

NO SEXUAL HARASSMENT



THE FIGHT AGAINST SEXUAL VIOLENCE AT WORK

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45m



people are employed in India's textiles and clothing sectors
- 60% are women

1 in 14



women garment workers has experienced physical violence

1 in 7



women garment workers has been raped or forced to commit a sexual act

3.6%



of reported cases of violence resulted in action by factory or police

0



criminal charges were brought against perpetrators
(SFC survey data)

INTRODUCTION

The battle between the sexes is of all time, and in some species the combat is a bitter one. Take the near-drowning of the female duck when being mounted by a rutting drake, or the female spider that eats the male after mating. We humans do things differently, or so we think. Here and there, the equality of men and women leaves a lot to be desired, but in no country is sexual violence considered normal. Or is it?

Reality is more stubborn. In the garment factories in the South-Indian city of Bangalore, for example, where sexual assault and rape are the order of the day, one in seven female workers is coerced into sexual acts or sexual intercourse. This is just the horrifying tip of the iceberg, though, as has emerged from the report published by the women's organisations *Sisters for Change* and *Munnade* in June 2016.ⁱ Sexual aggression would appear to be ingrained in a culture of violence against women: one in fourteen female workers in this study experiences physical violence, and being insulted or verbally abused is for everyone the order of the day. In all probability, the reality is even harsher than these figures show, because many women do not dare to speak out or do not see any point in doing so.

In 90 percent of the cases, the perpetrators are male superiors. Where the victims do report them to the factory management, only rarely is any disciplinary action taken. Not a single victim in the study brought a criminal charge. The factories in Bangalore are no exception. All over the world where women work for low wages and in poor working conditions, they are exposed to the same hazards. 'They are poor, they are workers and they are women,' says Nazma Akter, President of a large trade union in Bangladesh, 'and that explains a great deal'. Nazma was one of the experts who came to the Netherlands in mid-September to elucidate their views on violence against women in the textile and garment industry. 'There is a substantial amount of research and theory development being conducted in this area,' we are told by Wilma Roos of Mondiaal FNV, 'but too little is going on at company level, and this is what we aim to do something about. Starting in Bangladesh, where we have partners who support the female workers in this industry.'ⁱⁱ

As a first step, Mondiaal FNV, working jointly with the India Committee of the Netherlands, organised a meeting of international experts.ⁱⁱⁱ They came from Bangladesh, India, Argentina, Tanzania, Myanmar, Indonesia and the Netherlands and nearly all were women.^{iv} Some of them have themselves even sat behind sewing machines in garment factories. They had alarming stories to tell, and exchanged experiences on strategies to support and organise women. This brochure introduces you to a few of them, and presents the information and insights that came out of the meeting.

MAY I INTRODUCE MYSELF?



Nazma Akter, Bangladesh

'*Man is hero, woman is zero,*' is one of the concluding punch lines that Nazma Akter visibly enjoys delivering. As President of *Sommilito Garments Sramik Federation*, one of the largest trade unions in Bangladesh's garment industry, she enjoys national renown and travels all over the world.

She was just eleven when she got behind a sewing machine for the first time, in the factory in Dhaka where her mother also worked. At the age of twelve, she took part in her first demonstration and had her first experience of being hit by batons. From her fourteenth year on, she organised actions herself. 'It was easier for me to stick my neck out than for others, because I was still living at home and I had my mother's support. Besides that, I was the eldest. I had no elder brother to give me a beating.'

She lost her job and was blacklisted. There was not a single employer any more who would take her on. 'My father wanted me to keep my mouth shut, because the whole neighbourhood used to call me a bad woman and predicted a future in prostitution for me. Now he's proud

of me because I am a leader in our country. My mother said recently: "Your father always used to say 'your daughter', but nowadays you're his daughter.'"

Since 1994 Nazma Akter has worked full time for the improvement of the position of women workers. Her union has 100,000 members, 80 percent of whom are women. 60 percent of trade union leaders are women, which is highly exceptional in Bangladesh. 'Factory work has the potential of having an emancipatory effect on women,' she says, 'but only if working conditions and wages improve, and the patriarchal culture is eliminated.'

Khaing Zar Aung, Myanmar

'There were eight of us children at home and we all had to work,' says Khaing Zar. 'Under the military dictatorship, the wages in our country were very low.' The economy of Myanmar had stagnated after the generals' coup in 1962; at the beginning of this century, this was compounded by the economic sanctions imposed by the West. Khaing Zar was 15 years of age when she first stepped through the gates of a garment factory in Rangoon. With an older sister's identity card, because officially you weren't allowed to work until you were 18. 'I was eager to learn and hardworking; when I was 19, I was put in charge of the production line, despite being the youngest of them all. Because they didn't want to lose me, I was given permission to have one day a week off to study. I realised that this was a way of moving up, bettering myself and helping my family. Three years later, in 2004, I obtained a university degree in economics. However, I knew nothing about trade unions or about rights. Trade unions were forbidden, and leaders were arrested or fled.'

Khaing Zar only discovered about organising to seek justice when she began working in a Thai garment factory, just across the border with Myanmar. As an experienced worker, she earned € 135 on piecework, compared with

€ 9 in Rangoon, but happier she was not. 'The factory owner tried to keep the wages down. The food got worse and we supplemented it with fish and crustaceans that we caught ourselves. I saw so much poverty, with people begging on the streets. A girlfriend put me in touch with people from the *Federation of Trade Unions of Burma*, an organisation in exile. It was only later that I heard that they'd been labelled terroristic by the military government. I got hold of information on the causes of poverty and about the trade union struggle. At night time I read about Mandela. I earned enough there in Thailand to work for the Federation for a couple of days a week.' After the Federation centre had been closed down by the police, Khaing Zar joined the *National Council of Unions of Burma*, an organisation of 25 groups striving for democracy in Myanmar. When this was discovered by the intelligence services, she was forbidden from returning to her native country. Her exile came to an end when the generals capitulated in 2011. Myanmar acquired a new constitution and trade unions were permitted. Khaing Zar Aung is now treasurer of the *Confederation of Trade Unions Myanmar* and Assistant General Secretary of Myanmar's union of industrial workers.





Eutropia Ngido, Tanzania

'I come from a home with a strong woman at its head: my grandmother. She told me: "Don't accept any stupidities from men. Men are egoistical, don't fall into their trap, don't become a victim. She taught me to believe in myself."

