

**WHAT WILL IT TAKE?
PROMOTING CULTURAL CHANGE
TO END SEXUAL HARASSMENT**



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UN WOMEN

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TABLE OF CONTENTS

ACKNOWLEDGEMENTS	7
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LIST OF ACRONYMS	8
-------------------------	----------

FOREWORD BY PHUMZILE MLAMBO-NGCUKA, Under Secretary General and Executive Director UN Women	9
--	----------

ABOUT 'WHAT WILL IT TAKE?'	11
-----------------------------------	-----------

INTRODUCTION: THE MOVEMENT HAS CREATED A MOMENT	12
--	-----------

Illustrative data on sexual harassment	13
---	-----------

PART 1: WHY CULTURE?	17
-----------------------------	-----------

Ideas, norms and values	17
--------------------------------	-----------

Ending 'open secrets'	19
------------------------------	-----------

Law and culture – by Professor Catharine A. MacKinnon	24
--	-----------

PART 2: PRACTICAL MEASURES FOR CULTURAL CHANGE	27
---	-----------

Zero Tolerance: never do nothing	28
---	-----------

Victim-survivor focus	29
------------------------------	-----------

Principles of victim-centred work	29
-----------------------------------	----

Core elements of a victim-survivor focused approach	31
---	----

Training	34
-----------------	-----------

What should training look like?	36
---------------------------------	----

Collective ownership	40
-----------------------------	-----------

Understand responses	40
----------------------	----

First responders	41
------------------	----

Making reporting rational	43
----------------------------------	-----------

Generic consequences of reporting	44
-----------------------------------	----

PART 3: INTERNATIONAL NORMATIVE STANDARDS	45
--	-----------

Global	45
---------------	-----------

Regional	46
-----------------	-----------

PART 4: CONCLUSION	48
---------------------------	-----------

From institutional betrayal to institutional courage	48
---	-----------

What to do? Six actions	50
--------------------------------	-----------

PART 5: WHAT WILL IT TAKE? - SOME CONTRIBUTIONS	51
--	-----------

Jan Beagle - Under-Secretary-General for Department Management Strategy, Policy and Compliance, United Nations	52
--	----

Umran Beba - Chief Diversity and Engagement Officer, PepsiCo	52
--	----

Pennelope Althea Beckles - President of the Executive Board, UN Women	53
---	----

Karima Bennoune - Special Rapporteur in the field of cultural rights	53	Israeli Mission to the United Nations in New York, founder member of the Group of Friends to Eliminate Sexual Harassment	60
Winnie Byanyima - Executive Director, Oxfam	54	United Nations Feminist Network	60
Suneeta Dhar - Senior Advisor, JAGORI	54	UN-Women Youth Council	61
Peter Drennan - Under-Secretary-General, United Nations Department of Safety and Security	55	Upasana Chauhan - United Nations Major Group for Children and Youth (UNMGCY)	61
Kerry Gibson - President, EcoCentury Technologies	55	World Association of Girl Guides and Girl Scouts	62
Kate Jenkins - Sex Discrimination Commissioner, Australian Human Rights Commission	56	RESOURCES ON SEXUAL HARASSMENT	63
Faiza Jama Mohamed - Africa Office Director, Equality Now	56	ENDNOTES	65
Ai-jen Poo - Director, National Domestic Workers Alliance (United States of America) and Co-director of Caring Across Generations (United States of America)	57		
Monica Ramirez - Gender Justice Campaigns Director for the National Domestic Workers Alliance and the President of Justice for Migrant Women, United States of America	57		
Robin Runge - Senior Gender Specialist, Equality and Inclusion Department, Solidarity Centre, United States of America	58		
Gabe Scelta - Board of Directors, UN-GLOBE	58		
Dubravka Šimonović – United Nations Special Rapporteur on Violence against Women, its causes and consequences	59		
Dimitri Tskitishvili - Deputy Chair of the Foreign Relations Committee of the Parliament of Georgia	59		



On the International Day for the Elimination of Violence against Women, women marched under the slogan “Vivas Nos Queremos” (we want to live). The march was led by the women’s movements during parliamentary discussion against violence against women. Quito, Ecuador, November 25, 2017

Photo: UN Women/Martin Jaramillo



Maria del Rosario Hernandez, resident of Guatemala City, poses in front of the mural she helped paint. A survey in Guatemala City found that every woman reported experiencing sexual harassment in public at some time during her life. Women came together to paint murals as part of their efforts to reclaim public spaces. Guatemala City, Guatemala, April 2018.

Photo: UN Women/Ryan Brown

ACKNOWLEDGEMENTS

Women have led the international clamour for recognition of and accountability for previously under-acknowledged sexual harassment. Calling for the end of impunity, they demand a profound change in our attitudes to power, discrimination and violence. UN Women honours their voices and their struggle. Without them, this conversation would not be happening as it is now.

Tarana Burke¹, Ashley Judd², Alyssa Milano³, Tanushree Dutta⁴, Seo Ji-Hyeon⁵, unnamed farm and domestic workers, lawyers, nuns, development and humanitarian workers, scientists, students and others have all contributed to the current irresistible pressure to end sexual harassment. Challenging sexual harassment and its normality can have unforeseen and sometimes tragic consequences: Nusrat Rafi was killed after speaking about her sexual harassment, aged just nineteen⁶. UN Women honours the leadership and courage of those who have spoken their truths to the world and often paid a high price for so doing. They have highlighted the power of solidarity, pushed the content and ambition of public discussion and placed accountability and justice at the centre of our collective work.

UN Women's work in support of the elimination sexual harassment is headed by the Executive Director, Phumzile Mlambo-Ngcuka. The ideas and proposals in this publication emanate from the work of Purna Sen, the Executive Coordinator and Spokesperson on Addressing Sexual Harassment at UN Women and UN Women's advisor on ending sexual harassment, Professor Catharine A. MacKinnon. Professor Liz Kelly reviewed research and evaluations on training and made recommendations. UN Women is extremely grateful for the contributions from twenty-one others, addressing the question: What cultural change is needed to consign sexual harassment to the dustbin of history? These build on a discussion at the Commission on the Status of Women (2019).

We extend our gratitude to the Scottish Zero Tolerance Campaign for their permission to reproduce some of their materials.

ACRONYMS

AU	African Union	SDG	Sustainable Development Goals
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women	SRVAW	Special Rapporteur on Violence Against Women
ECOWAS	Economic Community of West African States	UDHR	Universal Declaration of Human Rights
EOSG	Executive Office of the Secretary-General	UN	United Nations
EVAW	Ending violence against women	UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
GA	General Assembly	UNDP	United Nations Development Programme
GBV	Gender-based violence	UNDSS	United Nations Department of Safety and Security
GBVH	Gender-based violence and harassment	UNMGCY	United Nations Major Group for Children and Youth
ILO	International Labour Organization	VCA	Victim-centred approach
LGBT+	Lesbian, Gay, Bisexual, Transgender	WAGGGS	World Association of Girl Guides and Girl Scouts
NGO	Non-governmental organizations		
PTSD	Post traumatic stress disorder		

FOREWORD BY PHUMZILE MLAMBO-NGCUKA

Under Secretary General and Executive Director of UN Women

Sexual harassment has for too long been normalized, justified and made invisible. It has been tolerated as an inevitable part of life, particularly for women and girls. The recent global movements that have called out sexual harassment on a mass scale have set new expectations for accountability and action.

Inequality and discrimination are the foundation of the continuum of violence against women and girls, including sexual harassment. To achieve lasting and substantive change, we must begin by addressing the root causes of gender inequality and intersecting forms of discrimination. We need to challenge the stereotypes, beliefs, behaviours and attitudes that condone sexual harassment; we need to develop comprehensive policies and guidance that understand gender. All of these must be quickly implemented.

This work requires maintaining a victim and survivor-centred approach at all stages — from prevention to response. Victims and survivors should know for certain that when they speak up, they are heard, believed. Our mechanisms need to be informed by their experiences and what we know of promising practices. We

must shift the narrative from a focus on the credibility of victims to the accountability of perpetrators and engage men and boys in the fight to address all forms of violence against women and girls.

We know that no institution is immune to sexual harassment and recognise that unequivocal leadership at all levels, including the highest, matters greatly. Leadership will drive the organizational change needed to end the systematic inequalities at the core of sexual harassment.

UN Women recognizes the central role of the women's and feminist movements and will continue to support those who are leading these movements, driving change and calling for accountability. Let's ensure this momentum is not lost; let's revamp our efforts to ensure that every woman and girl can live free from the threat of sexual harassment and that Sustainable Development Goal 5 (Achieve gender equality and empower all women and girls) is accomplished.

France's New Law Against Sexist Catcalls Gets Its First Conviction



Nusrat Jahan Rafi: Burned to death for reporting sexual harassment

By Mir Sabbir
BBC Bengali, Dhaka

18 April 2019



Nusrat Jahan Rafi was doused with kerosene and set on fire at her school in Bangladesh. Less than two weeks earlier, she had filed a sexual harassment complaint against her headmaster.

FEATURE / SEXUAL ASSAULT

The #MeToo movement has reached Muslim-majority northern Nigeria

Survivors of sexual abuse and harassment are sharing their experiences on social media, using the #ArewaMeToo hashtag.

By Linus Uneh
31 Mar 2019



A member of the #ArewaMeToo movement discusses sex education with students in the northeastern city of Maiduguri (Hassana Maïna/Al Jazeera)

Abuja, Nigeria - On February 3, Khadijah Adams, a 24-year-old pharmacist in the northern Nigerian city of Kano, told her Twitter followers about a harrowing case of physical abuse, detailing claims of how an ex-boyfriend almost killed her.

<https://www.aljazeera.com/indepth/features/mee-too-movement-reached-muslim-majority-northern-nigeria-18033021114957.html>

18

WORLD
ECONOMIC
FORUM

Chile gets tough on sexual harassment in the streets



Chile's new law could encourage other governments to recognize pervasive street sexual harassment as a social problem.
Image: REUTERS/Anton Vaganov

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17 Apr 2019

Anastasia Moloney

Chile will soon start punishing rampant street sexual harassment against women and girls with fines and prison terms but getting victims to speak up will be a significant challenge, experts said on Monday.

A law passed this month and expected to come into force within weeks aims to curb street

ABOUT

‘WHAT WILL IT TAKE?’

This publication aims to support efforts towards ending sexual harassment including by employers, workers, advocates, university leaders, academics, NGOs, students, policy makers, trade unions and staff associations and politicians. It draws on global experiences and knowledge to offer guidance, practical advice and support to those who are invested in lasting and deep change, in line with the obligations and promises of equality and non-discrimination in international normative standards. The proposals and suggestions here are intended to energise, and make effective, the transformation demanded by women. That change will see a shift from the normalisation of sexual harassment as an inevitable fact of life to its consignment to history and the real accountability of perpetrators.

This discussion paper complements a 2018 UN Women publication – *Towards an end to sexual harassment: The urgency and nature of change in the era of #MeToo*⁷ - and upholds the understanding of sexual harassment as a human rights violation of gender inequality that intersects with other dimensions of inequality. It concerns unwelcome sexual conduct, from looks to words, to contact, to rape and sexual assault. Sexual harassment constitutes a form of sex and gender discrimination that is proscribed by international law and which all member states have obligations to end. It compels other stakeholders to actions that comply with these standards.

Sexual harassment can be experienced by anyone but it is not equally likely that everyone will be targeted nor be a perpetrator. Evidence consistently shows that sexual harassment follows the contours of inequality. Targets are often those habitually denied equality rights and justice; perpetrators tend to be those who enjoy privilege and power and are shielded from accountability. Those commonly targeted are members of groups that are denied equality or in other ways know discrimination – women, those with disabilities, migrants, members of racial, ethnic or sexual minorities, those with precarious terms of employment or labour engagement, the young.

This publication sets out why cultural change is an essential driver towards ending sexual harassment and how this can be progressed. The practices of zero tolerance and victim-centred approaches are explained and practical advice is offered on training and collective ownership of change, including how those not directly targeted by sexual harassment can support lasting transformation.

Many people have contributed to Part 5 of this publication, from within but most from outside UN Women. Their contributions and our partnerships are of great value. They indicate the importance of learning from a variety of actors and moving forward together.

An irresistible and just call from (mostly) women across the world demands that sexual harassment no longer be seen as an inevitable fact of life, that perpetrators be held to account and that the absence of sexual harassment be the new normal. This publication honours that call and offers advice on effective action. It seeks to address the question: what will it take to end sexual harassment? It is intended to be a resource for work to end sexual harassment and to offer specific guidance. There is for that reason some repetition of content.

INTRODUCTION: THE MOVEMENT HAS CREATED A MOMENT

The unprecedented global movement against sexual harassment that is the MeToo mobilisation continues to galvanise those who are tired of waiting for safety, equality and justice, to name their abuse and seek validation, redress and transformation.

Between 2016 and 2019 #MeToo and its sister hashtags (see page 14) garnered over 36 million impressions on social media⁸, from many parts of the world, across languages. Local or specific variants of #MeToo have enabled conversations and connections that together have shaken hitherto stable systems of abuse and power, have called out sexual harassment and confirmed current demands for accountability. The coalescence of voices, mostly but not only from women, into an inescapable public outing of expectations of change, demands social transformation. The parameters and content of public discourse and action have been indelibly impacted by this movement: sexual harassment is in the spotlight because hands, minds and hearts across the world have joined together, mostly virtually. They have named sexual harassment, uncovered its ubiquity and demanded action to end acquiescence to its widespread existence. Social media has been used to support those harassed and provide new channels for solidarity; sexual harassment is the

subject of policy and legal actions in ways that were previously unknown.

The impact of the co-incidence of social media activism and policy engagement is striking. Initiatives to address sexual harassment, take seriously the voices of victim-survivors and that hear their calling out of daily sexual harassment. Serious actions have been taken by organisations, in particular formal sector employers and universities, against sexual harassment.

The MeToo movement, and its many global variations, have used social media as a powerful medium for solidarity and to garner public attention. Some parts of traditional media have also paid attention to the rightful noise made by the movement. A moment has been created where policy makers, decision makers, employers and others need now to deliver on the demands and expectations of the global movement.

ILLUSTRATIVE DATA ON SEXUAL HARASSMENT

WORKPLACE RELATED:

- **Parliaments in Europe:** A survey of parliamentarians across 40 countries found that 24.7% experienced sexual violence and 14.8% experienced physical violence⁹.(2018)
- **African Union:** A High Level Committee investigating allegations of harassment against women at the AU Commission confirmed sexual harassment within the organisation¹⁰ stating “senior departmental staff, who position themselves as ‘gatekeepers’ and ‘kingmakers’, are well-positioned to make believable promises to young women that they will be offered contracts ... according to interviewees, the young women are exploited for sex in exchange for jobs”¹¹. (2018)
- **Restaurant industry in United States of America:** nearly 80% of women and 70% of men experienced some form of sexual harassment from co-workers; nearly 80% of women and 55% men from customers. 66% of women experienced sexual harassment from management on at least a monthly basis¹². (2014). Where a minimum wage applied to restaurant workers at the same level as for other workers it was found that sexual harassment rates were 50% of previous levels¹³.
- In a staff climate survey at the **United Nations**, 33% of respondents reported experiencing sexual harassment in the previous two years¹⁴.

CAMPUS RELATED:

- **Australia:** 51% students reported sexual harassment – 44% of bisexual, 38% gay or lesbian or homosexual, 23% heterosexual; 94% did not report¹⁵.(2017)
- **Bangladesh:** 87% of students were unaware of guidelines against harassment, issued nine years previously, in 2009¹⁶.(2018)
- **Canada:** 80% of students surveyed on campus in Manitoba believed their university would take a report of sexual violence seriously but less than two-thirds of female Indigenous participants agreed¹⁷ (2018); 63% of students surveyed reported sexual harassment on campus in Ontario¹⁸.(2019)
- **India:** 50% increase in cases of sexual harassment on campus¹⁹.(2016 - 2017)
- **New Zealand:** 89% of women experienced sexual harassment during tertiary education, 90% of those with disability (2016); 36% of all respondents in a 2019 survey reported some form of sexual assault²⁰.
- **Japan:** students reported that alumni used job-hunting advice sessions to sexually harass students²¹.(2019)

As disabled people, we are too often portrayed as being infantile and inexperienced. Being disabled labels us “asexual,” “unsexy,” and “undesirable.” Being disabled also labels us “easy,” because we are expected to feel grateful if someone actually shows interest — even when it’s exploitative and not consensual²².

