.....
Q5+6.32		Are the consequences of this violence for the victims reported?	Y/N
Q5+6.33		If Y, please describe the consequences	.....
Q5+6.34		Anecdotal evidence 5	source#
Q5+6.35		Does the evidence address sexual harassment at the workplace?	Y/N
Q5+6.36		Does the evidence address mobbing at the workplace?	Y/N
Q5+6.37		Does the evidence address other forms of violence against women at the workplace?	Y ...../N
Q5+6.38		In what source is the evidence reported?	Interview / website / news - paper / social media / other
Q5+6.39		Please summarize the evidence	.....
Q5+6.40		Are the consequences of this violence for the victims reported?	Y/N
Q5+6.41		If Y, please describe the consequences	.....
Q5+6.42		How frequent is this violence reported?	More than once per year / less than once per year /

Q #	Question	Question	Answer
			unknown
Q5+6.43		What kinds of violence against women occur (sexual harassment, mobbing, human trafficking, other...?).	
Q5+6.44		If so, how many cases are reported? (Including sources: interviews, newspapers, other)	
			source#
Q7.1		If no anecdotal evidence of violence against women at the workplace is available, could spokesmen identify what the reasons are for the lack of information? Why don't women report if they become the victim of violence at the workplace?	.....

## Appendix 3 General references

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