Like many of the men in the village where Eutropia Ngido grew up, her father worked in the city. The family of mother and nine children remained behind in the village, under grandmother's wing. 'She had only had one child herself and had to go through the experience of my grandfather taking more wives. She invested a great deal in our family and looked on me and a younger brother as her son's brother and sister. She believed in education. To pay for my schooling, she sold drink – a local brew. Fortunately, I passed every exam effortlessly. She pampered me and gave me every encouragement. One day she called me inside: "You know I never went to school myself. I want you to get your diplomas for me too. When you've finished secondary school, you must go to university." My father thought I was getting spoiled, my grandfather

thought I was old enough to get married. But to university I went. After I'd completed my course, my grandmother said: "At least I've now seen one woman graduating." Later, my father changed his mind. When he got cancer, I was the one who was able to pay for medicines and hospitals. "I'll tell everyone that girls have to go to school," he said. "If it weren't for this daughter I'd be dead by now."

Eutropia Ngido began her career as a government official, working on planning development projects. 'Because of my mindset, I encountered many difficulties. People thought I was impolite if I refused to pour out the tea at a meeting. If I had an opinion about something, I wouldn't allow any boss to stop me talking. I was constantly thwarted and I was never permitted to work externally, because they were afraid that I would offend highly placed persons. Men don't like a woman showing she's got brains and might criticise them.' Eutropia currently works as a freelance consultant for the government, for NGOs and for Mondiaal FNV.

Agnes Vroegh, the Netherlands

‘My mother was divorced, had three daughters and three jobs. In the mornings a paper round, in the afternoons working in the factory and in the evenings out cleaning. When I was eight, I was responsible for running things at home. My mother kept drumming into me: “Anything boys can do, girls can do as well. If you want to, you can do anything. And everyone is equal.”’

The primary school headmaster thought Agnes not smart enough even for Special Needs Education, but her mother sent her to an intermediate secondary school (mavo). ‘... which I sailed through. And then went on to train for child and youth care, which was where I started to play truant. I had a boyfriend who my mother had taken against, and I was kicked out of the house and started work.’ Via a sealant and putty factory, a tin can factory, an office stationer’s, a videotheque, house-cleaning addresses, supermarkets – 40-hour working weeks on zero-hour contracts – and a painters’ foil factory, Agnes ended up, forty years-of-age, in the bone-processing factory where she has now been working for fifteen years. During that time, she acquired two children and followed a professional training programme in process technology. ‘I turned out to have a feeling for machines and technology and absolutely loved it. As process operator, you control the entire factory from a control room with computer systems. The art is to do this as effectively as possible.’

The other art was dealing with the male colleagues. After they had bullied and harassed the only other woman in the team into leaving, it was Agnes’ turn. ‘If I’d been a tea lady or a cleaning lady they would have accepted me, but I was doing technology and had career development ambitions. They locked me out, disrupted the process just before it was my turn to take over control, and gossiped about my family. I fought for eight years, and after that they left me alone for the most part. I stuck with it because I love my work so much. And I put up a shield. Walking away was never an option, the more antagonism I encountered, the more determined I became.’

When she hears the women from Asia, Africa and South America talking about oppression and sexual violence, she hesitates as to whether to contribute her own experiences. But although the discrimination is more surreptitious and not life-threatening in the Netherlands, in fact exactly the same processes are involved.



Agnes is a member of the FNV Federation Congress for the industry sector and is thinking of standing for the FNV Executive Board.

THE FORCE FIELD OF SEXUAL VIOLENCE



Working conditions

Some industry sectors have mobility in their genes, and the textile and garment industry is one such sector. The machinery is light and cheap, use of space is minimal, raw materials are easily obtainable, and maybe most importantly: the labour required needs little in the way of education. It was not for nothing that production shifted from the west to developing countries, to places where huge numbers of unskilled, cheap and unorganised workers go in search of work, and for the most part these governments greeted this development with open arms. They see employment rise and hope that the investments will mark the beginning of further economic development. They grant tax exemptions and throw in infrastructure and industrial sites for free. An essential factor, however, is that the army of workers should continue to be cheap and unorganised. Otherwise, the industry could just as easily leave once again to a country with lower wages and a less assertive workforce.

This is the economic context of the violence experienced by women at work. Violence is never sexual alone, it is as a general rule embedded in exploitation and power relations in the workplace: low wages, precarious working conditions, never any permanent work, no right of organisation.

Bangladesh has 5,000 garment factories where 4 billion people work, 80 percent of them women. After China, the country is the largest clothing exporter in the world. In 2010, the minimum wage went up from € 16 to € 30 a month, and is now € 54. A living – call it a decent – wage is roughly € 262. The Rana Plaza factory tragedy in 2012 set alarm bells ringing all over the world, but behind collapsing and burning garment factories lurks greater misery than hazards alone. Nazma Akter: 'The food and drink in the factory is often bad. Women are not allowed to go to the toilet. Verbal, physical and sexual violence is a daily danger. If a supervisor wants sexual contact and a girl refuses, he exercises pressure on productivity: working harder, overtime, underpayment. On the other hand, if they submit, they have an easier time.'

In Myanmar, at the beginning of this century, garment workers earned € 0.63 a day; no wonder, then, that their working week was a minimum of 70 hours. Khaing Zar tells us: 'My factory employed more than 1,000 people, working seven days a week. We had one day off a month. I left home in the mornings at a quarter past six and arrived home again at half past eleven at night. Because nobody was given a moment's rest, many people fell ill. In 2015, unions secured a raise in

the minimum wage to € 2.70 a day, € 60 a month. There is a high incidence of sexual violence. Of the workers in the garment industry, 82 percent are women, while the supervisors are generally men. The managers beat the women. In the stomach, where nobody can see it.'

In the Tanzanian garment industry too, women are almost always in production and men in a position of leadership. The majority of the women, we are told by Eutropia Ngido, work via a gangmaster, who registers them as day labourers. 'If you don't turn up, then you're out. You have no rights, no social provisions, no pension. You earn your money on a daily basis, even if you've been doing your work for years.'

In exchange for sexual favours, overseers promise a woman that she'll no longer have to work on the night shift. Employers yell out at women that they're stupid. It's mainly vulnerable young girls that work in the factories. The extended family, from whom they used to draw support and protection, is increasingly disappearing as a form of society. Young girls marry early, especially if they have had no education, and then have to work to support the family. There is a huge amount of poverty. In the past, people would have small plots of land where they grew enough to eat. Nowadays, the land is split among family members, and the soil frequently depleted.'