Makerere University, Kampala, Uganda²³

- A senior lecturer was caught on camera, in his office and then later at a lodge, sexually harassing a student. The victim remained anonymous for fear of reprisals and being adversely labelled.
- Three young women staff reported a case of sexual abuse by male staff member who was part of the University’s Directorate. They alleged that he persistently made sexual advances to them and when rejected, wrote damning reports against them.

Sexual harassment can target anyone but follows the contours of inequality – sex and gender, race and indigenous status, disability, immigration status, age and sexual orientation. Data shows the gendered characteristics of sexual harassment, that women and girls are targeted in significant numbers, that those with disabilities or who are LGBT+ or otherwise discriminated against (e.g. immigration status and race) are particularly selected for this discriminatory behaviour. Sexual harassment is not about random micro-aggressions: people are targeted for their membership of groups which are relatively less powerful than the aggressor.

Research into #MeToo on Twitter by UN Women and UN Global Pulse²⁴ is reviewing social media activity during the period 1 January 2016 to 14 July 2019. This totals over 36 million tweets across 195 countries and includes the following 25 hashtags:

FIGURE 1
Global MeToo hashtags

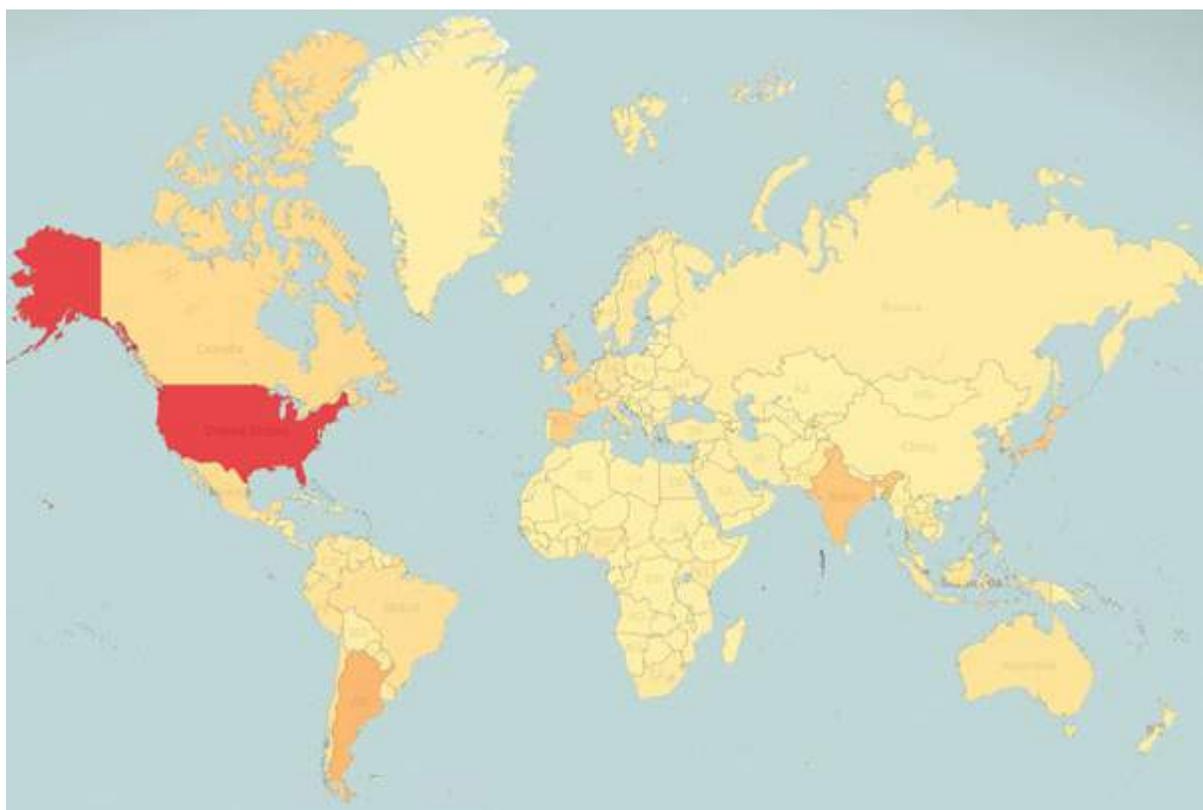


The reach of #MeToo is international, exemplifying both the importance of unmasking sexual harassment across the world as well as the shared urgency of public naming and recognition. The reach of social media may be significant in places where phones are widely used, yet there are certainly many people without access and whose voices have not yet been heard in the #MeToo movement.

The United States of America has the most Twitter users, followed by Japan, United Kingdom, Saudi Arabia, Turkey, Brazil, India, Mexico, Spain and Russia²⁵. Use of

the #MeToo hashtag overlaps with this pattern (see figure: The International Reach of #MeToo). The red and darker yellow shades indicate Twitter #MeToo interactions: United States of America is at the top with most #MeToo impressions, followed by India, Japan, United Kingdom, Korea and Canada. Sweden, France, Italy, Australia and Argentina have also witnessed social media activism on sexual harassment and other sexual violence. There is to some extent, therefore, a mirroring of the reach of Twitter in the engagement with #MeToo but it is not a simple mapping. More detailed analysis will follow in 2020.

FIGURE 2
The International Reach of #MeToo



Not all the 36 million tweets have identifiable location, hence this map does not offer a full account of all Twitter #MeToo activity. This colour density image is generated from 22,878,126 Twitter posts with identifiable location across 195 countries (Twitter posts by the 65% that have geolocation²⁶ as of August 2019).



A seminar on “Standing up Against Gender-Based Violence and Sexual Harassment” was held to mark the 16 Days of Activism to End Violence Against Women. UN Women and the Legal Rights Forum Khairpur, Pakistan December 2018.

Photo credit: UN Women/Mahnoor Arshad

PART 1:

WHY CULTURE?

IDEAS, NORMS AND VALUES

Beliefs, attitudes and expectations shape responses to sexual harassment, especially so if they are shared with others or reflected in spheres beyond those of regular or immediate familiarity. Such patterns of shared beliefs create cultures where comfort and benefits can flow from fitting in and allying with the powerful. These also gain validity due to being repeatedly reinforced or reproduced in legal, political or economic life as well as in media and entertainment. Indeed, they can seem unassailable, edifices that cannot be changed due to their ubiquity and the commonality of messages and behaviours that shape the world.

These values and beliefs inform every facet of life, whether conscious or not, and can make it hard to recognize how discrimination operates. When it is implicit, when it is part of everyday life, inequality can be difficult to see, name and address.

These cultural patterns and norms create and reproduce how we think about sexual harassment, what it is to be masculine or feminine, what it is worth fighting over or what should simply be accepted as normal or inevitable. Tolerance, silence, acquiescence and victim blaming therefore take hold and become the norm.

Cultural assumptions and expressions normalize inequality in many ways from the language we use, to the privileging of abusers and the codes of silence that protect them, to the denigration of those who name inequality, discrimination or abuse. These beliefs

are not confined to one part of the world, one sector of the workplace, one religion, one university or school, one phase of history: they are widespread. Gender inequality and discrimination against women are universal, though they may take culturally or geographically specific forms of expression or challenge.

An organisation can convey messages about inequality in many ways that influence culture. An environment that seeks seriously to show commitment to equality will have, for example, diverse leadership and management teams that include women, young people, those with disabilities, migrants and others not usually seen at senior levels. It will have good family support practices, will pay its interns and have fair terms and conditions of engagement for those in the lowest grades.

FIGURE 3
Beliefs influence actions



Workplace culture can be shaped by local and collective efforts. Exhortations to tough leadership, where there is credit in holding one's own against critique, prohibits the naming of problematic dynamics. Workplace norms can construct leaders as beyond question or examination, able to do as they please and not subject to consequences for words or actions. At the other end of the scale, young workers, volunteers or those on casual, temporary or low-grade terms of engagement can be targeted for sexual harassment and their acquiescence expected, given the marginal positionings that flow from their contractual status.

Various vectors of inequality beyond contractual positions shape where people are located in hierarchies of power, influenced by social and political structures. Immigration status and views about migrants can render such groups more susceptible to the exploitation inherent in quid pro quo exchanges – sexual servicing in return for a job, promotion, improved contractual status or other workplace benefit. Groups with relatively less power – by virtue of for example ethnicity, race, caste, age or disability – can be similarly targeted on the assumption that their abuser will not be held to account. Intersections of inequality shape marginalisation or exclusion but they also favour the powerful, shaping the boundaries of their accountability or impunity.

MeToo in film industries: retaliation, labelling and organising²⁷

Initial allegations of sexual harassment in Hollywood captured public attention around MeToo, but similar accounts have emerged in other film industries.

Women in Bollywood report that they are expected to engage in sexual activity to secure acting roles and that speaking out risks being accused of seeking publicity, money or having their reputations attacked.

- *“Usha says some young women in the industry feel they that have no choice but to say yes. She says she has always refused sexual propositions but that has led to threats from some producers, including one who said he would not cast her in his film because she had rebuffed his advances.”*

Tanushree Dutta reportedly left Bollywood as a result of the lack of support and the attacks that flowed from speaking out. Her unwillingness to cater to the powerful, she adds, has resulted in her being labelled as “arrogant”.

The Women Cinema Collective was launched by several women artists in the Indian film industry following a sexual assault complaint against a famous actor. They have since been bringing sexual violence stories to light and advocating for women’s rights in the industry.

Sexual harassment has been discussed in Nollywood also but comes with risks: “if the casting-couch culture is as common as it is in Nollywood, why isn’t there more outrage about it? Why the deafening silence? It is probably because victims are still being blamed by their abusers and the world as a whole. There’s also the fear of not being believed, and for an industry such as Nollywood, the knowledge that reporting a powerful abuser could “destroy” a career.”

Ending ‘open secrets’

MeToo has brought public attention to experiences and denunciations of sexual harassment in some quarters, driving urgent response efforts. Policies have been updated, procedures tightened²⁸, helplines set up, staff surveys conducted²⁹ and a (small) number of abusers have been held to account for their sexually harassing behaviour. There is growing recognition that, though necessary, these changes are not sufficient: they have not hastened the end of sexual harassment. The question thus gaining traction is: how to progress behavioural change and collective investment in lasting change – in transformation? It is cultural change that will drive the development of workplaces, educational institutions and societies that embody shared values, principles and standards, as well as ambitions. This will require:

PROMOTING

- ✓ *A shared commitment to equality and respect in the workplace; identifying power dynamics, watching for patterns of abuse and addressing inequality*
- ✓ *Shared ethical standards and ambitions*
- ✓ *Open and known accountability of all*
- ✓ *Safe and supportive environment*

ENDING

- X *Sexualised work environments - jokes, banter, innuendoes, sexually judgemental comments³⁰*
- X *Sexual aggression – touching, unwelcome attention, indecent exposure, sexual exploitation, abuse, assault, rape*
- X *Sexual and gender discrimination – unequal treatment of women, minorities including those with disabilities and LGBT+ people*

Normalisation of sexual harassment rests on tacit and common inhibitions against discussion: what are often called open secrets. Open secrets do not mean that there is no knowledge of sexual harassment but that (common) knowledge exists alongside the absence of naming or actions against it. Power shapes the silencing of victim-survivors, offering pushback against naming abusers and protection of the reputation of senior staff. Power's many dimensions are played out by ethnicity and immigration status, race, age, LGBT+ status. Unmasking and naming where power resides and how it operates will help understand why some people are targeted and why they might be reluctant to report: being on the "outskirts of power" or the "margins of their industry" entails significant risk for many, in naming sexual harassment³¹.

Understanding from social patterns and experiences that structures of inequality render them 'less than' others, women from marginalised groups carry into workplaces and educational institutions the knowledge that their experiences and voices have less credibility than others. They may, with reason, be

reluctant to speak against senior staff or even peers, expecting that they will not be taken seriously or that those with more power will not be held to account. An institution may wish to declare equality of treatment across its personnel but simply to state this (as ambition or claim) is insufficient to counter the experiential knowledge of the marginalized. Likewise, any sense of entitlement or impunity borne of experiential knowledge of privilege will not be dented by words alone, only by accountability in practice. Cognitive dissonance between what is seen and what is said breeds disrespect for empty claims and those who make them. Practising equal treatment, creating a culture of respect and equality for all is what is needed for substantial and lasting change.

Rushing to judgment of victim-survivors or minimising reported sexual harassment can be attractive and comfortable, both for men and women, as the payoff for silence and acquiescence is higher than for naming prohibited behaviour or (being party to) naming a senior staff as an abuser. Judgemental words can come easily (see box: Rushing to Judgment).



Residents raise awareness to end violence against women by organizing a torchlight procession in Copenhagen, Denmark

Photo credit: Nicolai Zoffmann

RUSHING TO JUDGMENT

Treating the reporter as not credible:

- *I find that so hard to believe*
- *You must have misunderstood what he said/did?*
- *That can't be right, you are mistaken*
- *I think, really, you enjoyed having his attention*

Holding of the reporter of sexual harassment to account, including by irrelevant criteria:

- *Why were you in the office alone with him?*
- *What were you wearing?*
- *Well, you are so attractive, I can see why you caught his attention...*
- *Were you drinking at the party?*
- *You say this happened before but didn't tell anyone, that seems very odd to me...*
- *You must have been sending him signals of your interest*
- *Did you really make it clear you weren't interested? Sometimes women say no but mean yes...*
- *You clearly have no sense of humour*
- *If you didn't complain before why would you complain now?*
- *Did she tell him to stop? No, so what's the problem?*

Loyalty to the alleged perpetrator:

- *He's such a good person, surely he wouldn't do that*
- *I've always found him to be very courteous / civil / proper / kind / a true gentleman*
- *I've always got on so well with him, he wouldn't do such a thing / behave that way*
- *I've known her for a long time - she isn't like that*
- *I have never heard anything like that said about him before, it doesn't ring true*
- *I'm sure he didn't mean any harm*
- *She is so committed to her career that she just wouldn't risk doing that*

It's not really harassment (minimisation)

- *I really don't think he meant it, sounds like a joke to me*
- *You need to recognize a compliment when it comes your way*
- *Well, if it happened only once it's not a problem*
- *Women don't sexually harass*
- *He didn't mean anything bad by it, so don't make it an issue*
- *It was just harmless flirtation or (especially to men) horseplay*

Research and testimony consistently show that most sexual harassers are male and that they primarily target women but also men. The nature and construction of masculinity is a core problematic. It is possible, though much less likely, for men to be targeted by women and in such circumstances men's masculinity can be sharply attacked, their experiences minimised or treated as not credible. Gender shapes the norms underlying how men and women are seen and what is considered appropriate behaviour. It also bounds and defines what it is to be male or masculine, female or feminine. Men experiencing sexual harassment can be diminished for not being 'real men' who can handle, and take control of, sexual behaviour. Beliefs about innate male sexual voraciousness, of sexual mastery and dominance, can undermine or belittle men who either find these norms uncomfortable or actively reject them. Expressed as heterosexual norms (sexual mastery by men of women, for example) these too exemplify gender discrimination.

Sexual harassment and LGBT+ discrimination³²

LGBT+ people said they had been asked unwelcome questions about their sex life, such as how they had sex, or what their sexual "role" was (...) they had received unwanted verbal sexual advances, such as suggesting they should have sex with someone of the opposite sex to "make [them] straight" (United Kingdom).

Nearly seven in ten LGBT+ people reported sexual harassment at work; most did not report for fear of being "outed" to colleagues. Only one in five victims reported to a manager, believing no action would come of it.

Bias in politics and in justice systems³³

One of the many reasons victims do not report sexual violence or harassment is that they are afraid people won't believe them or they will be blamed for what happened, including by those who establish the rules and practice of justice.

Contributing to this reluctance to report is fear of being blamed for abuse done to them: "Women wearing inappropriate clothes arouse men...You know what men are like — provocative clothing will make them do things."

In 1999 an Italian court stated that a woman cannot be raped if she is wearing jeans because "jeans cannot even be partly removed without the effective help of the person wearing them". This became known as the "jeans alibi" or the "denim defence" and was later overturned by Italy's highest Appeal Court.

In 2018, in the United States of America, a state Supreme Court recommended suspension of a judge, who asked a woman if she had attempted to close her legs to stop a sexual assault.

Only a very small percentage of reported sexual crimes have been shown to be false: for example, 3% in the United Kingdom, under 1% recorded as false in Thailand and Viet Nam. Yet the belief that false allegations dominate in reporting rates is mirrored in discussions around sexual harassment, with women held at fault and their abusers often excused, including by those in justice systems and in public policy decision making positions.

