



VIOLENCE AND HARASSMENT IN THE WORLD OF WORK

ILO Standard

EQUINET 23-24/10/2019

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timeline

- Started in 2016 “ tripartite *Meeting* of Experts on *Violence* against Women and Men in the World of *Work*”
- June 2018: 107'th session
- June 2019: 108'th session : convention and recommendation 206



Why ?

IC (art 17 on DV)

D 2006/54

D 89/391/EEC

Victim directive 2012/29/EU (also
applicable for companies)

Importance for Belgium

- sexual harassment at work has been an important policy focus since the 1980s (also an advocate in the EU)
- Years of comprehensive legislation
- Social dialogue
- attention for the victims
- Gender specific?
- In line with IC!



Definition

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

All elements in the definition

- objectively unacceptable/unwanted behaviour
- regardless of the motivation of the perpetrator
- (possible) negative consequences for the victim
- gender-based violence
- All types of violence - MIX of different types
- One-time or repetition
- Behaviour or threat or practices

Definition and discrimination

“the term “gender-based violence and harassment” means violence and harassment directed at persons because of **their sex or gender**, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment”



Principals

- Inclusive, holistic and integrated gender-sensitive approach
- Policy and action centered around 6 'P' s = policy, prevention, protection, prosecution, partnership, participation
- Integration in all necessary legislation and policies
- Zero tolerance
- Recognition of discrimination and human rights issue
- Necessity of social dialogue
- Responsibility of all parties

Attention points

- Elimination of all forms of discrimination and need for equal treatment policy
- Need for legislative and policy (at all levels)
- Risk analysis (prevention) and risk management
- Information and awareness raising for everyone
- Training (gender-sensitive)
- Inclusion of domestic violence (in convention and recommendation) (17 Belgian companies)

Attention points

- Monitoring mechanisms (inspection or EB)
- National bodies on EQUALITY should have a mandate (REC)
- Remedies (such as reintegration) and support
- witnesses/whistle-blowers
- Protection against reprisals
- Specific attention for vulnerable groups

Further attention points

- GENDER-RESPONSIVE Safe, fair and effective reporting and dispute resolution mechanism-
necessity for victims
around 90% of sexual violence victims
remain silent
informal procedures most wanted and
most effective

Further attention points

- the possibility for victims to address third parties with juridical personality who can provide independent assistance and are entitled to act (through mediation) (see also D 2006/54) (10).
- Shifting of the burden of proof (in rec)



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Thank you for your attention!

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