The Indonesian garment industry employs 1.3 billion people, the majority of them women. The minimum wage is € 167, whereas a living wage would be € 278. Day workers and contract work both exist, Dian Septi Trisnanti of *Across Factory Labour Union* tells us. 'The law dictates that a contract is for a minimum of three months and that after two contracts, an employee has to receive a permanent contract. However, contracts are often for twenty days, and sometimes after eleven years working for the same employer, an employee has still not been given a permanent contract. Women are cheaper than men and so are given preference, but if they become pregnant they are fired.'

A 40 percent increase in the minimum wage was achieved as a result of the national strike of 2014, but this did not apply to the garment workers. 'The argument used by the factory owners was that the garment industry is labour-intensive and that they just didn't have the money. The garment workers felt cheated and now say they'll never again take part in a national strike. These are divide-and-rule tactics.'

In small towns, the situation is often worse because workers are often poorer and badly organised. 'It is a well-known fact,' says Dian, 'that in Subang, a city in West Java, some workers work in prostitution at night because they are otherwise unable to make ends meet.'

The *maquila* of Latin America is a special case – but then again it isn't. Miriam Berlak from Argentina, sociologist, trade unionist and consultant for the FNV, knows the *maquila* at first hand. 'It is a horrendous conception,' she says. 'It began with NAFTA, the free-trade agreement between the USA, Canada and Mexico in 1994. In "special economic zones" women work in factories for which raw materials and machines are imported, and from which the product is exported. The workshops are dark, overcrowded and unsafe. Women work on piecework twelve hours a day without a break. Labour laws do not apply. A woman who does not meet the target is sometimes not paid anything at all. Applicants first have to take a pregnancy test. Some women with children have no choice but to lock them up at home.'

Miriam Berlak connects the notorious series of murders of women in the Mexican border town of Ciudad Juarez to the *maquila*. 'Jobless men won't stand for being driven out of the labour market by women. At the peak of the murders, there were three to six victims a month, nearly all of them young, poor and *maquila* workers. Nobody has as yet been arrested for this.'



Mary Viyakula, a graduate in computer science and psychology, works for the Indian organisation SAVE, and *saving* is what she actually does. This relates to girls, children and women who live in conditions of degrading forms of exploitation and oppression. Like the twelve-year-old girl who was seduced by her 65-year-old employer with car rides and hair slides, and then raped. Help came too late for the fifteen-year-old girl who had to endure group rape by a number of managers in a textile factory. 'She was found dead, and traces of abuse were found,' says Mary. The managers said that she had been on heroin. The union, who took the case to court, had no choice but to settle. The girl's family members remained silent, having been bribed with a sum of money that they could only previously ever have dreamed of.'

Throughout India, 45 million people are at work in the textile and garment industry; approximately 60 percent of these are women, and this is not counting the informal sector. The minimum wage is € 51, a living wage an estimated € 195. SAVE works in Tirupur, the heart of the South Indian garment and textile industry, which numbers 700,000 workers and is referred to as the T-shirt hub of the world. It made the headlines in recent years on account of 'Sumangali'. Literally this means 'Lucky Bride'; this is a practice whereby recruiters entice girls to go and work in the factories in Tamil Nadu. They paint a picture of a fine life with a fat bonus at the end: if they serve out their three-year contract, they receive a substantial sum of money as dowry. In actual fact they earn less than the minimum wage and work four hours overtime a day as standard. The promised final bonus is deducted from their wage and if they fail to complete the full term, they frequently get nothing at all. The girls live in poky little hostels in the factory grounds. And this is not about exceptions in out-of-the-way factories: at least 80 percent of all spinning mills in the southern state of Tamil Nadu have such hostels. The – invariably – young women and girls who live there are allowed to go home on very rare occasions. There's a punishment for unauthorised telephone calls. The situation very much resembles imprisonment and forced labour. Modern slavery, you can safely say.



Miriam Berlak



Migration

The huge numbers of people who move from the countryside to the city in search of work tend to end up in the infamous 3-D jobs: dirty, dangerous, and degrading. Women and girls are especially vulnerable. Women who move from the countryside to a city experience a culture shock. The countryside is more conservative, the man-woman relationships are set in stone. They have learned to behave submissively and some are illiterate. Once in the city, they undergo a culture shock. Everything is less rigid. How should they cope with this? There's a lot they put up with.

Of the millions of women in the garment factories of Bangladesh, the majority come from villages in the countryside, says Nazma Akter. 'They live in slums and have numerous problems. Young girls are susceptible to romantic love, they fall into the arms of men who make them pregnant and then have no intention of taking on the responsibility for this. Frequently, these men already have a family somewhere else. Abortion is legal but expensive, so often things go wrong. If, nonetheless, a baby is born, then the mothers

are trapped. According to the law, factories are supposed to provide a crèche and women have the right to breastfeed, but in practice... . Babies often by necessity live with relatives in the village where the girl comes from. And the mother is utterly miserable.'

In India, many migrant girls and women perform domestic work for richer families, says Geeta Menon, co-founder of *Stree Jagruti Samiti*, an organisation that supports women in the unorganised sector. Geeta could fill a chamber of horrors with cases she has come across in practice. 'Some placement agencies traffic in human beings. They buy girls and place them in households where there are treated with contempt and exploited. The boss or his wife throws hot water over them, or stabs them with scissors. They are never allowed outside. We discovered that a doctor was keeping two children aged 6 and 8 in his house to work. When we offered to have union members take their place, he said that he had the right to use these children. The father and mother of the children worked in a village on his land, so the children were his property.'



Nazma Akter

Social culture



Not only economic, but also cultural forces strengthen the breeding ground for violence against women. The term ‘patriarchal culture’ frequently comes up in discussions, with no shortage of examples.

Miriam Berlak: ‘On my first visit to a place to eat in Mexico, there was a sign saying: “No women, men in uniform or dogs allowed”. All over the world men and women are still not equal. Even in the Netherlands, women earn less than men for the same work. Unskilled women’s work is often monotonous and sometimes women have to stand for hours on end, but that type of strain is not included in the health and safety norms.’

Eutropia Ngido tells us that in Tanzania lip service is paid to equality, but in practice things are different. ‘50 percent of the Tanzanian parliament comprises women. But these words have been plucked from some list or other, as they have no support base and are answerable to nobody.’