Loyalty to someone who has authority, or respect, can be easier to maintain than to undo. Accusations of sexual harassment can be unsettling for those who have supported leaders or scholars with enviable reputations. It can be costly to give up allegiance to someone who has perhaps been helpful or supportive or at least who has given no direct cause for concern. For the perpetrator any loss of status, or respect or adulation even, is a weighty price: it undermines the power and authority with which they are familiar and drives their determination to deny, attack and claim misplaced victimhood.

Norms and stereotypical views also infect criminal justice systems and political decision making. This impedes efforts at justice beyond the workplace or campus. Justice claims to be blind but through these norms it risks favouring the powerful (see box: Bias in politics and in justice systems). These biases need to be recognised, named and addressed if cultural change is to be widespread and effective.



The 'Garima Yatra' ('Dignity March'³⁴) involved over 5,000 women from 24 Indian states calling for the stigma of sexual violence to end. Women marched 10,000 km to Delhi over 65 days. High profile cases have sparked national protests demanding tougher laws around sexual violence and calls for justice, particularly for child victims. Thousands of men supported the marching women. Delhi, India, February 2019

Photo: Shiv Ahuja

LAW AND CULTURE

by Professor Catharine A. MacKinnon

Sexual abuse is driven by cultures that permit, even encourage, it. It will end with cultures that no longer consider it normal and trivial, even ennobling.

Most cultures - from transnational to corporate and familial - promote and allow forms of sexualized aggression, overwhelmingly by men and directed against women and girls. Put another way, there is no form of violence against women that is *not* cultural, even promoted, as masculinity somewhere. If the cultural-relativist position begins with the stance that all cultures are equally valid, recognizing the diversity-within-universality of sexual aggression grounds the human rights position that, for sexual abuse, all cultures are equally invalid. Despite the various validations through appeals to culture for female genital mutilation, honour killing, female infanticide, and rape in marriage, as examples, so also sexual harassment (which can include rape) meaning sexual pressure in a context of inequality finds no cultural defence under international principles. All houses are glass.

Cultures define gender through stereotypes, legislating invented roles as normalcy, erasing lived experiences by depriving them of language and destroying the credibility of their accounts in advance of their telling. Abusing and being abused sexually are gender roles. Groups are targeted based on sex, gender, sexuality, race, ethnicity, religion, age, disability, caste, and class in particular, often in intersection, by attributing their abuse to preordained status or preference. Culture is not natural. It is fictive. If (as the bag lady Tess says in Jane Wagner's play, *The Search for Signs of Intelligent Life in the Universe*) reality is a collective hunch³⁵, culture is what creates that hunch and makes it collective. Culture, in other words, creates society's reality sense, but is itself a social creation. Sexually abused women have been trapped in this circularity, as rape culture has produced societies and localities with prevailing attitudes that excuse and promote sexual assault in and out of legal proceedings, across national and historical boundaries.

Sexual harassment as recognized violation and legal claim provided language and legitimacy for the previously culturally disappeared and unspoken. MeToo is a global movement for cultural change beneath and throughout societies and adjudicative systems, contesting the culture of impunity for sexual abuse by lifting up survivors of sexual harassment as credible truth-tellers, valued producers of wealth and knowledge, and respected not shamed community citizens. It is challenging the cultural ground rule that women have no say in who is in their intimate lives. It is refusing to accept the inevitability of rape and the normalcy of exchanging sex for survival on which the inequality of the sexes is culturally premised.

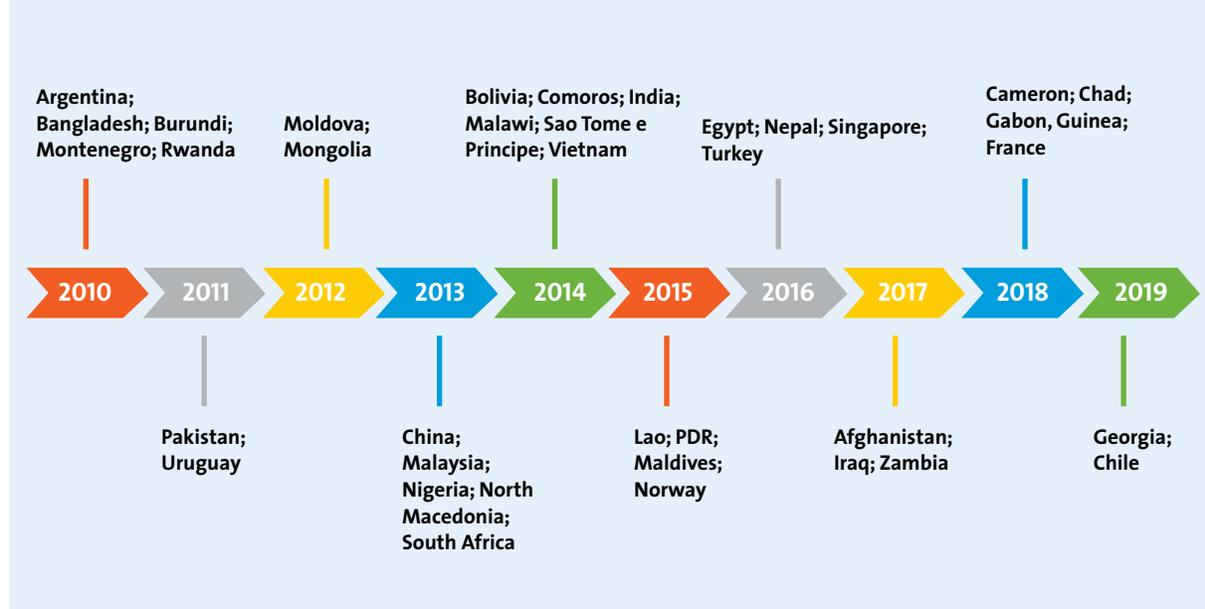
Given the pervasive intersectionality of sexual harassment – targets are frequently selected based on the combination of their gender with race, ethnicity, indigenous status, and religion, for example – the culture of the abused person may at once be a source of identification, strength, and support and made into a vulnerability. Most sexually abused women are violated by men of their own communities. Women of subordinated racial, ethnic, and religious groups are often unwilling to report sexual abuse by members of their own communities because they confront bigoted responses by dominant authorities both to their own injuries, which are trivialized and sexualized, and to their perpetrators, who are often dehumanized and vindictively rather than justly pursued. Dominant cultures have been shown willing to overlook violations of women of subordinated cultures and to be disproportionately punitive to men of those groups, especially when women of dominant groups are victimized. Culture, one's own and the dominant culture, thus can pose vicious quandaries for survivors of sexual abuse in all its forms. The courage and leadership of women of subordinated cultures has thus proven

especially path-breaking and indomitable in shaping law and culture in opposition to sexual violation.

Practice shows that law is not autonomous of culture in any sense. Law is a product of its power relations, legitimating them, but if properly deployed, can also intervene in those relations, delegitimising abuses of power and calling perpetrators to account. Courts and other sites where law and policy are formally applied can be corrupt, considering corruption a form of masculine self-dealing. But law affects and is affected by much larger social processes. The MeToo movement against sexual harassment would never have

occurred without sex equality law delegitimising its central acts for the past four decades; yet most of the immediate consequences of that movement – powerful men losing their perches and purchase – were not produced through litigation. But make no mistake: law is being affected. The extended consequences of the cultural tectonic shift in valuing and believing women is shaping legal doctrines and outcomes around the globe, as survivors of sexual assault are no longer automatically disbelieved and devalued. Legal culture changes as society's cultures, of which it is an integral part, are transformed.

FIGURE 4
Introduction or Amendment of laws on sexual harassment since 2010³⁶





*UN Women event “What Cultural Change is Needed to Consign Sexual Harassment to the Dustbin of History?”
Pictured here: Phumzile Mlambo-Ngcuka, Executive-Director of UN Women. 63th Commission on the Status of Women, New York, March 2019*

Photo credit: UN Women/ Amanda Voisard

PART 2:

PRACTICAL MEASURES FOR CULTURAL CHANGE

Many employers and educational institutions across the world are now quick to express intolerance of sexual harassment and a commitment to address it. These messages are conveyed by leadership and management, sometimes by human resource specialists and sometimes communications or public relations staff. They indicate, often at senior levels, that the institution concerned is focused on ensuring that conditions prevail in which sexual harassment does not occur. This is vital, as clear and consistent leadership messages pave the way for meaningful practice, but they are not sufficient. Five areas of work are needed to transform declarations into actions so that equality and non-discrimination become the daily norm: zero tolerance, victim-focused work, training, collective ownership (including bystander interventions) and making reporting rational.

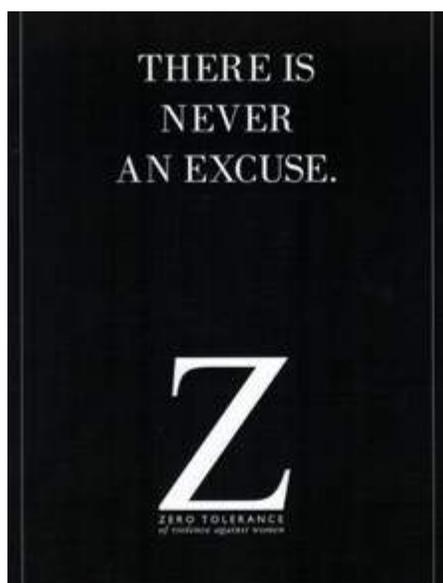
FIGURE 5
Five areas of work for lasting cultural change



Zero Tolerance: never do nothing

Zero Tolerance - a Scottish campaign³⁷

The Zero Tolerance campaign was pioneered in Scotland in 1992 to raise public awareness of violence against women, its prevalence and reach. It also sought to change how such violence is understood. Each poster carried simple and powerful messaging and together they prompted national discussions. The campaign included reference to workplace relations, including one image that indicted both workplace gender inequality and the infection of the criminal justice system with attitudes that are prejudicial against women, excuse their abusers and minimise their abuse. This campaign has inspired others that seek to change attitudes and understandings.



Commitments to zero tolerance for sexual harassment have been heard³⁸ from senior leaders particularly since the MeToo movement gained traction. It is right and necessary that organisations and institutions have clear objectives and that these are communicated to staff, to students, to partners, customers, clients and to the world. But zero tolerance needs to be more than an aspiration or a claim; it is a practice that has everyday meaning. Zero tolerance must be woven into the culture of an organisation.

At the heart of zero tolerance practice is the certainty that the organisation will never do nothing in response to knowledge of sexual harassment, will always support those who report, sanction perpetrators and will proactively ensure that equality and non-discrimination inform its work.

Zero tolerance in practice requires taking all allegations seriously. It does not mean that the same actions will always be taken if a report is upheld; instead there should be a range of options in terms of sanctions with proportionality being a principle in determining consequences. Zero tolerance means that the leadership will make it possible and safe for anyone, no matter their position or contractual status, to be active in shaping a climate where sexual harassment is never ignored, minimised or excused.

Where claims to zero tolerance sit alongside an absence of action, lived experiences undermine the value of the claim. Contradictory signals risk damaging the reputation, internal and external, of the organisation and the belief of the staff or students concerned, that here is serious intent to change culture.

Victim-survivor focus³⁹

Many organisations commit to a victim-focused or survivor-centred approach in their work. How procedures follow through on this makes a great difference to how confident and willing victim-survivors are to use institutional systems. A victim-focused approach will also contribute to the general workplace climate – where it can be truly valuing and enabling of those who report wrongdoing or prohibited behaviour. In a victim-centred approach (VCA), the victim’s wishes, safety, and well-being take priority and shape any actions taken in their name.

“The people who are most abused are least likely to say so, they are the least likely to come to people in authority. It’s a challenge that any procedure needs to begin with: to justify the trust of someone who has been (multiply) violated by someone with power over them. It is not the case that survivors don’t want to talk – it’s a question of, under what circumstances, to whom... It’s our challenge to create these conditions.”

— Professor Catharine A. MacKinnon⁴⁰

Sexual harassment is at odds with the mission of the vast majority of organisations⁴¹. It inhibits organisational objectives and dramatically undermines educational outcomes. In all legal regimes it is the organization that is held responsible for sexual

harassment. Organisations therefore can opt to side with victims, making common cause with them against the perpetration that undermines them in common, or it can side with perpetrators. If an organisation denies the existence of sexual harassment, in practice it sides with perpetrators and can begin a pre-emptive defence to possible legal liability⁴². For this reason, organisations often respond to reports of sexual harassment as if the wrong, the harm, is in its reporting, not in its occurrence. This approach also ignores the harm done to the survivor’s work itself or to her/his education. It risks ignoring or failing to recognise trauma and its consequences, including post-traumatic stress disorder (PTSD) and how that can delay the capacity of a victim to articulate their experiences or to report.

Any organisation has a sense of who it is, who makes it and which people involved in its work constitute that identity. Hierarchical superiors tend to think it is hierarchical superiors: supervisors and faculty. Victims of sexual harassment are most commonly workers and students, who may not be the primary constituency from which the organisation derives its sense of identity, value or place. Yet, the harms that flow from sexual harassment are held in the body, mind, reputation and prospects of the target, not only in reputational or legal risk for the organisation. A victim-oriented approach thus requires reorienting corporate and educational culture to identify the interests of the entity with the interests of those who are violated using the powers the entity bestows on the perpetrators.

Principles of victim-centred work

Listen: listen to the victim-survivor (and stop talking). Give the victim space and time to tell their story, as it comes (including with confusion and messiness, if so) without interruption. Receiving a report is not the same as interrogating. A colleague, peer, manager, supervisor or leader to whom a victim-survivor

speaks should not confuse their role with that of an interrogator or investigator. It is not their role to determine facts, so they should not slip into a criminal-style examination, test the account for credibility at the beginning or play ‘devil’s advocate’, even if the listener is a lawyer or has a legal background.

Follow the lead of the victim-survivor: if they talk of being distressed, then reflect that; if they don't want to give a lot of details don't push (but see investigations, below).

Inform yourself: The more you know about sexual harassment, the more it is possible to identify common elements in events and responses that are reported. It helps survivors immeasurably to know they aren't alone.

Consider the language used in all interactions especially initial contact. Whether someone will come for second or subsequent engagement depends on the response received at the first approach. The label 'complainant' can be perceived as negatively judgemental: 'reporter' is an alternative.

Investigations: devise a protocol that covers interviewing techniques and communication throughout investigatory procedures and consult victim-survivors (or their advocates) to draw this up. The protocol should apply whether investigations are in-house or contracted out to external providers.

Prioritise safety, privacy and well-being of the reporter of abuse. Ask what they need, what they fear and ensure that general principles of support are known to all. Support services should also be known by all so that they can be shared when needed.

Never blame the target of abuse for the abuse inflicted on them. Expressing empathy or being receptive does not have to mean assuming everything said is fully accurate. Instead acknowledge that the person reporting is fully human and is entitled to rights, fair hearing and support. Their rights should be recognised, respected and fulfilled.

Sexual harassment can bring distress, temporary withdrawal from work life or study. Sometimes it prompts victim-survivors to leave a job or college, especially if reporting is potentially fruitless or risks adverse consequences. Anticipate such behaviours and know how to respond to them including making accommodations in study arrangements, workplace performance reviews or other assessments.

CORE ELEMENTS OF A VICTIM-CENTRED APPROACH

1. Give control.
2. Clarify issues of privacy and confidentiality.
3. Ask and listen, without judgement.
4. Keep victim-survivor informed throughout any processes and before any action.
5. Protect / ensure safety.
6. Have procedures and regulations to ensure timeliness in communications and investigations, if any.
7. Regulate for and ensure equal treatment of victim and alleged perpetrator during any process, including investigation.
8. Have a range of administrative actions ready as response, use swiftly as appropriate with victim preference taken into account.
9. Assume neither guilt nor innocence: start from the possibility that what the victim is reporting may indeed have happened.

Core elements of a victim-survivor focused approach

1. GIVE BACK CONTROL

The experience of sexual harassment is of a lack of control, of another person imposing behaviours that are unwelcome and with unknowable consequences. The target often feels unable to respond, at the time or later, for many reasons including that the processes through which their reports will be handled may be upsetting or slow, belief that it will not bring the hoped-for outcome, may risk adverse consequences or continue their experience of lack of control. Victim-survivors have the right to make a report and the right not to report. Their decision should be made free from pressure, they have the right to change their mind, including withdrawing from a report. Allow the victim-survivor to make decisions about whether, when and to whom to report.

Do not pressure for formal reporting, or to use informal procedure, ensure same protections for formal or informal reporting, remove time limits for making reports.

2. CLARIFY ISSUES OF PRIVACY AND CONFIDENTIALITY, AS SOON AS POSSIBLE AND PREFERABLY BEFORE DETAILS ARE SHARED

A disincentive to reporting is the fear of 'victim-survivors' experience becoming common knowledge across the workplace or educational institution. They should know how their account will be treated.