Khaing Zar: ‘Sexual violence fits into a pattern where women are second-class citizens. If a family does not have enough money for a son and a daughter to study, it’s the daughter that’s out of the running. As a woman, you acquire many responsibilities for family and the household and if you have a husband and children, it is really difficult to improve your position.’

Ainoon Naher, cultural anthropologist at the University of Dhaka, describes how the patriarchal culture afflicts academic circles too. ‘A colleague was sexually intimidated at her work, made a complaint and was subsequently

put through a grilling. The complaints committee suggested that she had provoked the man, they questioned colleagues and family members and inquired of her husband what he thought of his wife. Didn’t she tend to be quick-tempered? The perpetrator got off with a minimum sentence and mobilised students to harass the woman in class. She moved to Canada and still suffers from depressions.’

Nazma Akter delineates the pattern for the working class of Bangladesh: ‘If women express a wish to keep the money they earn, they are given a thrashing by their husbands. The norm is for women to keep silent and accept everything. They are subjected to catcalls out on the streets and comments are made about their appearance, and they themselves are given the blame. Men forbid their wives to stand up for themselves at work, as they are afraid they’ll want to too much of a say in things at home too. Many women who are following leadership training, stop when they get married. Otherwise they lose their husbands and their family.’

In Dian Septi Trisnanti’s view, Indonesian society is hypocritical and inconsistent when it comes to the relationship between men and women. ‘West Java is highly conservative, but prostitution is widespread. We have a pornography law that forbids women from displaying seductive behaviour. In big cities, you can, as a woman, do anything you want, but razzias are also carried out by fundamentalist Muslims and the government allows this to happen. The women’s movement is growing, but fundamentalism is too. In the past, the government used the army as a means of muzzling the opposition, and now they use the fundamentalists. *Defenders of Islam* go out on the streets, armed with sticks. The population allows itself to be provoked. Incitement to hatred is easy.’

Dian is active not only in her trade union but also in *Perempuan Mahardhika*, a ‘rainbow community’ that commits itself to defending the rights of lesbians, gays, bisexuals and transgenders (LGBT). As yet a difficult fight: ‘Even academics and professors are currently demanding a law under which LGBTs risk a five-year prison sentence. A proportion of the women’s movement supports us, but the general public is unresponsive.’

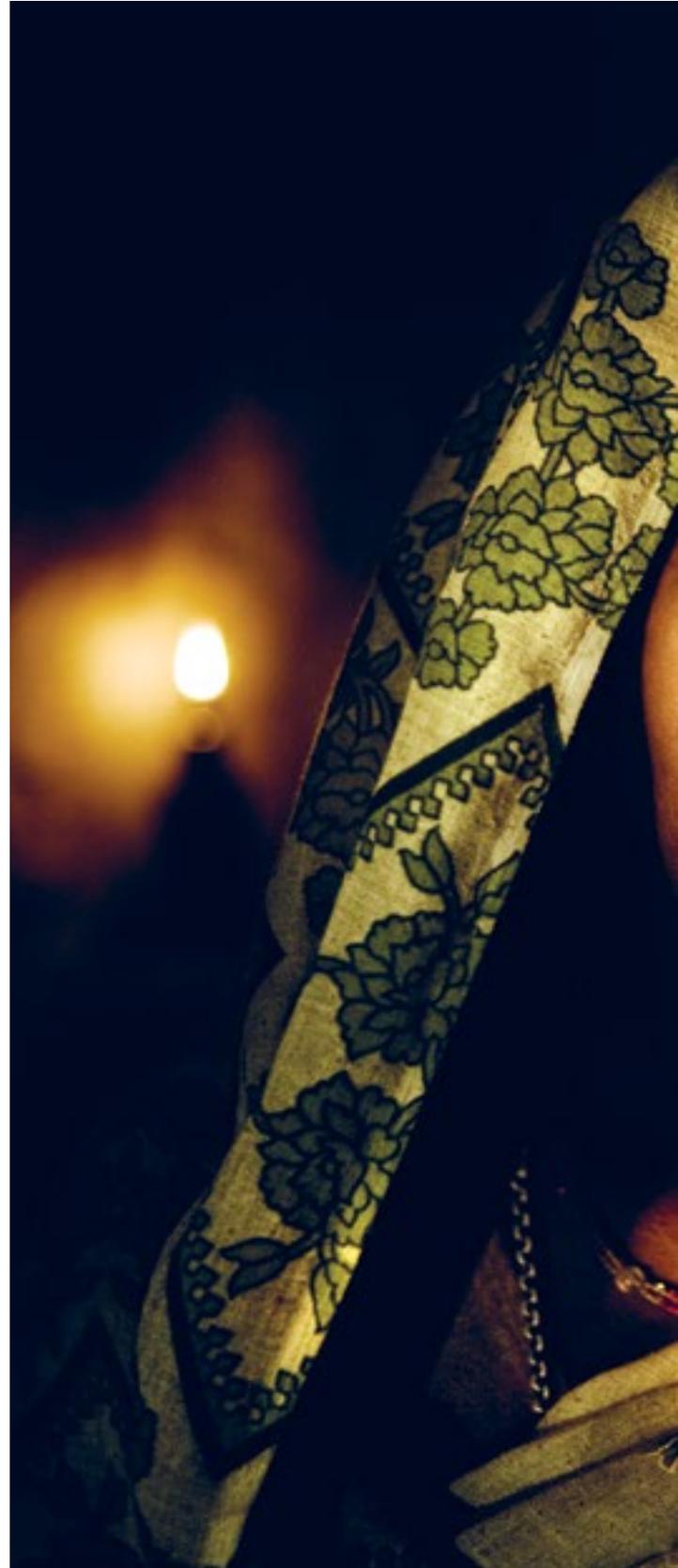
The hierarchy between men and women is not the only

inequality suffered by women. Class differences are a further contributory factor – an example being that while senior personnel in Bangladesh is entitled to six months' maternity leave, a factory worker is given just four – and South Asia is clearly marked by the divisive effect of the caste system.

Geeta Menon, who has worked with women in the unorganised sector for thirty years now, discusses this with unconcealed disgust. 'The caste system is in full swing in families where there are domestic workers. The profession dates from the time when forced labour was normal. People who worked on a large landowner's land also had to work unpaid in his house. This applied particularly to the *dalits*, the untouchables. Since the advent of the nuclear family and the migration to the cities, wealthy people consider that they still have the right to such domestic help.

The difference is that they now pay a small amount and that domestic workers usually retire to their own house in the evenings. But they are still "servants", and are not allowed to use the same lift or the toilets that they themselves clean. They are given their own plate and mug. For the cooking, the rich employ someone from their own caste; the cleaning is done by the untouchables. The elite are often the worst; I have removed children from houses of judges and bureaucrats. Their feudal mentality does not allow them to see it for what it is: slavery. In their view, they are doing them a favour. Our society is based on this hierarchy and rejection. There is always someone lower down to do the work. We throw rubbish anywhere, because someone else will always clear it up.'

And in the Netherlands? In factories where she worked, Agnes Vroegh experienced for herself how men may react when they feel threatened in their superior positions. 'They simply ignored me. When it was time for a shift hand-over, the man would sit with his back to me until it was past the time. Then he would say: "Everything's down in the day's report." You could hear them saying to each other that women and technology don't go together.'





One of the obstacles to attempts to improve the situation is the acceptance of violence by women themselves. They swallow it, even if they choke on it in the process.

Mary Viyakula: 'These are deep-rooted beliefs and attitudes, held even by women who it happens to. Family and community keep inculcating into women that assault and rape are the fault of the victim. Women cannot bring this out into the open, because that would damage the family reputation. They have no option but to regard the assault as their destiny. They suffer the violence, they don't talk about it, the act is covered up. Many of the victims start to doubt it themselves and feel torn apart. They swallow all the misery, which begins to fester inside and sometimes culminates in suicide. Talking to colleagues about this at work isn't safe either, because then it might come out and everyone will know...'

In Tanzania too, mothers instil submission into their daughters. Eutropia Ngido: 'My own father and mother reprimanded me when I had passed criticism on my supervisor. That's something you don't do, pass criticism on men! Even worse is what a colleague told me. When her sister was beaten by her husband, her mother said: "You have to be patient with men. Your father knocked my teeth out." Fortunately, times are changing. The daughter said: "No Mum, you merely survived. We want to live."'

Impunity

An exceptionally offensive aspect of sexual violence is the impunity of the perpetrators. One of the causes has already been referred to: women not making a formal complaint, out of shame or because they think they are to blame. Another reason is obvious, but is not always recognised: a complaint may lead to loss of a job, because litigation involving lawyers is an expensive business. Women who are already under or near the poverty level are unable to allow themselves such an extravagance.

There are, however, other causes. When a woman takes her complaint to the factory management or the police, sometimes she needs to be extremely persistent just to get her complaint registered. She encounters disbelief or is accused of provocative behaviour.

Agnes Vroegh experienced this at first hand: 'In one of the factories where I worked, a colleague kept walking by me and then would stroke his hand down my body. After this had happened a couple of times, I told him I didn't appreciate that sort of behaviour. The man then approached the boss and tried to blacken my name: my work was supposedly not up to standard. I then decided to submit a complaint of sexual intimidation to the personnel department. The employer tried to appeal to my better nature with comments like: you'll withdraw your complaint, surely, won't you; it's not as bad as all that, is it!; the man's got a wife and children, after all. And because I myself in that all-male environment can give as good as the rest of them in jokes with a double meaning, I was accused of provocation. In the end, nothing was done about my complaint and I left the factory. It made a huge impact on me because it was never settled. It was left to fester.'

This appears to be a well-known phenomenon, men who fend off a complaint with an accusation about the woman's work. Nazma Akter sums it up: 'The woman supposedly doesn't listen, is stupid, works slowly, displays misbehaviour. And even if the victim wins a case in court, after that she'll not find work any more work.'

'In the case of misuse of power and physical abuse you are listened to,' says Khaing Zar from Myanmar, 'but in the case of sexual violence this is more difficult. Whenever this comes to our notice, we go to the police to have it officially recorded as a case, which the women invariably don't manage to do.'

Dian Septi Trisnanti from Indonesia talks about the teenage

daughter of a trade union colleague. 'Via social media she met a man who accosted her and began touching her genitals. The police wanted to only initiate a prosecution for improper conduct, because no penetration had taken place. The family was given money to keep it quiet.'

If women nonetheless decide to make a formal complaint, they often run into the problem of burden of proof. As Eutropia Ngido explains: 'If you have been beaten or raped, you can produce a doctor's certificate, but how do you prove that someone has been standing yelling at you? There are often no witnesses. In our country, people often make use of traditional forms of justice, a decision reached by a group of elders. They will never say to a man that he has lost the case; they may make it clear to him afterwards that he should improve his behaviour, but encouraging a woman to talk about it? Never! Often, their advice is to come to an agreement out of court and unless the whole family is in danger, most women tend to accept that. Otherwise they'll be faced with more rows and fights at home.'

If there are witnesses, they are often unwilling to say anything. Geeta Menon tells us about a twelve-year-old girl who was raped by the husband of the family where she worked: 'The wife would not testify. Spineless,' she said with scarcely disguised contempt. 'The mother of the girl didn't want her daughter to testify either, because of the shame'. Not infrequently, the family is a factor that hinders legal proceedings. 'I've experienced cases of children of 13, 14 who were raped and murdered. We then act quickly, because in the first few days the family is willing to testify. After that, they start to come to compromises. The police threaten them because the employer is powerful, or they are bribed. We have not been very successful in these cases.'

As if all that isn't enough, victims who testify are often figuratively (and sometimes even literally) raped all over again: by policemen, doctors, judges and the media. Geeta Menon: 'The entire justice system is twisted, skewed in favour of men. If you go to the police station with a complaint, you have to deliver your account in front of a row of men who all make comments and ask if you'll describe the rape in detail. Then you have to go to a gynaecologist, who says: "Ah, I see you've already had an abortion!" Then comes the court case, where the case is endlessly delayed. The victim is humiliated time and time again. We are currently counselling a sixteen-year-old girl who was raped by her uncle. The case has now been going on for four years. She has always been so strong, but has relapsed into a depression. What can we do?'

STRATEGIES



What is to be done?

A constantly recurring question, to which the group of experts has a whole variety of answers. There are no infallible strategies. Every approach, every solution is in its turn prone to all sorts of problems; every local situation calls for its own appropriate way of working. There are, however, some common threads.

Family and society

‘Much of what happens at work has its origin in the family and the community,’ says Mary Viyakula from India. ‘That’s where it actually all begins. The upbringing instils into children the idea that equality between boys and girls does not exist. To bring about a change, we talk to mothers: how do they treat their sons and daughters? Do the mothers themselves take part in the family decision-making? There is much to be gained if women and girls are given a voice at home. This filters through to their work

outside the home.’ Staff at SAVE, the NGO for which Mary works, are very keen to contact existing women’s groups to highlight this message. But at the same time they try to open up a channel to the men: the father in a family, the foreman in a factory. ‘Men are often still of the opinion that women shouldn’t actually work outside the home at all. So how do they treat women in the workplace?’