1. Make the reporter aware of the listener's reporting responsibilities, as soon as possible and preferably before details are divulged.
2. Make information on policy and practice of confidentiality available / displayed for all to see, and therefore not discovered at a time of stress.
3. Ensure that the reporter is aware of the ripples of knowledge that will follow from any steps they take – informal reporting, formal reporting, investigation, closure of investigation, non-progression of investigation, etc.

For example:

In my position I am

- a. Not obliged to report to anyone what you have told me or
- b. I have to report immediately or within a specific time (e.g. one week, as relevant) and
- c. These are the people who will know what you have told me, and they are or are not obliged to share further (with...)

3. ASK AND LISTEN, WITHOUT JUDGEMENT AND SHOW SYMPATHY

Some organisations and educational institutions are mindful of the call to believe, that has been made by victim-survivors whose voices have not known credibility. There may be less caution in expressing belief in what a victim-survivor says has happened. These organisations will likely have higher levels of reporting than others and will build confidence among staff that they are taken seriously when calling out prohibited behaviour.

Elsewhere, especially in those organisations that manage their own investigations and are reluctant to be seen to 'take sides', there are ways in which victim-survivors can still be given support and encouragement to report.

Isolation and self-blame are known consequences of sexual harassment: anticipate and gently rebuff these.

Zero tolerance policy requires that all allegations are taken seriously. Ensure all staff, including supervisors, managers and leaders, are trained and equipped to give supportive responses either to disclosures or to events/behaviour witnessed. For example:

- a. I am sorry to hear this, thank you for sharing with me.
- b. A lot of people never tell anyone about this kind of abuse, you should recognize your bravery in reporting this.
- c. What do you need?
- d. What will help?
- e. What can I do? I may not be able to do all that you want but let's discuss the options.

- f. These are your options for action now (share easily navigable and understandable information about reporting, support procedures).
- g. If you decide to make a formal report – this is what will happen...
- h. If this is hard to comprehend right now you can come back another time; there is no problem in going over this information again.
- i. If you prefer to speak to somebody else, these are your options.
- j. If you chose to speak to other people, here is what you can expect re confidentiality and disclosure. Sometimes the affected person may not have ready answers, so give them time and support
- k. I've heard what you have told me, and I understand you may need time to think about what to do or what I can do. Please feel free to come back to me another time.

4. KEEP VICTIM-SURVIVOR INFORMED

Victim-survivors should be kept informed of developments (or lack thereof) as part of proactive and respectful communications with them. They should be forewarned when a person to whom they have spoken will share information and they have a right to be informed before the alleged perpetrator is told about an allegation. If an investigation is held, they should be kept updated on developments, witness statements, outcomes and have a right to see any investigation report, in full, and no later than the alleged perpetrators.

Without these, victim-survivors can continue to feel the lack of control that characterised the abuse they have known and be excluded from processes that impact on them. Protocols that identify actions that an employer will take on receiving a report, along with the communication related to each, will help to guide this process. Keep the victim in the loop and permit them to return for information and support as they see fit. Any communication guidelines should minimise secrecy (including in any investigation) and have a way of dealing with the sealing of cases (which should also be minimised) pertaining to investigation or appeal, and reports of such processes.

5. ENSURE WELL-BEING, PROTECTION AND SAFETY

Victim-survivors of sexual harassment can face significant consequences from their abuse – distress, confusion, self-blame, mistrust of others, anxiety, disturbed sleep, withdrawal from work or study. Victim-survivors can leave employment or college if their experience/s of sexual harassment were traumatic, disrespected or unresolved, if they see the perpetrator succeed or be promoted or even enjoying leave from work with full pay during an investigation. Being blamed for the behaviour of others is also potentially destabilising and can further traumatise victim-survivors.

Such harms should be anticipated and recognised in any package of support. Symptoms of trauma can be immediate or slow to emerge and they can also be missed. Centre the experiences of survivors.

Survivor-advocates should be invited to contribute to identifying needs and establishing context specific measures to protect from further harm, trauma or anxiety.

6. ENSURE TIMELINESS

Clarity in timelines for actions, communications and investigations (no matter who does this) help to ensure that victim-survivors have a prompt and thorough process should they wish to make a report. These should be short enough to limit the distress of waiting and long enough to ensure actions can be taken. An organisation needs to have an internal conversation, potentially calling on external advisors, to determine these timelines.

7. ENSURE EQUAL TREATMENT

Victim-survivors and alleged abusers should be given equal treatment to include, for example, access to support, leave with pay (if in place), information, reports, right to appeal, administrative adjustments. Due process and access to justice are both rightful principles that apply in the workplace and that can contribute to ending sexual harassment. It is helpful to victim-survivors to have their rights made explicit and disseminated.

8. ADMINISTRATIVE ACTIONS

Ensure that there are, and give information about, administrative adjustments: such as time off work (with pay) and not having to be in the same office, same part of a factory or field or similar, as the alleged abuser. In educational settings, there needs to be a menu of adjustments in study or accommodation arrangements from which appropriate actions can be selected.

9. MAKE NO ASSUMPTIONS ABOUT REPORTS

Criminal justice systems begin from an assumption of innocence of the accused; internal or administrative systems often re-create criminal justice approaches. In such circumstances those who have accounts of sexual harassment shared with them or who have a report-taking function may feel they are duty bound never to show sympathy or belief to a victim-survivor

as this would compromise their obligation to assume the accused perpetrator is innocent.

Instead, a trained and thoughtful person approached by someone who wants to discuss their experience of sexual harassment does not have to make any assumptions but simply convey an openness about what may have happened. This should include the possibility that the report is accurate⁴³.

The failure to believe those who report sexual harassment has been a recurring theme of the global discussion on sexual harassment. While institutional conversations will need to address these apparent contradictions, engagements with victim-survivors can be supportive as well as non-conclusive about the actuality of events or behaviours.



An 'orange' rally against crimes of violence and discrimination. South Asia: Pakistan, November 2016

UN Women/Asfandyar Khan

Training

Many organisations use training to progress their responsibilities to act against sexual harassment. Training is important, widely used and remains a preferred action of employers and universities. A review of training on sexual harassment undertaken by UN Women⁴⁴ shows that it is:

- often off the shelf provision⁴⁵ (i.e. generic and shaped by the provider of the training)
- delivered on-line
- one-off and
- focused on disseminating policy and procedures⁴⁶ and prohibited behaviours.

Most evaluations show limited impact of training⁴⁷ and note that the input ('training') consisted of a 30 minute presentation or a 2.5 hour course with minimal interaction. The limited impact of training to date leaves room for new ideas and methods⁴⁸. In place of 'fear-based models' of training that focus only or primarily on punitive responses⁴⁹, alternative approaches⁵⁰ would promote, inter alia, equality and respect while challenging cultures which are conducive to sexual harassment. A '3-Ps' model of training – focusing on prohibition, policy and procedure – misses the mark, failing to address equality and respect, additionally failing to change the culture.

Evaluations and research suggest that sexual harassment training appears to prompt resistance in some male trainees⁵¹. Men's negative responses⁵² may be linked to presentational styles (short and purely instructional), illustrating that there are dangers in cutting corners, as this may move attitudes in the opposite direction of that intended. The intent of training isn't always clear or necessarily matched with content – for example, if the intention is to change behaviour (i.e. to address a 'doing gap') then training content that goes no further than sharing information (addressing a 'knowing gap')⁵³ will likely miss that objective. There is a risk of conflating awareness raising with the skill and willingness to use knowledge.

Where employers are wary of litigation⁵⁴ holding them to account for allowing or not addressing sexual harassment, training has at times become a tick-box compliance exercise, disconnected both from the wider equalities agenda where it was originally located⁵⁵ and any serious ambition to change workplace cultures⁵⁶. Research also suggests that training is taken more seriously if employees believe that they are working in an ethical organisation⁵⁷, that it is not a 'hollow exercise'⁵⁸ and is connected to upholding shared principles, including dealing with reports carefully.

Training, when not well done, risks marginalising or losing sight of victim-survivors as well as undermining ambitions for behaviour and cultural change. Little training has been formulated to address the specific forms and shapes of sexual harassment in different workplaces, still less to address the localised cultures which legitimise and/or normalise certain behaviours and practices. Tailored training that explores the specific rituals and practices which serve to disguise or excuse sexual harassment are needed, beginning from what is normalised in each context⁵⁹. Training which focuses only or primarily on sharing information or limiting liability cannot be expected to bring behavioural change.

Reviews of training note the relatively low profile of the following:

- identifying and distinguishing between a harasser's assessment of their own behaviour as acceptable and the existence of a workplace culture which tolerates it⁶⁰. Different strategies and approaches are relevant in each, though of course they may co-exist.
- limited focus on general sexism and the climate that this creates in organisations.
- an under-emphasis on sexual harassment by clients/customers, which in some employment contexts may be the majority experience.
- offering more solutions than reporting, since this shifts the focus from institutions to victims, making them responsible for addressing the issue.

Overall, there is widespread consensus that trainees need to be active participants if the issue of concern is complex: here training is less about skills or knowledge and much more about being invited to reflect on and possibly change one's views, offering insight and creating a community of interest which commits to being part of a process of change.

Training is essential but not sufficient to make the changes that are being demanded and promised on sexual harassment. It can however, if re-imagined and re-worked, be a powerful tool for organisational cultural change in terms of both prevention work and to improve responses to sexual harassment when it occurs.

Cultural change towards the ending of sexual harassment, that seriously engages efforts towards changed behaviour will give training a core place that requires a significant shift from the '3-Ps' approach. The latter's focus is only or primarily on prohibition, policy and procedures that concentrates on dissemination of rules, often via an impersonal methodology, eschews reflection on experiences or on difficulties and challenges. Training should instead be conceived and practised as part of a process of organisational change, of the construction of workplaces as equal, non-discriminatory and respectful but also as a tool for establishing collective ownership of that process of change.

First steps towards collectively owned efforts at changing organisational culture

Two elements are proposed above towards the building of a values based, contextually-aware process of change, producing training approaches that drive cultural change. These are a consultative process of establishing shared values and objectives alongside an assessment of extent, forms, supports for and nature of sexual harassment in an organisation. The model proposed here captures the first under the title of round tables and the second is referred to as audits. Training has the potential to be pivotal in moving from an audit to the aspiration of a workplace or educational institution without sexual harassment (see figure: Roundtables, Audits and Training).

The model proposed here envisages training as part of a three-pronged approach to cultural change and as a means for reflection, establishing common purpose

by building collective ownership of the change processes as well a method of sharing and engaging in policy and procedural learning. Those most knowing of how inequality and discrimination plays out in the workplace and beyond must have central and safe place in this work. The model has three elements:

- **Roundtables** - Establishing the values which will be the foundation of the approach to sexual harassment, a clear understanding of how it follows the contours of inequality and which:
 - agree a definition that complies with the UN Women guidelines (see earlier publication⁶¹) and the relevant legal framework. The form of words should work in the organisational context and clearly outline how specific elements such as 'unwanted' are understood. The definition should be revisited following the audit outlined below.
 - maps the workforce and workplaces. This should include an exercise on which groups are more likely to be targeted in which spaces and when.
 - develops a theory of change on how sexual harassment policy and training seeks to transform responses to sexual harassment as well as reduction in prevalence over time. The training aspect should have specific milestones and hoped for impacts attached.

From the theory of change, develop a policy framework, in line with the UN Women guidelines outlined previously⁶², which is perceived by stakeholders as safe, fair and credible. Such policies should include:

- a support and report-making strategy, with clear pathways and options;
 - a leadership strategy across all levels of the organisation to include who is responsible at the strategic level, champions and networks;
 - a participation strategy;
 - a sustainability strategy which recognises that change will take time and require active maintenance.
- **Audit/culture check** - Conducting an organisational audit as a starting point would provide an

evidence base of specific contexts and behaviours. Where appropriate and safe this should draw on the 'experiential knowledge' of participants noting that asking what participants have observed is a safer strategy than asking them to discuss what they have experienced.

- such audits would enable the crafting of training resources and programmes which are rooted in what is currently known about the organisation. The ambition in this developmental work will be to build curricula designed to change values and cultures.
- small workplaces or teams may not easily protect anonymity in such audits, so care needs to be taken in this work.
- **Training** - Training provides the link between the work of the roundtables and the findings of the audit/culture check: it connects the current to the future. Drawing on the roundtables, training would:
 - apply a theory of change setting out how sexual harassment policy and training seeks to transform responses to sexual harassment as well as reduce prevalence over time;
 - ensure that sexual harassment experts have a role in development and delivery, alongside any roles taken by human resources, legal or training teams;
 - have specific milestones and hoped for impacts attached.

Drawing on the audit work, training would:

- ensure that (training) resources and programmes are rooted in what is currently known about the organisation;
- make space for safe exploration of experiences that ground developmental work in what actually happens within the given workplace;
- be concerned with changing behaviour, upholding common values and exploring possibilities and challenges in these ambitions.

The ambition will be to build curricula designed to change values and cultures. It should then be piloted across different layers of organisations and adapted in light of feedback. External facilitation and subject-expert leadership in these processes will be helpful. The complexity of such a process in multi-national or large organisations will require thoughtfulness in roll out; in smaller businesses or organisations it may be more manageable to have such processes, though the lack of anonymity in discussions may be difficult. A principle of fitting the process to the organisational specifics remains paramount.

What has been described as 'state of the art'⁶³ anti-sexual harassment training: understands the climate in each organization, recognises that culture change requires interactive and experiential training methods from trainers with sexual harassment expertise, acknowledges that single sex sessions might have a role, commits to maintenance of learning and engagement over time.

What should training look like?

UN Women's review of training evaluations provides the basis for identifying how to promote behavioural and cultural change. It also provides the basis for elaborating a range of practices and approaches that would strengthen the impact – immediate and long term – of training against sexual harassment. The following standards should be used to develop such training.

Structure and delivery:

1. Training should be programmed for 1-2 days, preferably with the same duration and content for all personnel.
2. As part of a collective journey of transformation, training to be compulsory and to be repeated beyond an induction phase for new joiners.
3. Management and leadership to participate regularly and seriously; all personnel likewise.

FIGURE 6
Roundtables, Audits and Training

Roundtables

Terms of reference, at a minimum

* Establish shared values and understanding of how sexual harassment follows the contours of inequality and a definition which complies with the UN Women guidelines.

* Map the workforce, consider which groups are more likely to be targeted and how to promote accountability.

* Develop a theory of change of how policy and training will drive transformation.

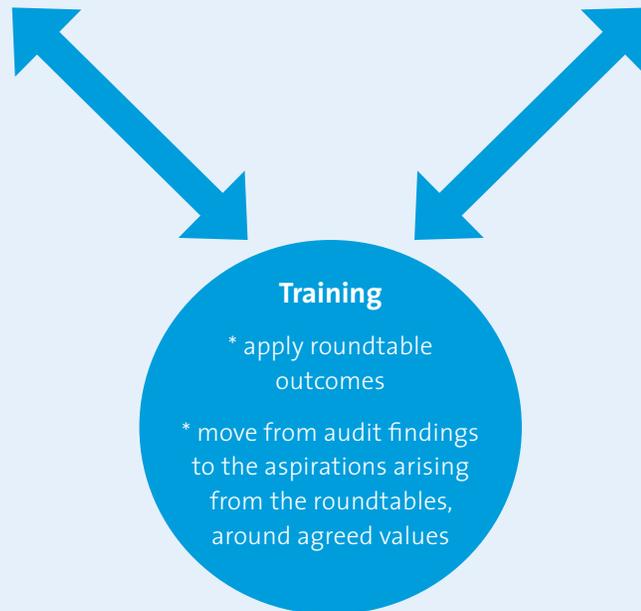
* Develop a policy framework which is perceived by stakeholders as safe, fair and credible, to include strategies on support and report-making, leadership, participation and sustainability.

Audit/culture check

*Conduct an organisational audit to provide an evidence base of specific contexts and behaviours.

*Draw on 'experiential knowledge' of participants, where appropriate and safe.

*Use audit findings to design training resources and programmes which are rooted in organisational specifics.



4. Trainers should have expertise on sexual harassment, inequality and discrimination and the skills to engage with complexities.
5. Training should be an embedded part of an organisational commitment to cultural change, conveyed by leadership and practised by all.
6. Have micro training follow ups to maintain commitment and trace change at individual level.
7. Consider whether assertiveness and/or self-defence training might be relevant for women, especially those who have client/customer facing roles.