Trade union movement

If poor working conditions are a driving force underlying the degradation of women, any strategy against sexual violence should also include tackling working conditions. And who is it that talks about better working conditions? The trade unions. What are they able to do for women? And why are they not doing enough?

Sometimes, trade unions are steamrollered and condemned to powerlessness. Khaing Zar witnessed trade unions in Myanmar being identified as terroristic organisations and fighting for labour laws as a crime. In the meantime, the generals have taken a couple of steps back and workers’ organisations are now able to develop and grow, but criminalisation of unions and their leaders is still found all over the world. For example, Dian Septi Trisnanti was arrested in Jakarta in 2015 along with a number of colleagues for allowing a demonstration to last longer than the permitted time. The court case is still ongoing. The public prosecutor is demanding four months’ imprisonment and the judge is talking in terms of one year.

If you try and establish a trade union in Ciudad Juárez, Mexico, people ask you if you’ve got a death wish, we are told by Miriam Berlak. ‘An organisation that tries to supply information to *maquila* employees has no option but to visit them at home.’ And there is no freedom of association and collective bargaining in *free trade zones* all over the world either.

Powerlessness of trade union may also have internal causes. ‘In my experience, trade unions in Tanzania are not effective,’ says Eutropia Ngido. ‘They only harvest low-hanging fruit and are for ever coming to compromises. They have too little capacity and the union representatives are often open to bribery. There is no control system for situations of abuse in factories. If a complaint is reported, there is no follow-up.’

‘Unions in the countries in question do indeed frequently have too little capacity to support victims of sexual violence,’ confirms Wilma Roos of Mondiaal FNV. ‘They don’t have people available who know how that should be done, and are not strong enough financially to undergo court cases.’

Dian Septi Trisnanti typifies fragmentation as a major problem for the Indonesian trade union movement. ‘The number of members is steadily declining whereas the number of unions is growing. New unions are constantly splitting off. We have thousands of unions! The result is far too many leaders, unable to make compromises or willing to share power.’

Where unions are permitted to exist and do have a voice in national affairs, they do not always speak up for women who are experiencing difficulties at work. The patriarchal culture permeates all social institutions, so why should trade unions be an exception? ‘I believe in the power of the unions,’ says Khaing Zar, ‘but it is difficult to cultivate among the members an awareness of the need to fight sexual violence. The leadership endorses this and has formulated policy, but we still have a long way to go as far as the members are concerned.’

Everywhere, one perceives a shortage of female leaders. ‘I am not married, so I am able to lead a life of sleep-work-sleep-work,’ says Khaing Zar, ‘but if you’re a married woman with children then that’s just impossible. Your husband will leave you. The few married leaders that I know have immense problems.’

‘Not only do we have scarcely any female union leaders, but we have few female members,’ says Mary Viyakula. And in the Netherlands, too, proportional representation in trade union bodies is by no means a foregone conclusion. Agnes Vroegh has been trying for some time now to increase the proportion of female union representatives in the Industry sector.

Nazma Akter explains why female leadership is needed: ‘Men are blind to the necessity of crèches, to the right to breast-feed, or to reproductive rights.’ And evidently they don’t feel that a culture of violence against women is abnormal either.

The apathy with regard to women’s rights is part of a trade union conservatism that is even more far-reaching, Dian Septi Trisnanti thinks: ‘Workers are militant with respect to their own rights, but fall short when it comes to the rights of women and minorities. Some union leaders support the fundamentalists in their attacks of people of a different belief. There are unions that make use of the prevailing resentment against the Chinese who “steal the jobs of Indonesians”.’



The union for which Dian campaigns is trying to do things differently. The *Across Factory Labour Union* (FBLP) has been in existence since 2009 and works in the Nusantara Bonded Zone, an industrial zone in North Jakarta. These are principally garment factories with owners in South Korea. The customers are Western brands such as Gap, H&M, Zara, Nike, Adidas and Walmart. Of the workers, 90 percent are female, and of these many are migrants.

‘At our conference in 2013, sexual violence against women was on the agenda, and again in 2014. We demand that the government hang up signs in factories and workplaces saying “No sexual harassment”, comparable with “No smoking”. And we want a place in the industrial zone where women are able to lodge their complaints and not fear repercussions. We will be highlighting these demands to other trade unions and lawyers.

As the only union in the whole of Jakarta, we also have a focus on LGBT (lesbians, gays, bisexuals and transgenders). It is a tricky subject, for our members as well. When we provide information on the subject, they fall silent. They look on it as a disease that above all should not be spread. In my opinion, though, the trade union struggle is more than just defending your own rights. Women’s rights, human rights, the right to be different, pluralism, these are all part of it.’ FBLP will soon be initiating the first regional women’s committee, cutting right across all the unions.

Nazma Akter is proud of the fact that her union has a 60 percent female leadership. There was nevertheless apparently something still missing, as in 2003 she set up the organi-

sation *Awaj*, Bengalese for Voice. *Awaj* provides training courses, legal assistance and help on accessing medical care. An important task is mediation in conflicts. ‘There are many cases of exploitation and violence whereby you can only support a woman by negotiating with the factory owner, the manager or a husband. We do this for example if there is no evidence of the abuse, or if the court proceedings are too stressful for the victim.’

Ashraf Uddin, who works for the *Bangladesh Labour Federation*, argues in favour of directing trade union efforts not only to unskilled workers, but also to managers at the middle level. ‘They are the link between employer and employee, they formulate and implement policy, whereas they have often only had an education in finance, without any training in labour law, let alone in preventing sexual violence. We need to equip them with tools for a more woman-friendly policy.’

His plea encounters a fair number of concerns on the part of the other experts. They point out that middle management is under great pressure to achieve targets and so is playing the role of lemon squeezer: squeeze everyone out just a little more. They can stand just that little bit extra ... It was these same managers who drove the Rana Plaza workers into the factory when the walls were already cracking. Moreover, these are the ones who are often guilty of sexual intimidation and worse. The last word on this has not yet been spoken.

Organisation of home workers

If organising female factory workers isn't easy, it is even more difficult in the case of women who work at home or in other people's houses.

SAVE tries to organise home workers street-by-street and to initiate negotiations with the factory or the subcontractor. 'If all the women in one street have the same demands, they are in a strong position,' says Mary Vijakula. She knows a success story or two about piece rates being raised following negotiations.

Geeta Menon has worked since 1986 with women in the slums of Bangalore. 'Some of them work at home in front of a sewing machine for a garment factory or subcontractor, but the majority are domestic workers. This kind of work is an obvious choice: they have no other skills, and this offers greater flexibility than a job in a garment factory. It is easier to combine with the care of your children. Thirdly, the work is generally less stressful and exhausting than production work. Not that they have an easy time of it: they work without a contract, they are paid per day worked. Nearly all the domestic workers work seven days a week. Migration has aggravated the situation because migrants are willing to work longer for less money, which gives the employer power.'

Stree Jagruti Samiti, Geeta's organisation, organises these women in a trade union that strives for dignity, recognition and social security. 'We have 4,500 members in three districts. It is a laborious process; we have little money, and have to use creative methods to stay on our feet and make our members stronger. These women are not registered anywhere as workers as domestic work does not count as work. Another handicap is that they work as solitary individuals and do not feel part of a group. They don't have a common workplace or a common employer. This means we have no employers to bargain with. We try to give the women methods to do this individually.'

The trade union work also comes up against resistance from the domestic workers themselves. 'They are not familiar with their rights, and in fact don't regard domestic work as real work. They were already doing it before, and now do it for someone else and earn a bit of money from it.'



Geeta Menon

'Do you need a trade union for that? Sometimes they won't admit that they do cleaning for other people. Manual work is rated low in the caste system, as are the people who do it as well.'

The Indian government has not ratified the international convention adopted by the United Nations^v on domestic work. 'This prescribes among other things that a resident domestic worker should have her own place to sleep and that she cannot be forced to stay inside. We could certainly do with standards like these. But the government says that they first want to make a national law. They would rather talk a while longer and not change anything.'

Laws

'Awareness is important and women need to become organised, but this is not enough. Our countries have opened up to globalisation, investors are pampered and can do what they want. The economy is growing at our expense. To protect us from this, we need laws.'

Eutropia Ngido is given support for her heartfelt cry. Everyone agrees that laws are an important tool, even where

enforcement leaves a lot to be desired or where it is still merely words on paper, as in Bangladesh. Ainoon Naher: 'In 2000, the government introduced a law against sexual intimidation. In 2010, the Supreme Court ruled that every workplace must follow its guidelines, but we are still waiting for the law to effectively enter into force.'

Mary Viyakula tells how employers circumvent the law regarding maternity leave: 'There is a provision for three months' paid leave for childbirth. But there are hardly any pregnant women to be seen in the factory. To start with, they aren't taken on anyway, and if an employee becomes pregnant then her contract is not renewed. Pregnant women are unable to meet the targets and factories have no provisions for pregnant women. Supervisors see pregnancy as an illness.'

A good example of the importance of legislation is the law against sexual violence at work that was passed in 2013 in India after the notorious group rape and subsequent murder of a girl while travelling in a bus in Delhi. *The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act 2013* makes internal complaints committees mandatory in factories and workplaces. The committee membership must include representatives of NGOs. Says Mary Viyakula of SAVE: 'The majority of our garment factories as yet have no complaints procedure or complaints committee, as is required by law. Furthermore, the impact is limited, as the committees may only make recommendations. It is, however, a new instrument that we can deploy, in combination with the organisation of women at work.'

In addition, two powerful laws have recently been adopted: *The Tamil Nadu hostels and homes for women and children regulation Act 2014*, and *The Protection of children from sexual offences Act, 2012 (POCSO)*, which prescribe severe penalties and rapid proceedings. This is all working. Some employers are being caught.'

SAVE is hard at work on information on the laws and the complaints committees. 'Besides NGOs and lawyers, the committees must also include elected employees, which means that people need to be made aware that they exist and what they can be used for. Women in receipt of our training do the same in their turn with their colleagues, so you achieve a snowball effect.'

The 2013 law also applies to workers in the informal

sector, for example domestic workers. 'This is something we fought for a whole year,' says Geeta Menon. 'Unfortunately, for them there are no complaints committees, because how could this be done, without some kind of central point like a factory? At least under this law they are recognised as workers.'

Women's shelters

Just as we in the Netherlands have refuges for women with violent partners, similarly in India there are shelters for girls and women in violent conditions or conditions of slavery even.

Geeta Menon: 'Since 2015 a shelter has been in operation where women are permitted to stay for six months. These are often cases of migrants who as a result of human trafficking have ended up in the city and have nowhere to go. Sometimes we have to rescue them from brothels. There is room for ten people. With the aid of counselling they are able to work through their trauma and make decisions for the future. We also take in women suffering from depression and psychoses, a huge challenge. I'm only too pleased if such a girl experiences half a day without being depressive.' SAVE, too, has women's shelters. Mary Viyakula: 'We save girls, children and women from the inhumane forms of exploitation and repression that they get caught up in, both at home and at their work. We visit them at home, approach them at bus and train stations and at factory gates. Sometimes we help them to literally escape from factory premises where they are living like slaves. After that we try to guide them into a normal life.'



Mary Viyakula

Information and training

Whether it's trade union work, work in the local community or women's shelters, the package always includes changing awareness.

Mary Viyakula: 'Women in our country are inclined to be accommodating. It's to do with a psychological state, with attitudes and customs, which is why changing is so difficult. We try to break through this. By talking, by showing them that things can be different, by using the theatre and other cultural resources.'

It generally begins with the realisation that violence does not only consist of beating or worse. It tends to begin with verbal violence which, via touching and rough handling, gets out of control and becomes assault, rape and sometimes murder.

Nazma Akter: 'We try to inculcate into women that sexual violence is more than sexual intercourse. It also includes verbal abuse using names of parts of the body, a certain way of looking at your body and inappropriate touching.'

Mary Viyakula adds: 'They also need to be told that sexual intimidation is forbidden. We try to motivate them to immediately put up resistance if a man approaches them in an inappropriate manner. And to share their experiences, because otherwise these might be the death of them. "Go to someone you trust, you're not alone," we tell them, and we offer ourselves as just such confidential advisors.'

A number of experts are working in the preventative area. For example, one of Eutropia Ngido's areas of activities is gender mainstreaming: integrating gender perspective into every possible form of training and development. This might relate to teaching materials that only use examples of boys or men, or to the provisions in training centres: are there separate toilets for women? Is there a crèche?