Method:

1. Training to be face to face engagement.
2. Participation should be active, participants to engage with what they know/think they know – a concept map is a useful tool and can be used in small group work.
3. Consider whether training – or small group working within it – should be single sex, and how to address the range of cultures within an organisation.
4. Encourage debate and discussion, create space for questions, doubts, concerns.
5. Provide space for reflection and revision of positions.
6. Explore and address resistance from women and men about sexual harassment policy and training.
7. Experiment with new and original approaches. For example,⁶⁴ the Associate Vice Chancellor Portland State University realised attendees at a sexual harassment training had ‘zoned out’. He asked the men to go home and speak to women in their lives about their experiences of sexual harassment, they came back with an entirely different perspective. Use feedback and evaluation to explore what participants have learnt, what they found most useful and most challenging, what they still have concerns about. Address these issues in following iterations of training.

Content:

1. Useful, relevant and up to date materials need to be created, for the specific context.
2. There should be strong links between the content and intended impact/outcomes.
3. Case studies should be authentic, linked to the organisation, and used to explore what difference it would make if the parties had different characteristics in terms of age, sex, race/ethnicity, sexuality. They can also be based on examples of where processes did not work, this enables consideration of what could/should have been done differently.
4. The content should be immersive and safe, with a focus on new ways of thinking and acting rather than right answers.
5. Explore social and sexual ethics in the workplace explicitly, what is/is not acceptable and how to judge if something may be unwelcome.
6. Present a range of options for action other than formal reporting – collective ownership of change, first responder options, support for victims, questioning the behaviour of perpetrators. Role plays are often useful in practicing different ways of acting, especially if time is taken to explore what it felt like for the intervener, for the victim-survivor and for the perpetrator.
7. When promoting first responder interventions explore what could go wrong, what might be the barriers to intervening and enable alternative forms of action to be explored.
8. Include space for personal and group action plans, how people will become change makers.

For training to become effective it needs to be seen as an ongoing initiative, with opportunities for further learning and feedback loops from trainers and participants into further iterations of the training. Backlash should be anticipated⁶⁵ and planned for, with strategies crafted within the organisational policy and training strategy.

Below are summary pointers for developing training that will promote cultural change towards ending sexual harassment

1. Training to be serious and repeated

Training to end sexual harassment should be regularly⁶⁶ part of induction into an organisation and progressed thereafter. A uniform module that is used with all groups in all workplaces would not engage with the specifics of each. Instead a layered approach is preferable that links actions to work roles and responsibilities.

2. Experts to facilitate

Addressing sexual harassment should become a body of work that should be owned by all, not only human resource or legal specialists; this would build shared endeavour at cultural change not a focus only on legal compliance. The focus needs to shift from what is unacceptable to what kind of workplace organisations want to create and encourage. Ensure that ending sexual harassment becomes the objective of training and that it is led by specialists in this area of work. Human resources, legal and other colleagues can also be involved in facilitation and should certainly be part of the process of shaping and delivering cultural change.

3. Embed Victim-Centred Approaches and Zero Tolerance across all levels, all personnel

A tiered training strategy should be linked to the organisation's theory of change, with training understood as part of creating solutions/promoting change. Those with managerial or leadership responsibility will need additional input, including how to deal with reports with care and sensitivity, mindful of the needs and wishes of those who make an approach. Creating a workplace culture that is hostile to sexual harassment is an aspiration that should not fall only to human resource colleagues to realise: it is a project that has to bring everyone into its orbit, that should include procedural aspects but that places at its core questions of values, safe and active engagement of all and that is driven by those who understand the subject matter -experts and victim-survivors and

their advocates. VCA and zero tolerance will be given life with their active leadership and safe engagement.

4. Training should be designed for the specifics of the organisation

Organisations where sexual harassment happens, is encouraged or tolerated⁶⁷can share similar dynamics yet have varied specifics. Behavioural norms can vary by economic sector or other factors. For example, where the workforce and work role are heavily masculinised, sexual bravado⁶⁸ may be normal. Firefighting⁶⁹ and mining⁷⁰ have been found to have specific ways in which sexual harassment can be normalised. In contrast some workplaces can be feminised, with sexualisation of women taken for granted. For example, sexualised behaviour in the leisure and hospitality sectors which would reach legal standards of sexual harassment become normalised as 'part of the job', despite many women disliking this⁷¹. Some workplaces⁷² have a white, male, heterosexual culture within which women, people of colour, lesbians and gay men are considered 'interlopers', creating axes along which harassment, which may be sexual, takes place. In a university setting⁷³, academics can misuse their authority to require students to see them at unsociable hours or in their own homes, increasing the opportunity for sexual harassment while minimising the risk of being observed.

There is a need for customised training approaches that explore the specific rituals and practices which enable, acquiesce to, disguise or deny sexual harassment. These should begin from an assessment of what is normalised in each context⁷⁴ and build collective approaches that challenge these.

5. Values based training

All training should begin by establishing shared values at the outset; these can become a reference point for trainers and trainees when areas of disagreement emerge. The previous sections have established that if training is to change attitudes and cultures it needs to be face to face and interactive. Self-guided/online training should only be used where it is accessible to the full workforce and covers basic knowledge, current policies and procedures. There may be challenges

in designing and delivering training intended to bring cultural change in organisations: asking people to change their ways of thinking is not the same as learning new skills. However, making the shaping of values and behaviours a collective effort, with primacy to those voices with least power, can encourage ownership across a workforce or a wide body of students.

Collective ownership

Investments in cultural change will bring transformation if and when there is collective commitment to the changes sought. The model of training discussed in this publication is intended to build active engagement and investment in the transformation.

Those who have been targeted rightly have options to make formal or informal reports or not to report at all. A range of behaviours can convey zero tolerance including colleagues in a workplace or educational institution proactively offering support to those who are sexually harassed. It is helpful to have a broadly shared understanding of these alternatives and of how anyone targeted for sexual harassment may initially respond. Misunderstanding the initial response

can result in confusion about a victim-survivor's reaction or undermine the validity of their responses.

UNDERSTAND RESPONSES

Those who have been targeted by sexual harassment can initially have a range of reactions – including distress, confusion and uncertainty. It is not uncommon that they simply do not have the words to name what has happened.

Victim focused work should include the creation of institutional space where they can talk, in confidence, about what has happened and consider whether they wish to initiate any action and if so, what that might be. Informal conversations are often where victim-survivors start, find out what they can do and consider their options. At this time, safety and absolute confidence will provide the most valuable support. The provision of a safe 'holding space' where these questions and concerns can be aired, safely and confidentially, along these lines could be of great value as part of a victim-centred approach.

Those who hear these accounts need to provide a safe space while options are considered and words



Students, local leaders, community members and artists marched around their village to call for the end of violence against women and girls in Kakonko, Tanzania. Kibondo district of Kigoma region, Tanzania November 2017

Photo credit: UN Women/Deepika Nath

are found to talk about experiences of sexual harassment. They are in effect the first responders, must have training, support and the trust of the management and leadership as well as of staff (or students).

At a later time, should a report be made by the victim-survivor, the first responders are able to give evidence on what they were told and when, if they have the victim-survivor's permission to do so.

Language – uses and abuses

Myths and prejudices about sexual harassment, and all sexual violence, persist over time and place; they feed cultures of tolerance or rejection. Presumptions of women's malice and fabrication pre-judge their naming of sexual harassment. Senior employees are often seen to be beyond reproach and this is especially pervasive in sectors associated with good works. Language gives expression to and reflects these biases and prejudices.

The responses of employers to allegations of sexual harassment in the workplace, including minimising and discrediting of reports, can downplay or miss issues or prevalence. The following examples illustrate this and suggest alternatives showing how to **identify and address the problem using appropriate language**.

1. Words that give biased meaning: 'There is no problem in the company'.

Factual account: There have been few, if any, reports of sexual harassment.

Explore the reasons why there might be few reports, acknowledging that there may be reasons why reports are not made (see 'making reporting rational', in this publication). What can be done to make it more likely that instances will be reported? Are reporting routes safe, accessible, confidential, publicised? Reporting should be a reasonable and low-cost option: credibility, equality of treatment, timeliness of follow up, accountability, safety and accommodation (adjustments) all matter. Have staff been asked about their experiences, for example, in a climate survey to test experience of the working environment?

Absence of reporting in itself is not evidence of the absence of sexual harassment.

2. Words that give biased meaning: 'reports are false'.

Factual account: Reports of sexual harassment were not upheld when investigated.

Understand why investigations are not upheld, why allegations are not supported. It could be that the thresholds for upholding accounts are so high that it may be extremely difficult to prove a case. To guard against this, processes need to be reviewed, the independence of investigations must have the confidence of those who report and constant and accessible communications assured. (See Making Reporting Rational, below in this publication).

FIRST RESPONDERS

Collective agreement and buy-in are needed for cultural and behavioural change to take hold in an organisation. What has been called 'bystander interventions' are proving effective in enable colleagues to take supportive roles in efforts at change.

Intervention training for first responders has encouraged engagement, including in the military⁷⁵ and

on campus⁷⁶. Trained soldiers were more likely than others to intervene against harassment and college students' attitudes regarding sexual violence changed immediately after training and this was still apparent when measured one year later.

It is unlikely that witnesses will be present when sexual harassment takes the form of sexual assault or rape but they may observe unwelcome comments

or touches⁷⁷ and other preliminary incursions as well as verbal expressions of pro-harassment intent or attitudes. Enabling and supporting people to intervene in these instances can make a valuable contribution to developing the practice of zero tolerance, making the harasser less confident of escaping censure on a following occasion.

Bystander training is useful where it focuses on what people can and should do if they are witness to or aware of prohibited sexual behaviour. Drawing on participants own experiences and fears, ideas and supports for each other helps to equip them to take on responsibility for collective change. Work with men-only groups on bystander interventions has

been argued to provide safe spaces both for men to challenge the sexually predatory behaviour of other men and to allow misogynistic attitudes to surface, in ways unlikely if women were present, and to be addressed⁷⁸. Trainers should be those who understand the gendered nature of sexual harassment and can recognise and respond to the cultural and power dynamics that shape sexually abusive behaviour.

Fundamental to positive interventions is to ascertain and respect the wishes of the target: having VCA frame an organisation's work will prioritise support for the person affected. A menu of six clusters of actions for those not directly targeted but invested in change, are proposed here⁷⁹ (See box: A menu of bystander interventions).

A menu of bystander interventions

Support – being in contact with the target of sexual harassment, including at a later time. Ask how they are, if they want support, someone to talk to. Refer to pages 29-30 in this publication for guidance on such conversations.

Delegation – engage other people in a response. In a workplace this might be informing a supervisor or other colleague; in a university other students or staff can be approached to step in or in other ways offer support or sanction.

Distance – being in contact with the harassed person at a later time for example to check on how they are, share resources. Likewise, if judging it to be safe, the harasser can be approached at later time, for example to express concern at what happened.

Document – having a record of an incident is always helpful in monitoring the culture and behaviour in an organisation. It can also support any report that might follow. Those who are caught up in such an event may not have the time or ability to make a record at the time so any form of documentation (including photographs, screen grabs) may be useful. Ensure victim-survivor permission for any visual record.

Distraction – speaking or acting so as to draw attention to something else. It can diffuse an incident through, for example, dropping papers, spilling a drink, walking between the abuser and the victim-survivor.

Direct interventions – an approach to the perpetrator can involve, for example, a very short and clear statement such as 'I'm uncomfortable with what you are doing'. This can be difficult especially if a junior person is witness to prohibited behaviour by a senior person, with a risk of escalation or being targeted, so should not be undertaken lightly. It can be received as confrontation or insubordination.

Making reporting rational

GOOD REASONS NOT TO REPORT⁸⁰

Observers often ask: why don't victim-survivors report? It may seem to them to be the obvious thing to do. But to the target of abuse it can be a complicated option.

Victims and survivors make considered decisions - shall I or shan't I report? – weighing up the consequences. They make a cost-benefit analysis⁸¹ of sorts. Efforts to encourage reporting need to make reporting safe, accessible and of consequence. If not, it risks simply adding to the burden already carried by the sexually harassed and asks them to lead on fixing institutional problems by using a reporting mechanism that is not fit-for-purpose. Specific harassing behaviour can be dealt with when known about but when it isn't reported organisations need to understand why and work out how to change that.

There is a host of reasons why victim-survivors do not report; they flow from culturally shaped judgements of them and arise from confusion about reporting procedures, retaliation from the more powerful and lack of belief in just outcomes. The beliefs inhibiting reporting (see also Figure 3: Beliefs influence actions) are neither random nor abstract: they derive from people's experiences and observations of the world and are the product of gendered teaching about who has habitual sexual access to the bodies and lives of others. Serious efforts to bring lasting and deep

cultural change should begin with an assessment of the organisational landscape on such issues and plan how they can be undone and reversed.

Victim-survivors tend not to report in large part because of the consequences of so doing, which may include any number of the following:

Generic consequences of reporting

In order to change perceptions of reporting, the reasonably held fears of adverse consequences have to be undone. This will require addressing the 'costs' to the individuals, increasing the benefits and shifting the responsibility for organisational change from the reporter to the organisation. Each element of box at page 44 has to be tackled, so that believing in those who report, for example, is not rare but standard, so that there is real confidentiality and awareness when this cannot be guaranteed.

Proof that all are equal in the organisation's rules will be evident when senior staff face consequences (not protection), when allegations against them are heard seriously and upheld when proven. Consider calling those who bring prohibited behaviour to light reporters instead of 'complainants' – they function to help the organisation address problems and uphold its values. Under such circumstances reporting makes more sense, will be rational behaviour and there will be more of it.

FIGURE 7

Generic consequences of reporting

Not being believed

- Nobody will believe this happened to me
- I saw that my colleague was not believed, I won't be either

Stigma and negative labeling

- I have been called a whingey or whiney woman, complainant, trying to attack a man, man-hater, trouble maker, not a good colleague, not a team player
- I have been asked 'What did you do to make this happen'?
- I was asked what I was wearing; if I was out alone or working alone or at night; if I had a drink; if I sat next to him on a plane or shared a taxi or agreed to go on a joint business trip out of town with him
- I have been told I am not a real man, I am weak

Lack of clarity

- How and where do I make a report?

Lack of certainty

- Will I be protected from stigma, from retaliation?
- What will happen with the outcome of the report?
- Who can I trust to tell?

Lack of privacy

- How many people at work or college will know what happened/what I have reported?

Fear of Retaliation

- Will my promotion/travel/chance to represent the organization / future work / course marks be jeopardized?
- Will my reputation will be trashed?
- Will my family be in danger?

Fear of the absence of just outcomes

- My colleague told her boss about her experience and nothing ever came of it

Belief that seniors are untouchable

- I don't think anyone like him will ever be held to account
- He/she is so senior
- The superiors/supervisors/managers think very highly of him
- He/she is so senior and so respected; he/she brings in so much money

Complaints being long and complicated

- I can't go through this - my friend had to endure a two-year process and work beside her abuser the whole time
- I am in college/university/school for an education, not to be derailed for years in a process unlikely to produce anything constructive

PART 3:

INTERNATIONAL

NORMATIVE STANDARDS

Sexual harassment is widely recognised both as a human rights issue and a matter of sex and gender discrimination in international standards, both global and regional. Standards also make clear that cultural change is inherent to ending discrimination against women. A summary of these provisions follows.

Global

The **CEDAW Convention**⁸²(1979) is the global treaty on sex inequality. It defines discrimination against women to include exclusions or restrictions made on the basis of sex that impedes women’s enjoyment of their rights and freedoms on a basis of equality with men. It directs States Parties (Arts. 7-16) to take appropriate measures to eliminate all forms of discrimination in all fields, including equality under law, in governance and politics, in the workplace, in education, healthcare, and in other areas of public and social life. Article 2 requires the modification or ending of, inter alia, ‘customs and practices which constitute discrimination against women’ and Article 5 requires changes in cultural patterns that are based on the inferiority of one sex to another and of stereotyped roles for men and women.

The **CEDAW General Recommendations 19**⁸³ (1992) and **35**⁸⁴ (2017) elaborate on the gender-based, and therefore discriminatory, nature of violence. The disproportionate targeting of, or impact on, women of gender-based violence constitutes discrimination and is therefore contrary to the provisions of CEDAW. GR 19 clearly recognises that sexual harassment in the workplace is at odds with equality in employment.

The **Beijing Platform for Action**⁸⁵ (1995) and the **Declaration on the Elimination of Violence Against Women**⁸⁶ (1993) recognise a continuum of violence

that includes sexual harassment. As long ago as 1995 the Platform called for actions across sectors, including governments, employers, trade unions and civil society, to eliminate sexual harassment in educational institutions and workplaces.