Agnes Vroegh provides advice and information on working in technical professions in the form of speed dates at schools. 'I act as a role model. In any case, I give these girls three things to think about: you can only make a choice when you know what possibilities are open to you; complete your education; go for something you like but keep

income in mind as well, so that you'll not be dependent on a man or on a benefit payment.'

Dian Septi Trisnanti organises women's groups going by the name of Bamboo. 'Because bamboo is strong and pliable. We give advice and information on labour rights and women's rights, we talk about sexual intimidation at work and at home. Sometimes we also mediate between women and husbands who use violence. We always try first of all to make them come to an agreement. Women themselves usually prefer a compromise to a divorce. They have babies, or they have to take care of a father and mother. It's hard living alone. An agreement of this nature can be an eye-opener: there are more ways of doing things!'

Geeta Menon: 'The moment a woman stands up and discovers she's got a voice is a moment of reality. If only to tell everyone what has happened, giving her own perspective. We have campaigned against the corruption in food distribution. Poor people have a card giving them the right to subsidised food, but the rice often contains more dirt than rice and the system is full of corruption. We have organised vigilance committees, carrying out research and reporting back to the government. They are given a badge to wear on their clothes. We organised a public meeting at a food depot where people were always at each other's throats and reported on by the women. There they stood with their badges, facing the crowd, and suddenly realised that they were powerful. After that, every time that something went wrong with the distribution they phoned the inspectors, and every time they received an answer. It doesn't seem much, but it was a victory. This is true ownership of governance and it gives self-confidence.'

go out on the streets at night. I was a radio journalist before I started working for the union. Nowadays, I am involved in community radio, programmes especially for women workers within a limited local area, which can also be listened to online.'

Agnes Vroegh is proud of the result that she and her colleagues have together achieved via a campaign using social media. 'Six of us, all women, went to Honduras in the context of a project about the *maquila*. The object was to find out how best we can support them. You hear distressing stories, which left me feeling highly emotional. Work, home, the streets, everything there is dangerous, unhealthy and bad.

Once back in the Netherlands again, we kept in contact via WhatsApp. At a certain moment, we received a message saying that our support was needed. A woman had been fired because of no longer being able to keep up the pace owing to health problems she had suffered at work. She had taken the company to court and won: the company was ordered to grant her admission and make allowances for her health problems. However, when she reported for duty, she was not allowed in. We immediately emailed the CEO and via Twitter and Facebook called for international attention for this *maquila* worker – in our own network, among important people one knows, in global unions, and in the company of course. A couple of days later she was reinstated. As quickly as that! It was a real victory.'

Action without borders

Is global solidarity a worn-out concept? Not in a world in which global production chains spin a worldwide web linking people, one that owes its very existence to inequality. Agnes Vroegh's social media campaign is a good example of the need and desirability of action without borders.

Dian Septi Trisnanti endorses this: 'We need the support of the consumers of Gap, Zara and H&M. We have to tell them about the conditions under which their jeans and sneakers are made; they need to know that sexual violence in these factories is the order of the day. Western consumers and their governments have the power to put pressure on governments in Asia.'

Nazma Akter, too, wants to raise awareness among consumers. 'The purchasing policy of multinationals forces our

companies to keep wages as low as possible and to keep workers dependent; they enrich themselves at our expense. Western consumers must put pressure on them and demand that they improve the work and the working conditions in their production chain. If our workers are given a living wage, if collective bargaining and freedom of association become a reality, then an end can be brought to gender inequality and violence.'

Nazma's organisation *Awaj* is supported by the Dutch-based Fair Wear Foundation organisation, which works in cooperation with multinationals, factories, NGOs, trade unions and governments to improve working conditions in the garment industry worldwide. One of the priority issues of the Fair Wear Foundation is the prevention of sexual intimidation and reproductive rights. Nazma: 'We can learn from them how to develop better relations between workers and management and how to overcome the inequality between men and women. We need training of a long-term nature and not on a project basis. This kind of support, from the FNV as well as other organisations, is urgently needed.'

Gerard Oonk of the India Committee of the Netherlands (ICN) has the last word. 'FNV, CNV, Fair Wear Foundation and ICN will continue to work together on this issue, including joining forces in the new national Agreement on a Sustainable Garment and Textile Sector. The government, the sector associations and the up to now 55 companies together with trade unions and NGOs, undertake to work on the abuses in this industry sector. Within a year, by mid-2017 at the latest, the companies must have identified what problems they encounter in their production chain and have proposed solutions. We shall ensure that the evil practice of sexual violence against women is given full attention on this platform.'

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- i Sisters of Change in collaboration with Munnade: *Eliminating violence against women at work: Making sexual harassment laws real for Karnataka's women garment workers* in Karnataka, June 2016.
- ii Partner organisations of Mondiaal FNV in Bangladesh are:
- Bangladesh Labour Foundation (BLF), a platform of trade union federations, established mainly to support working people in smaller and medium-sized businesses.
 - IndustriALL, global sectoral union
 - Bangladesh Occupational Safety, Health and Environment Foundation (OSHE)
 - Bangladesh Institute of Labour Studies (BILS).
- iii This took place in the context of the 'Strategic Partnership', in which Mondiaal FNV joins forces with CNV, Fair Wear Foundation and the Ministry of Foreign Affairs, to bring about an improvement in workers' rights and working conditions in global textile chains.
- iv The experts participating at the meeting on violence against women:
- from Bangladesh: Nazma Akter, *Sommito Garments Sramik Federation* and *Awaj Foundation*; Ainoon Naher, cultural anthropologist university of Dhaka; Ashraf Uddin, *Bangladesh Labour Federation*; Rokeya Baby, *Karmojibi Nari*;
 - from India: Geeta Menon, *Stree Jagruti Samiti*; Prabhu Rajendran, consultant; Mary Viyakula, *SAVE*;
 - from Argentina: Miriam Berlak, consultant;
 - from Tanzania: Eutropia Ngido, consultant;
 - from Myanmar: Khaing Zar Aung, *Confederation of Trade Unions Myanmar and Industrial Workers' Federation of Myanmar*;
 - from Indonesia: Dian Septi Trisnanti, *FBLP Across Factory Labour Union*;
 - from the Netherlands: Juliette Lee, *Fair Wear Foundation*; Agnes Vroegh, *FNV Federation Congress*; Yet ten Hoorn, *gender project Central America*.
- v ILO Convention 189.

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