In 2015 Member States committed to achieve the **Development Sustainable Goals**⁸⁷ by 2030. The Sustainable Development Goals (SDGs) 5, 11 and 16 have specific targets related to the elimination of gender-based violence and consequently sexual harassment. Goal 5 commits to the achievement of gender equality and empowerment of all women and girls and includes a target on the elimination of all forms of violence against all women and girls (5.2). Goal 11 on safe and sustainable cities includes a target on access to safe public spaces, in particular for women and children, older persons and persons with disabilities (11.7). Goal 16 concerns the promotion of peaceful and inclusive societies as well as access to justice. Target 16.1 seeks a significant reduction in all forms of violence and related deaths.

In November 2018, the General Assembly (GA) adopted the first resolution exclusively dedicated to the fight against harassment. The **GA Resolution on the Intensification of efforts to prevent and eliminate all forms of violence against women and girls: sexual harassment**⁸⁸ firmly condemns all forms of violence towards women and girls, including sexual

harassment. It urges States to take effective action to prevent and eliminate sexual harassment and address structural causes of sexual harassment.

For the first time, in 2019, violence and harassment in the world of work have been addressed in a new international labour standard. Together, the **Violence and Harassment Convention, 2019**⁸⁹ and **Recommendation**⁹⁰ provide a framework for action towards a world of free from violence and harassment. The right of everyone to a world of work free from violence and harassment is established with the treaty recognising sexual harassment as a human rights violation. The instrument addresses formal and informal sectors, recognises that workers and their advocates should be involved in drawing up policy and practices, makes reference to support for victim-survivors and includes domestic violence under the umbrella of addressing violence and harassment in the world of work. The UN Women-ILO Handbook on addressing violence and harassment against women in the world of work shows how violence and harassment hamper women's empowerment and their access to and progress in the labour market⁹¹.

Regional

The **Protocol to the African Charter on Human and Peoples' Rights (Maputo Protocol)**⁹² (1995) to the African Charter on Human and Peoples' Rights commits State Parties to take measures to eliminate all forms of discrimination against women and guarantee equal opportunity in education. Protection from all forms of abuse (including sexual harassment) is required in education and the workplace (Articles 12-13).

Sub-regional bodies in Africa also have addressed sexual harassment. West African States that are part of ECOWAS⁹³ adopted a **Regional Policy on sexual harassment in the workplace and in educational institutions**. The Southern African Development Community adopted the **Southern African Development Community Protocol on Gender and Development**.⁹⁴ Both **Policy** and **Protocol** require states to enact legislative provisions and adopt and implement policies, strategies, and programmes. These should include a definition, prohibit sexual harassment in all spheres and provide

deterrent sanctions for perpetrators of sexual harassment (Article 22).

The Organization of American States addresses sexual harassment as an issue of violence against women in the **Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Belem do Para)**⁹⁵ (1995). This treaty affirms the right of women to be free from violence, including sexual harassment in employment or any other context, and requires states to impose penalties and enact legal provisions to protect women.

The first legally binding European instrument on violence against women and domestic violence is the **Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)**⁹⁶ (2011). The Istanbul Convention obliges states to reform laws, to implement practical measures to aid victims, and, importantly, allocate adequate resources for an effective response to violence against women and domestic violence.

In March 2019, the Council of Europe adopted a **Recommendation on preventing and combating sexism**⁹⁷. It defines sexism as:

“Any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline, with the purpose or effect of: violating the inherent dignity or rights of a person or a group of persons; or resulting in physical, sexual, psychological or socio-economic harm or suffering to a person or a group of persons; or creating an intimidating, hostile, degrading, humiliating or offensive environment; or constituting a barrier to the autonomy and full realisation of human rights by a person or a group of persons; or maintaining and reinforcing gender stereotypes.”

The recommendation also requires states to generate and disseminate “systematic and sex- and age-disaggregated data on the incidence and negative impact of sexism and its manifestations, including on sexism

and sexual harassment in the workplace”. Actions, including sanctions, are expected against sexism in educational institutions in recognition of their potential impact upon subsequent education and career choices. States also bear responsibility for ensuring the accountability of private institutions for their actions and no exclusions are accommodated for religious education institutions.

The **Charter of Fundamental Rights of the European Union**⁹⁸ (2012) specifies the “right to be free from discrimination on the basis of sex” and requires states to ensure equality between men and women in all areas, including employment and vocational training. This principle has been further elaborated through several directives dealing with sexual harassment, including related to equal opportunities in employment⁹⁹.



UN Women event “What Cultural Change is Needed to Consign Sexual Harassment to the Dustbin of History?”. Pictured here: Dimitri Tskitishvili, Deputy Chair of the Foreign Relations Committee of the Parliament of Georgia 63th Commission on the Status of Women, New York, March 2019

Photo credit: UN Women/ Amanda Voisard

PART 4:

CONCLUSION

FROM INSTITUTIONAL BETRAYAL TO INSTITUTIONAL COURAGE¹⁰⁰

Victim-survivors of sexual harassment have found organisations to be wanting in relation to support, ensuring accountability for abusers and the creation of environments where there is no such harassment. They have felt betrayed by organisations that have protected senior staff or 'star performers' at an often unrecognised cost to those who have been harassed. It takes resolve and commitment to address these issues in fundamental and lasting ways, to tackle the complex and sometimes subtle ways in which patterns and structures of inequality and discrimination are manifest in daily practices, words and ideas. It can be easier not to challenge the status quo nor to address abuse of power but this easy option fails to deliver a vision of equality and non-discrimination. It is a challenge to end institutional betrayal of victim-survivors and instead find the institutional courage that is needed to end sexual harassment.

The culture of an organisation is reflected in its personnel – who is hired and where they are placed in the organization: management and leadership are especially relevant. These teams need to illustrate in practice their stated commitments to equality and diversity, as well as ways of working that uphold equality and non-discrimination.

This publication sets out how shared commitments to equality and respect in the workplace are the starting point for organisational cultural change. It needs to be enabled and demonstrated by unequivocal leadership commitment and consistent, timely communication. It requires the naming and addressing of sex and gender inequality, also other dimensions of inequality such as race, ethnicity immigration status, caste, sexual orientation and identity, disability and age. Organisations should record and share, with thoughtfulness about details and using aggregation if appropriate¹⁰¹, information about cases, how they have been addressed and outcomes. Transparency about efforts, how equality is being promoted, the effectiveness of support for victim-survivors as assessed by them and a willingness for continual learning all

help to bolster confidence and belief in an organisation's seriousness.

Individuals and organisations should expect to be held to account. Investigation processes and timelines should be reviewed and revised with meaningful input from those who have been through them. A victim-centred approach requires their experiences and knowledge to be the touchstone for all efforts.

This publication has set out how training to end sexual harassment can be developed, to improve on efforts that focus only on the 3-P's: prohibition, policy and procedures. Training should be integral to organizational efforts to end sexual harassment, change cultural norms, establish and achieve shared objectives and be a (key) constituent part of moving from existing to desired cultures, where respect, safety and non-discrimination are paramount. Collective ownership of cultural change relies on enabling and supporting those who are aware of or witness to sexual harassment to intervene in the promotion of intolerance.

Organisations should make reporting rational - end stigma and blame, train staff to listen with compassion, ensure speedy and victim-focused investigations and communications and have available a menu of administrative adjustments to apply as needed. Reporting helps an organisation to uncover and address sexual harassment but there are other ways of establishing the current situation (including climate surveys and the audit exercise described in this publication). Individual reports should never be the only route through which the need for change should be identified for it places responsibility for problem identification and change on victims and survivors.

Organisations must develop ways in which to communicate the outcomes of cases. Transparency in

disclosure of procedures, application of policies and / or complaints brought is part of feedback to the entire company or educational institution. Names need not necessarily be publicized and victim-survivors should be consulted in establishing transparency and trust in work to end sexual harassment.

Finally, the people who know most about sexual harassment, how it operates, how it hides and how it thrives, are the victim-survivors. It is essential to ask them the right questions and listen to them. Efforts to change the cultural environment in which sexual harassment insidiously or brazenly occupies our workplaces and educational institutions requires that their knowledge and experience are the starting point and constant references.



Inspired by social media discussions on sexual harassment in Egypt, a group of activists took the conversation to an offline public. The sign says: I wish I could take a stroll and not hear words that hurt. Cairo, Egypt, May 2012

Photo credit: UN Women/Fatma Elzahraa Yassin

WHAT TO DO? SIX ACTIONS

1. LEADERSHIP AND MESSAGING

Unequivocal and repeated messaging on creating an organisation where there is no sexual harassment is essential. This must come from the top and it needs to resonate with how personnel or students experience the organisation. Ensure that leadership is populated in significant part by those less rooted in experiences of power – women, those with disabilities, indigenous people and migrants, for example

2. UNDERSTAND AND PRACTICE ZERO TOLERANCE

Know zero tolerance as ambition and as practice. Consistent intolerance of sexual harassment requires that no report of sexual harassment is ever met by inaction or by acquiescence to potential proscribed behaviour.

3. UNDERSTAND AND EMBED VICTIM-CENTRED APPROACHES

The people who know most about sexual harassment, how it operates, how it hides and how it thrives, are the victim-survivors. Ensure that the knowledge of victim-survivors or their advocates are central in shaping work to end sexual harassment, including communications, policies, procedures and other interventions.

4. UPDATE TRAINING

Train seriously, often and with experts on sexual harassment. Training should not be about the 3Ps (prohibition, policy and procedures) but instead about a means through to move from a shared understanding of the existing norms and expectations in an organisation to a shared vision, of values and behaviours that will undermine and end sexual harassment.

5. PRACTICE AND PROMOTE COLLECTIVE OWNERSHIP

Collective ownership of cultural change relies on enabling and supporting all those who are aware of or witness to sexual harassment to intervene in promotion of intolerance and to be part of changing the norms that will prevent it. Train and support bystanders and witnesses to intervene.

6. ORGANIZATIONAL TRANSPARENCY

Organisations must develop ways in which to communicate the outcomes of cases. Transparency in disclosure of procedures, application of policies and / or complaints brought is part of feedback to the entire company or educational institution. Names need not necessarily be publicized and victim-survivors should be consulted in establishing transparency and trust in work to end sexual harassment

PART 5:

WHAT WILL IT TAKE? - SOME CONTRIBUTIONS

UN Women invited several subject experts, politicians, activists, private sector actors, member states to answer the question this publication addresses: what will it take to bring cultural change to end sexual harassment? Their contributions follow. The world cloud represents the words most commonly occurring in these contributions – notably, violence and rights are the most common and victims, support, power, gender and workers feature strongly too.



The messages in these contributions align in many ways with those of UN Women in this publication. Human rights framing and claims are mentioned by several, with Gabe Scelta, Penelope Beckles and Dubravka Šimonović all naming specific provisions, including CEDAW, Agenda 2030, the UDHR and the UN charter. Karima Bennouna, UN Special Rapporteur on Cultural Rights, writes that ‘Cultural change in line with human rights norms is a part of cultural rights’. The crucial role of leaders in making change is stressed by Kate Jenkins while Jan Beagle highlights senior level commitments at the UN, led by the Secretary General.

Eradicating sexual harassment is an aim in the private sector (Umran Beba) and the UN (Peter Drennan). The cultural issues at play are named as ‘norms that uphold male control and entitlement over women’s bodies’ by Winnie Byanyima and cultural representations that cast groups of people as less valuable than others thus making them easy targets for sexual harassment as they are considered less ‘deserving’ of rights or likely to be believed (Ai-jen Poo). The challenges of changing ‘hearts and minds, [of] remould[ing] cultures, particularly of institutions with embedded unwritten codes’ is noted by Kerry Gibson. Dimitri Tskitishvili problematises the cultural legitimising of sexual harassment as ‘ordinary male-female interaction’ while the Israel mission to the UN stresses the need to ensure equality of men and women, no matter the cultural specifics.

Umran Beba highlights the importance of training that is annual and compulsory at PepsiCo and, alongside the UN Feminist Network and the UN Women Youth Council, also cites the invaluable and essential knowledge that comes from hearing from those who have experienced sexual harassment. Monica Ramirez writes of the importance of hearing from low paid and immigrant women and Robin Runge notes that proposed solutions that are shaped without the inclusion of those directly affected are likely to fail, while WAGGGS note the need

to listen to young women and girls. Peter Drennan draws the links between impacts on individuals and organisations more broadly; all staff should uphold survivor-informed approaches writes Faiza Mohammed.

Throughout runs the need to deploy intersectional approaches, as is noted by many contributors, including Suneeta Dhar, Gabe Scelta, Robin Runge, Monica Ramirez, Ai-jen Poo and the UN Women Youth Council.

“Legal frameworks reflect the core values of a society, defining which acts will be condemned, which harms will be recognized, who will be protected and heard, and who will be held accountable. Promoting cultural change to address sexual harassment will require, among other things, a continuous and critical review of legal frameworks and mechanisms to ensure that they are functioning as effective tools for ending sexual harassment.”

— Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

JAN BEAGLE - UNDER-SECRETARY-GENERAL FOR DEPARTMENT MANAGEMENT STRATEGY, POLICY AND COMPLIANCE, UNITED NATIONS¹⁰²

We are in midst of a major cultural shift on the issue of sexual misconduct. Within the United Nations (UN), we are taking the measure of our organizational culture, and we are determined to ensure that our workplace is safe, inclusive and equitable with zero tolerance for sexual harassment. This is a key priority for the Secretary-General, and with urgent and focused commitment we are making progress.

In 2017, the Chief Executives Board of the United Nations established a Task Force on Addressing Sexual Harassment Within the Organizations of the United Nations System. One of the first deliverables was a Model Policy on Sexual Harassment, and all entities within the UN system are currently working to align their policies with this best practice

model. Once such policies are fully implemented, and supported by system-wide training initiatives, we will be vigilant in monitoring and evaluating their effectiveness in practice.

However, the existence of a policy is not sufficient to eliminate sexual harassment if the organizational culture in which its functions is still impacted by fear and lack of trust. In addressing sexual harassment as part of this broader organizational culture, we are convinced that sexual harassment policies must be integrated with related reforms of the organizational culture including gender parity, whistle-blower protection, and workplace civility.

To build trust in the organizational culture, the Task Force is now focused on strengthening the UN's shared investigative capacity and the quality of investigations involving sexual harassment, and a newly recruited team of women investigators and specialized training are part of this effort to ensure that perpetrators are held accountable and victims are supported.

With clear leadership from the top, support from Member States such as the Group of Friends to Eliminate Sexual Harassment, and wide collaboration among staff, we are committed to making zero-tolerance a reality within the UN and helping lead a global movement to consign sexual harassment to history.

UMRAN BEBA - CHIEF DIVERSITY AND ENGAGEMENT OFFICER, PEPSICO

For harassment to be eradicated, every company must have a zero-tolerance policy, provide mechanisms to report harassment, effectively investigate complaints, take appropriate action when harassment is found, have an environment that prevents retaliation, and have a strong ethical culture.

PepsiCo is among the world's most ethical companies – having received recognition from Ethisphere Institute for 13 consecutive years. We follow and enforce all laws pertaining to sexual harassment coupled with our own more stringent policies.

Our Code of Conduct¹⁰³ is at the heart of our ethical culture. Each year, all employees participate in mandatory Code of Conduct training. As part of the training, employees are reminded of the Speak Up hotline, a widely used, confidential tool.

Retaliation against an individual who supports PepsiCo's ethical culture violates our Code of Conduct and global anti-retaliation policy. PepsiCo has a zero-tolerance policy toward harassment or discrimination based on race, colour, religion, sex, sexual orientation, gender identity, age, national origin, disability or veteran status or any other protected category under applicable law.

Along with the Code of Conduct and Speak Up hotline, we have other important mechanisms.

- Speak Up trends are reviewed quarterly by compliance committees that include senior business leaders.
- Corporate audits assess the business environment and tone from the top within the broader audit agenda.
- Culture Wizard training helps employees understand cultural differences.
- Online training on workplace harassment educates employees on how to prevent and address the issue.

We continue to create an environment that facilitates two-way dialogue. In 2018, we held discussion groups led by women to foster open and honest dialogue about their workplace experiences and what PepsiCo can do to ensure the company remains a great place to work. We also leverage employee resource groups for insights into how we can continue to improve our company.

PENNELOPE ALTHEA BECKLES - PRESIDENT OF THE EXECUTIVE BOARD, UN WOMEN

For far too long, victims of sexual harassment have borne pain and suffering in silence, as the perpetrators of this disgraceful and unacceptable behaviour have utilised intimidation, victim shaming and abuse of power to avoid sanction and penalty. This phenomenon

can be attributed to a long-standing culture of power imbalance, which includes a system that has engrained perceptions of masculinity, transcending all spheres of social and professional life. Sexual harassment is not dependent on age, colour, gender, ethnicity, or wealth. Persons in positions of influence and power have an obligation to bring about change to this culture to ensure that victims of this heinous crime are empowered to speak up and speak out! We must continue to create safe spaces to allow dialogue and healing for victims of sexual harassment.

As President of the Executive Board of UN-Women, I believe that the organisation's role is to act as the catalyst to render support and to bring about the cultural change needed by translating international commitments and standards that address violence and discrimination against women, into actual initiatives aimed at ending sexual harassment.

I would also like to underscore my firm belief that we must continue to make a concerted effort to increase advocacy, education and awareness, to effect the change that is needed in this area. However, I also believe that this requires commitment at the national levels through policies, legislation complemented with a solid action-oriented institutional framework, in addition to the consolidation of an integrative system, which includes the involvement of key stakeholders at all levels, as well as improved partnerships and networking, which includes entities such as UN-Women.

KARIMA BENNOUNE - SPECIAL RAPPORTEUR IN THE FIELD OF CULTURAL RIGHTS

#MeToo, #BalanceTonPorc, #AnaKaman, #YoTambien and other related social media campaigns have shown us that women's experiences of sexual harassment are not anecdotal or coincidental. They are part of a broader pattern, and part of widespread cultures of subordination in which the disrespect and humiliation of women has been normalized. To end sexual harassment, we need new laws and practices, and increased accountability, but we also need education and awareness-raising, and most of all global cultural change. The latter is all too often forgotten.

One of the single most important international law obligations for ending sexual harassment is CEDAW article 5(a), which requires states “to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women”. Cultural change in line with human rights norms is a part of cultural rights.

In the mandate of the Special Rapporteur in the field of cultural rights we have encouraged a paradigm shift from a model that considers culture as an obstacle to women’s rights to a model that emphasizes the necessity to make sure that women enjoy their cultural rights in conditions of equality. It is important that all women have the right to participate in and contribute to all aspects of cultural life, including the right to determine which traditions, values and cultural practices need to be preserved, modified or simply dismissed, and that they are able to do so without fear of retaliation. To end sexual harassment of women, we need to imagine and create new cultures of equality and empower women and men to engage in the hard work necessary to achieve this vital cultural change.

WINNIE BYANYIMA - EXECUTIVE DIRECTOR, OXFAM¹⁰⁴

I think of how my grandmother rebelled against harassment and a humiliating marriage imposed by tradition. I think of my mother founding village women’s clubs to protect girls from early marriages. I think of all the places where patriarchal culture - informal law - rules.

These are energizing times in the fight to end sexual harassment – in homes, in communities, schools and workplaces. Silence – a most insidious cause and consequence of sexual harassment – breaks its brutality every time people collectively speak out against it. #MeToo, better education, technological disruption, they drive the change we need fuelled by the feminist movements who’ve long fought harmful cultures.

Because of them we can all be bolder in exposing and dismantling the deep power structures that allow abuse to flourish and create spaces to reimagine our societies. The widespread norms that uphold male control and entitlement over women’s bodies are what we must change.

This approach shapes Oxfam’s work. Our “Enough” campaign works to end violence against women and girls. We focus on changing social norms. We promote creative ideas to reshape societal norms, amplify them through digital media, film and festivals and pair these with grassroots work. In Bolivia we’re part of youth movements on the streets and online; in Russia we’re deploying virtual reality; in Morocco our street-theatre unravels street harassment; in Pakistan we’re rallying rickshaws with us. It’s a feminist battle for hearts and minds.

This approach must recreate Oxfam, following our past failures to do enough to protect women. We’ve had a patriarchal culture, the kind that suppresses and oppresses women – one that we’re radically changing. A feminist culture, rooted in solidarity, justice and equality, can better prevent sexual harassment and better help us to change the world. Such are the values we fight for, within Oxfam, and in all of society.

SUNEETA DHAR - SENIOR ADVISOR, JAGORI

No longer do women tolerate misogyny, everyday sexism and sexual violence. Their rights and dignity are inviolable. Following the horrific gang rape in Delhi in 2012¹⁰⁵, young women took to the streets to claim their freedoms and end patriarchal mindsets: ‘Don’t tell me what to wear; tell your son not to rape.’ #MeToo, #DignityMarch, #IWillGoOut and other movements in India, challenge impunity around sexual violence, building on the Vishaka Guidelines¹⁰⁶.

Organisations should institute a ‘Gender and Diversity Policy’ demonstrating political will. A gender-inclusive policy can enable wider representation of women in senior leadership positions (at least 33%), gender parity in wages, access to equal opportunities, and freedom from violence. It obliges institutions to deploy an

intersectional lens, addressing gender, caste, and sexuality, in workplace relations.

Organisations should mandate annual gender equality and rights trainings for all employees (one-off training is tokenistic). Staff meetings should move beyond monitoring work targets to discussing barriers faced by women and others. A common understanding evolves when employees are encouraged to question everyday violations and practice equality without fear.

Women need safe spaces to share experiences and build solidarity. Organisations must provide legal and counselling resources, ensuring privacy. Building an institutional pool of 'gender champions' is effective. Besides being mentors and allies, they can lead by example. Women do not seek paternalistic protection; they claim rights as workers.

Accountability with transparency are key. There should be clear standards and due diligence for both preventive and redressal measures. Regular gender audits and staff climate surveys can identify gaps in implementation and resistance to shared values, providing leaders with data to inform prompt actions. Good practices must be documented and shared. Effective public messaging on important occasions should reiterate commitment to zero tolerance against sexual harassment.

This is the time to re-imagine workplaces as liberating, equal, and where voice and agency count!

**PETER DRENNAN - UNDER-SECRETARY-GENERAL,
UNITED NATIONS DEPARTMENT OF SAFETY AND
SECURITY¹⁰⁷**

My reflections on how we consign sexual harassment to the dustbin of history stem from a forty-year career in organizations traditionally occupied by men, first in policing and now as Under-Secretary-General of the United Nations Department of Safety and Security (UNDSS). Thankfully, and with a great deal of effort, the demographics of security organisations are beginning to change and with them we will lose some of the resilient cultural elements which allow sexual harassment to persist.

However, it is far from good enough to just sit back and wait for this to happen. Ending sexual harassment is not the sole responsibility of women or members of the LGBT+ community: it is everyone's responsibility. This message has been central to my leadership. As a former police officer I know that preventing a crime is better than addressing its aftermath. The same can be said of sexual harassment: the objective is to reach a place where harassment simply does not occur because it is unacceptable behaviour.

At UNDSS, I have taken the issue of sexual harassment head-on by spearheading work on unconscious bias. Working to increase understanding of the cultural underpinnings of sexual harassment helps people recognize the origins of the beliefs that they hold, and to identify unacceptable elements in their own behaviour and that of the people with whom they work. At UNDSS we have used an array of learning approaches to multiply sexual harassment prevention messages and increase their resonance with staff. There is no scope for uncertainty about what constitutes sexual harassment and the consequences for this type of behaviour.

Leaders – and, in particular, male leaders – cannot take the backseat. Messages on zero tolerance for sexual harassment need to be told and told again, starting from the top: this helps staff at every level to understand the existence of sexual harassment and the detrimental impact it has not only on the targeted individuals, but on the wider organization.

**KERRY GIBSON - PRESIDENT, ECOCENTURY
TECHNOLOGIES**

For lasting cultural change, we must first correct a culture of silence that fails to support whistle-blowers and victims alike. Senior executives must lead by example in their truth-telling and openness. Shame needs to be removed from the honesty of naming harassment, of vulnerability, and it must be shown, not told.

Due process must lead to dire consequence, not just a quiet word and a lateral move. Dire consequence must be structured to extend to those with knowledge of criminal actions who failed to act against further

harm. Scaffolding must be erected to remove stigma from the act of whistleblowing, providing support, swift investigative process and procedure, and firm handling from the top down in order to ensure every case is thoroughly and appropriately addressed.

Vancouver business leader Peter Blake recently addressed the Edelman Truth Barometer, dubbing such effective leadership as “Management by Walking Around” ensuring responsibility and accountability at all levels. Leadership must be hands-on and unbiased through every stage of investigation and treatment, and staunchly reiterate a commitment to truth, ethical behaviour, and justice. Any rumours, speculation, or retaliation must be severely addressed without exception. Productivity must be tracked and audited, so that power brokering offering a trading on opportunities and favours is impossible without detection.

We can make announcements, write policy, and dictate process. It is entirely more difficult to shift hearts and minds, remould cultures, particularly of institutions with embedded unwritten codes, such as the military, brotherhoods, or even the United Nations. Concern for recrimination should be assuaged, all victims, witnesses, and truth-tellers involved should feel safe and supported. Proactive approach rather than passive delegation is the only method of success.

Male leadership cannot backbench itself as this is not women’s work. Morality, ethics, and transparency need to be reintegrated into these workplace cultures, and no longer be implied. There needs to be a coming together, a universal acknowledgement and recognition, and begin trending truth.

**KATE JENKINS - SEX DISCRIMINATION
COMMISSIONER, AUSTRALIAN HUMAN RIGHTS
COMMISSION**

The #MeToo movement shone a light on the ongoing pervasiveness and harm of sexual harassment at work across the globe, and in Australia.

A critical first step to finding solutions, is understanding the scale and nature of the problem. This is why in

June 2018, I announced the National Inquiry into Sexual Harassment in Australian Workplaces, alongside the Australian Minister for Women. A National Inquiry is a special function of a national human rights institution to investigate systemic discrimination and human rights violations.

The National Inquiry is examining the nature and prevalence of sexual harassment, its drivers and impacts, the adequacy of the current legal framework, and measures to address this harassment.

I am confident that this world first National Inquiry will deliver new solutions that are practical and evidence-based to prevent and effectively address sexual harassment in the workplace that we will report on in the second half of this year.

But it is not just a matter of coming up with solutions. We require leaders across government, business and the community to embrace these solutions and drive change to create a world where this kind of conduct is unthinkable.

Our approach must recognise that laws and policies to protect and promote the rights of women and girls are not enough. We need to take multiple reinforcing initiatives in high impact settings for change to break down the attitudinal and systemic barriers to equality. We must dig deep to understand why sexual harassment is prevalent, how it can be effectively addressed and to foster leadership to drive this agenda forward.

We still have a long way to go, but I am confident that if we take these steps, we can accelerate change, and over time, consign sexual harassment to where it belongs, in the dustbin of history.

**FAIZA JAMA MOHAMED - AFRICA OFFICE
DIRECTOR, EQUALITY NOW**

Barriers that stand in the way of ending sexual harassment are interlinked like a chain: if one link is broken it is possible to get rid of all of them. These include impunity, cultures of silence and fear of further victimization. Damage to an organization’s reputation and the risk

of escaping liability get in the way and foster silence because victim(s) do not feel confident exposing their abuser(s). This is certainly fed by the lack of action they have witnessed in other cases.

Addressing sexual harassment requires the development of effective prevention strategies. Organizations, including regional and international bodies, need to have survivor-centred policies that all staff commit to uphold. Such policies should be known to staff and should be subject to regular reviews. In addition, leadership should make deliberate quests to find out about the occurrence of any incidents.

When sexual harassment happens, organizations must be prepared to take swift action. Institutions need to have an independent body that reviews reported cases and makes recommendations to the organization. Such a body should be independent from the organization where the alleged abuse has taken place and should be comprised by people who are known to have integrity.

A notable number of countries have laws that criminalize sexual harassment. However, as is often the case, it is not the absence of laws and policies but the lack of implementation that creates barriers to addressing this violation. There must be clear support systems and processes that enable survivors of sexual harassment to effectively and meaningfully pursue justice without being re-victimized, harassed or subjected to retaliation and unnecessary bottlenecks. If organizations are vigilant, put in place the requisite preventative measures and take swift action when a case is reported, in no time will we see sexual harassment consigned to the dustbin of history.

AI-JEN POO - DIRECTOR, NATIONAL DOMESTIC WORKERS ALLIANCE (UNITED STATES OF AMERICA) AND CO-DIRECTOR OF CARING ACROSS GENERATIONS (UNITED STATES OF AMERICA)

Tarana Burke's MeToo Movement provided an opening for societal, political and cultural change related to gender-based violence. Much focus has been on policy and systemic changes that are needed to establish rights, accountability measures and resources to support

survivors of sexual harassment. Since October 2017 legislation has been introduced across the US to extend rights to groups, like domestic workers, who currently lack necessary protections against sexual harassment at the state and federal levels. It has helped direct unprecedented attention to some of the abuses that the more than 2.5 million domestic workers face working in private homes across the country.

Policy change alone will not end this problem. A culture shift is also needed to prevent the sexual harassment that women of colour, migrants, low-paid workers and others, routinely experience.

Cultural representations, whether in popular culture, the media or in other formats, too often promote or reinforce negative narratives that dehumanize groups of people as weak or less valuable and, therefore, easier targets for violence, not to mention less deserving of respect, justice and dignity. Stories and stereotypes of women, the poor and other groups, including domestic workers, send messages about how people should be treated, whether they are owed rights and if they should be believed.

Further, the portrayal of men and boys as dominant and forceful has been damaging, too. These depictions define masculinity in our culture and create a permissive context for violence and abuse.

Without changing these narratives and our decisions about how we tell these stories we will not be able to prevent or end gender-based violence. Our understanding of one another and the experience of violence have to become more complex and humane. Both culture shift and policy changes are needed to create a world without gender-based violence.

MONICA RAMIREZ - GENDER JUSTICE CAMPAIGNS DIRECTOR FOR THE NATIONAL DOMESTIC WORKERS ALLIANCE AND THE PRESIDENT OF JUSTICE FOR MIGRANT WOMEN, UNITED STATES OF AMERICA

Women and the jobs that women hold have been undervalued by our society. This can be noted by public attitudes toward these jobs and the fact that women

are concentrated in certain occupations, which often offer fewer rights and benefits. It should not be surprising that women have, therefore, experienced poor treatment, including alarming rates of sexual harassment in these jobs and in every single industry across the global economy.

Since Tarana Burke's MeToo Movement had its breakthrough in 2017, thousands of workers have disclosed the sexual harassment that they have endured at the hands of company owners, bosses, supervisors, co-workers and others, including women employed in agriculture, domestic work, restaurants, hospitality and many other industries. Women of colour, immigrant women and low-paid workers are among the most affected by sexual harassment, though their experiences had not previously captured the attention of the masses in the same way. Disclosures by the highest paid to the lowest paid workers made clear that just as the problem persists across industries so does a solution.

A significant moment in addressing this issue came when women from different industries linked arms and walked the red carpet at the 2018 Golden Globes to declare their shared commitment to end this problem. It epitomized what culture shift looks like, as well as the potential for change that it presents.

Achieving meaningful change that promises equal rights and protections for all workers necessitates standing with and for all workers across the globe. Further, shifting societal attitudes, norms, and laws fundamentally requires collective action and a collective commitment to these goals. Taken together, these actions will send a clear message to political leaders, law makers, businesses and the public that all work and all workers are valuable and deserve to work free of sexual harassment and violence.

**ROBIN RUNGE - SENIOR GENDER SPECIALIST,
EQUALITY AND INCLUSION DEPARTMENT,
SOLIDARITY CENTRE, UNITED STATES OF AMERICA**

Gender-based violence and harassment (GBVH) at work is a global problem affecting tens of millions of women workers across all sectors, causing them

economic, emotional and physical harm, and undermining their economic security. While both, men and women can be victims of GBVH at work, women are most frequently targeted.

The presence of GBVH in the workplace silences not only those who are targeted but those who fear retribution or retaliation if they speak up against the abuse and violence they witness. In this way, it is one of the most effective tools of intimidation, limiting true freedom of association among workers. Democratic structures, inclusive and reflective of the needs and experiences of all workers, are impossible as long as GBVH remains as one of the most effective tools of oppression and intimidation. It is also costly for employers, and undermines national economic growth. The eradication of GBVH in the workplace requires the prioritization of transformative change in workplaces and unions, informed and led by those workers who are disproportionately impacted. It also requires incorporating strategies to address the social norms that legitimize gender inequalities, maintaining unequal power relations in the workplace that enable it to continue. Solutions developed without including the voices of those most impacted are unlikely to be effective or sustainable. Only through solidarity and collective action can it be overcome.

GABE SCelta - BOARD OF DIRECTORS, UN-GLOBE

Sexual harassment is, at its core, about power and gendered expectations in relation to power. Assumptions about institutional hierarchies, intersectional vulnerabilities, and cultural obligations, all create systems that either serve to encourage or discourage harassment, and all violence and harassment directed toward LGBT+ persons are firmly placed within those power structures. Individual and cultural assumptions about, for instance, "how a woman should look," "how a man should act," or "who a person's partner should be" are all platforms on which perpetrators all too frequently stand.

Only by breaking down these social constructs, obligations, and binaries, can we begin to address the inequalities highlighted in the 2030 Agenda. The very first step is to acknowledge where we are failing the most marginalized among us, especially trans and

gender non-conforming persons, and those LGBT+ individuals and communities that exist in regions where they are marginalized by the very institutions that are mandated by the Universal Declaration of Human Rights, in conformity with the Charter of the United Nations, to ensure human rights and fundamental freedoms for all, “without distinction of any kind.”

To acknowledge these failures, we must be able to name them, to count them, and to report them without fear of reprisal from the very institutions and hierarchies that they are historically structured to support, from the most powerful of governments to the smallest of family arrangements. This is a monumental task. As Audre Lorde reminds us, “the master’s tools will never dismantle the master’s house,” and so we must begin by reframing each structure from a place of equity. With no obligation to any single state or institution, we believe the United Nations is in a unique position to assert this virtuous goal, and in fact may be the only logical place to begin that journey towards equality in opportunity and freedom from fear.

DUBRAVKA ŠIMONVIĆ – UNITED NATIONS SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN, ITS CAUSES AND CONSEQUENCES

Since its establishment in 1994, the mandate of the UN Special Rapporteur on violence against women, its causes and consequences (SRVAW), has addressed all forms of violence against women including sexual harassment, as a human rights violation, with particular focus on State’s obligation to adhere to a standard of due diligence when addressing the issue of violence against women. Sexual harassment is listed in article 2 of the Declaration on the Elimination of Violence Against Women, as a form of violence against women, and as such should be prevented and eradicated through full implementation of the Convention of the Elimination of Discrimination Against Women, and its new General Recommendation 35 on gender-based violence against women, updating general recommendation No. 19; along with the UN Declaration on the elimination of violence against women, and applicable regional instruments including the Maputo Protocol, the Belém do Pará Convention and the Istanbul Convention; as

well as country specific recommendations made by the mandate of the SRVAW. More generally sexual harassment should be eradicated through the full application of human rights norms and principles on discrimination against women and gender equality. Sexual harassment against women may be an expression of culture, but it is also an expression of tolerance to violence against women, and represents a blatant disregard for human rights that contravenes the aforementioned UN human rights instruments. In order to change the often socially accepted norms related to sexual harassment, it should be fully recognised as a human rights violation and changed in line with international human right obligations: to prevent, protect and prosecute perpetrators. If States fail to act in line with their human rights obligations, such cases of gender-based violence should be raised through relevant UN reporting and complaint mechanisms, including the mandate of the SRVAW, and the CEDAW Committee, among others.

DIMITRI TSKITISHVILI - DEPUTY CHAIR OF THE FOREIGN RELATIONS COMMITTEE OF THE PARLIAMENT OF GEORGIA

Sexual harassment is a relatively new topic in the Georgian political discourse even though this behaviour has existed over many years. In comparison with other forms of gender-based violence, sexual harassment is the most hidden by the victims and the most legitimized by a culture that frames it as an ordinary male-female interaction.

Research conducted by UN Women and the National Statistics Office of Georgia in 2017 revealed shocking data on sexual harassment. The results showed that one in every five women were victims of sexual harassment. I am confident that should this research be conducted after the #MeToo campaign, the number would be higher.

The Gender Equality Council of the Georgian Parliament, which consists of members from every political faction, has found common, bipartisan grounds, free from party-dominated agendas. In early 2018 we started preparing a legislative package detailing practical and effective mechanisms to control sexual

harassment with involvement of relevant stakeholders including civil society organizations, governmental agencies, international organizations, the office of the Public Defender, and others.

As a result, the process of hearings on the draft bill has been quite successful and the legislative package was adopted by the Parliament of Georgia in May 2019. This is undoubtedly a huge step forward as it will create a major legal framework to combat sexual harassment and implement important prevention mechanisms. From the Parliament and the Government, this will be a clear message to our society that the practice of sexual harassment is unacceptable, including any attempt to normalize such behaviour.

I am optimistic that this is just the beginning and that this work will pave the way for the political and cultural transformation of our society, which is a crucial precondition to eradicate sexual harassment.

ISRAELI MISSION TO THE UNITED NATIONS IN NEW YORK, FOUNDER MEMBER OF THE GROUP OF FRIENDS TO ELIMINATE SEXUAL HARASSMENT

Sexual harassment is a cultural phenomenon rooted in historic power imbalances perpetuated throughout the years by societies around the globe. It is more prevalent in situations of unequal power – such as between an adult and underage person, doctor and patient, teacher and student, employer and employee and more. Degrading or humiliating treatment related to a person's gender or sexuality, including sexual orientation, is also sexual harassment. Harassment can also happen online.

The key cultural change needed to eliminate sexual harassment is the collective effort for gender equality. While we recognize that cultures may view gender roles differently, we should ensure that men and women are seen as equals. The following steps will help to create the cultural change needed:

- Education on what sexual harassment is and its scope in various situations, while adjusting our approach to different societies

- Use of official institutions, such as the public education system, government offices, public service entities, and the military, etc., to help assimilate the desired standards

- Emphasizing the role of witnesses in reporting incidents of sexual harassment, and providing support and assistance to victims.

- Publicize actions taken against perpetrators as a means of deterrence of potential offenders

If we are to bring about a cultural change and eliminate this behaviour, we need society to widely regard sexual harassment as unacceptable. We must create a diverse, inclusive and respectful environment, where all are equally valued and treated with dignity.

In Israel, for example, legislation includes accountability on the part of employers to prevent and combat sexual harassment. For this reason, Israel chose to initiate the first UN resolution on Preventing and Eliminating Sexual Harassment in the Workplace, which was adopted by consensus during the 61st Commission on the Status of Women in 2017.

Finally, Israel believes that the United Nations, as the world's leading inter-governmental body, must set an example by continuously working to improve its response to sexual harassment, in cooperation with and with support from its Member States.

UNITED NATIONS FEMINIST NETWORK

Eradicating sexual harassment within institutions that are as large and varied as the UN will take nothing short of a cultural overhaul.

Generating bold solutions that genuinely change the culture that enables harassment will come from two sources: victims and survivors of abuse, and experts in gender-based violence within and beyond the UN system. Listening to the voices of victims and survivors is the only way we can design responses that respond to the needs and experience of those affected. Otherwise

the tools we are trying to use will be impersonal, imperfect and ineffective.

Experts on gender-based violence within and beyond the UN are another critical resource. Lasting change will only come through fundamentally transforming unequal gendered power structures in our organizational cultures. This is a huge task, but it is not impossible. One of the UN's key resources is convening power. To lead the world in addressing sexual harassment we need to work with feminists in governments, civil society, trade unions, universities, and the media, who have been grappling with similar problems, including in complex contexts. Otherwise we fail to learn, and risk repeating our mistakes time and again.

Most importantly, for these bold solutions to really make the difference in the lives of victims, we need to tackle the culture of impunity head on. Senior leadership must be willing to enforce policies and procedures to ensure that all who work for or with the UN are held accountable for their actions. We also need Member States to play their part in fostering accountability by renouncing the use of diplomatic immunity to shield alleged perpetrators from prosecution.

In order to get to grips with the problems we have, the UN should be brave enough to open ourselves to scrutiny and have the difficult conversations about the radical changes that are so urgently needed. It's past time.

UN-WOMEN YOUTH COUNCIL

In order to sweep sexual harassment into the dustbin of history, we need to recognize the structural inequalities that create systems in which abusers can thrive. Everyone has a part to play in cultivating a culture of equality and respect and everyone has a right to enjoy it. Supervisors and senior staff have a particular responsibility to 'lead by example' and set and uphold standards.

To understand what cultural change is needed in the workplace, we must listen to the voices that often go unheard, particularly of young professionals, many of whom are non-staff and thus on less protected

contract modalities, such as unpaid internships or short-term consultancies. Young professionals are often reluctant to report sexual harassment, due to the real or perceived risk that doing so might jeopardize their job prospects, contract renewals and references. Their interests are largely unrepresented by the staff council, and their ability to self-advocate for stronger protection and access to response services is constrained by limited access to decision-making spaces.

The specific vulnerabilities of young people are exacerbated when they are also people of colour, with disability, or part of the LGBT+ community. In working to end sexual harassment in the UN, we must acknowledge that histories of colonialism, racism, sexism, ableism and homo- and transphobia are inextricably linked to contemporary abuses of power.

When we acknowledge the structural basis of sexual harassment, we can work towards cultural change, through. Both in policy and practice, that will ensure that everyone is equally entitled to work in a safe environment. Hierarchical and uneven distributions of power in the workplace need to be challenged. Only then can we empower young survivors to report sexual harassment and access support services without fearing intimidation, judgment or inaction; enable young bystanders to intervene without fear of retaliation; and ensure that the misconduct of perpetrators is never justified, trivialized, or simplified.

UPASANA CHAUHAN - UNITED NATIONS MAJOR GROUP FOR CHILDREN AND YOUTH (UNMGCY)

The United Nations needs to have systems of accountability and HR record-keeping as well as systems to avoid cover-ups, long investigations, and systems for reporting wrongdoing and whistleblower protection.

We call upon the United Nations to introduce a protocol/toolkit to help young people navigate mechanisms for reporting sexual harassment throughout the different UN agencies.

The most common assumption is that sexual harassment in the workplace is more common either in the

informal sector or Hollywood or any other industry, but the bitter truth is that it is as much deep-rooted within the UN as in any other industry. While it must be emphasized that women remain highly vulnerable to sexual and gendered violence and harassment, steps must be taken to ensure the safety of people of all genders and the implementation of mechanisms to address violence and protect all victims and survivors. There is a need to develop preventive programming and support for sexual assault survivors.

We also need to follow a stricter “Zero Tolerance Policy” for sexual assault cases and ensure that the corresponding actions are taken with immediate effect. There should be a stricter background check on employment criteria, and character qualifications should be given more priority than the educational qualifications.

WORLD ASSOCIATION OF GIRL GUIDES AND GIRL SCOUTS

Since 2011, the World Association of Girl Guides and Girl Scouts (WAGGGS) has been championing the rights of girls and young women through its global flagship campaign ‘Stop the Violence’. Centred on advocacy, education and awareness raising, Girl Guides and Girl Scouts in over 70 countries have joined our global movement calling for an end to the manifestation of gender-based violence (GBV) in their communities.

Girls and young women are at the forefront of receiving the unwanted advances of men and boys. From catcalling to unwanted touching, they are experiencing intimidation, hostility, degrading treatment and violations of their dignity in public and private spaces and places. It starts when they are young and continues into adulthood.

At WAGGGS, we believe in the power of non-formal education and peer-to-peer learning as a critical tool in tackling the root causes of GBV and changing mindsets that have normalised the violation and subjugation of girls and young women. Girls and boys in over 35 countries have experienced the ‘Voices against Violence’ curriculum developed by WAGGGS and UN Women, with many now taking action to advocate, raise awareness and educate their communities on the issue.

To change the culture of impunity, we also recognise the need for legislation that criminalises the sexual harassment of women and girls, effective implementation of this legislation and prosecution of perpetrators. Legislation places a burden on the duty-bearers to provide protection and a route to accessing justice. It sends a clear message that sexual harassment is not acceptable and adds weight to the shift in culture that must take place to end sexual harassment.

Finally, but most importantly, girls and young women must be listened to. As the most vulnerable, their voices and experiences must be amplified and inform and shape the cultural shift needed to bring an end to sexual harassment.

RESOURCES ON SEXUAL HARASSMENT

JANUARY 2019

- Rape Myths in Wartime Sexual Violence Trials: Transferring the Burden from Survivor to Perpetrator¹⁰⁸
- Sexual coercion, consent and negotiation: processes of change amongst couples participating in the Indashyikirwa programme in Rwanda¹⁰⁹
- Partners as possession: a qualitative exploration of intimate partner sexual violence in Freetown, Sierra Leone¹¹⁰
- Where we're going and where we've been: making the case for preventing sexual violence¹¹¹
- A scoping review of challenges in adult intimate relationships after childhood sexual abuse¹¹²
- Women's post-rape experiences with Guatemalan health services¹¹³
- United States of America - Sexual Harassment & Assault at Work: Understanding the Costs¹¹⁴
- Eurasia - How the Law Is Failing Women Survivors of Sexual Violence: Roadblocks to Justice¹¹⁵

FEBRUARY 2019

- Youth strategies for positive bystander action in situations of dating and sexual violence: implications for measurement and programming¹¹⁶
- Characterizing male sexual partners of adolescent girls and young women in Mozambique: an intervention to promote data use¹¹⁷

- A new approach to assess the capability of health facilities to provide clinical care for sexual violence against women: a pilot study¹¹⁸
- A Multi-Campus Pilot Feasibility Evaluation of a Bystander-Based Sexual Violence Prevention Program: Exploring the Influence of Drinking Behaviors on Bystander Behavior¹¹⁹
- Thematic report: connecting the dots – supporting the recovery and reintegration of children affected by sexual exploitation¹²⁰
- Power and Trust Dynamics of Sexual Violence: A Textual Analysis of Nassar Victim Impact Statements and #MeToo Disclosures on Twitter¹²¹
- Prevention of child sexual exploitation: insights from adult survivors¹²²
- Power, inequality and silence: an intersectional approach to sexual violence¹²³
- Digitized narratives of sexual violence: Making sexual violence felt and known through digital disclosures¹²⁴
- Helping Industries to Classify Reports of Sexual Harassment, Sexual Misconduct, and Sexual Assault¹²⁵
- Sexual harassment and assault at work: Understanding the costs¹²⁶

MARCH 2019

- Perceptions of community norms and youths' reactive and proactive dating and sexual violence bystander action¹²⁷

- Meeting the needs of adolescent and emerging adult victims of sexual violence in their romantic relationships: a mixed methods study exploring barriers to help-seeking¹²⁸
- Why women are not talking about it: reasons for nondisclosure of sexual victimization and associated symptoms of posttraumatic stress disorder and depression¹²⁹
- An integrated, trauma-informed care model for female survivors of sexual violence: the engage, motivate, protect, organize, self-worth, educate, respect (empower) clinic¹³⁰
- Alone and unsafe: children, migration, and sexual and gender-based violence¹³¹
- Sexualised violence against children: a review of laws and policies in Kenya¹³²
- School personnel's bystander action in situations of teen relationship abuse and sexual assault: prevalence and correlates¹³³
- Healthcare professionals as gatekeepers in research involving refugee survivors of sexual torture: an examination of the ethical issues¹³⁴

APRIL 2019

- Discussion Paper 149, Project 107, Sexual Offences: Pornography and children. South African Law Reform Commission, 2019¹³⁵
- Meeting the needs of adolescent and emerging adult victims of sexual violence in their romantic relationships: A mixed methods study exploring barriers to help-seeking¹³⁶
- Characteristics of precollege sexual violence victimization and associations with sexual violence revictimization during college¹³⁷
- Exploring the associations between physical and sexual gender-based violence and HIV among women who use substances in South Africa: the role of agency and alcohol¹³⁸

JUNE 2019

- “Regardless, you are not the first woman”: an illustrative case study of contextual risk factors impacting sexual and reproductive health and rights in Nicaragua¹³⁹
- A Systematic Review of Bystander Interventions for the Prevention of Sexual Violence¹⁴⁰
- A latent class analysis of the co-occurrence of sexual violence, substance use, and mental health in youth¹⁴¹
- The little tissue that couldn't—dispelling myths about the Hymen's role in determining sexual history and assault¹⁴²
- A scoping review of adult survivors' experiences of shame following sexual abuse in childhood¹⁴³
- Sexual violence among adolescent girls and young women in Malawi: a cluster-randomized controlled implementation trial of empowerment self-defense training¹⁴⁴
- The case of Kavumu: a model of medicolegal collaboration¹⁴⁵

JULY 2019

- A protocol for a cluster-randomized controlled trial testing an empowerment intervention to prevent sexual assault in upper primary school adolescents in the informal settlements of Nairobi, Kenya¹⁴⁶
- Ethics & Accountability in Researching Sexual Violence Against Men & Boys¹⁴⁷
- Human Rights Council Resolution A/HRC/41/L.5/Rev.1. Accelerating efforts to eliminate all forms of violence against women and girls: preventing and responding to violence against women and girls in the world of work¹⁴⁸
- Sexual violence and safety: the narratives of trans-women in online forums¹⁴⁹

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