



Food and Agriculture  
Organization of the  
United Nations

World Banana Forum (WBF)

Working together for sustainable banana production and trade  
Task Force on Gender Equity (GE-TF)

## WEBINAR

### ‘Sexual harassment and gender-based violence in the banana industry’

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Report of the WBF Task Force on Gender Equity (GE-TF)

Monday, 28 September 2020

#### 1. Welcome by the WBF Secretariat

On behalf of the World Banana Forum (WBF) and its Task Force on Gender Equity (GE-TF), hosted by the Food and Agriculture Organization of the United Nations (FAO) through the WBF Secretariat, **Ms Camila Reinhardt Hurtado, FAO**, welcomed participants to the second webinar in a series of four thematic webinars being organized by the GE-TF. The series focuses on priority issues for women workers in the banana industry. The 28 September webinar was titled ‘Sexual harassment and gender-based violence in the banana industry’ and was coordinated in conjunction with Banana Link.

**Ms Reinhardt Hurtado** provided a recap of the 23 July webinar, which discussed challenges and best practices for the occupational health and safety (OHS) of women workers in the banana industry. The Banana Occupational Health and Safety Initiative (BOHESI) *Guidelines on the healthy and safe employment of women in the Ghanaian banana industry* were also discussed during the July webinar, with a focus on how they have been implemented at plantation level and how they might be adapted to Latin America in the future.

The 28 September webinar had the following aims:

- ♀ Share information and enable discussion on the ILO Violence and Harassment Convention (No. 190) and Recommendation (No. 206).
- ♀ Increase understanding on related issues for women workers in the banana industry and the need for implementation of the above-mentioned Convention and Recommendation at farm and plantation level.
- ♀ Exchange experiences, ideas and opportunities to put the Convention into practice, such as developing related guidelines, policies and training programmes for the banana industry.
- ♀ Explore ideas on how the World Banana Forum and its Task Force on Gender Equity can play a lead role in the above initiatives.

## 2. Introduction by the chairperson and coordinator of the GE-TF

**Ms Anna Cooper, Banana Link**, introduced the issue of sexual harassment and gender-based violence: an issue that has been regularly raised by trade union colleagues from Latin America, the Caribbean and Africa, and also a number of companies and buyers within the Forum who are working to try and find solutions at plantation and farm level.

The goal of this GE-TF is to highlight the problem of sexual harassment and gender-based violence so that issues related to it can be integrated into meetings, conferences and activities of the WBF and its members, particularly at plantation level.

One practical way that the GE-TF has addressed the issue has been through trainings that use the gender-focused guidelines on health and safety developed in Ghana. It is hoped that this will be replicated in other countries soon, with a key focus on tackling sexual harassment and gender-based violence to ensure healthy, safe and decent working conditions for women.

Another opportunity that the GE-TF has had as a working group was to contribute to a series of case studies on gender equality in 2019, funded by the Ethical Trading Initiative. Three of these studies provided practical examples from the banana, flowers and fruit sectors on addressing sexual harassment and gender-based violence issues in the workplace through union-employer bargaining agreements, effective grievance mechanisms and participatory training activities.

## 3. Summary of panel discussions

The webinar featured contributions from three expert panellists from the International Labour Organization (ILO), the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), and the retailer Tesco. It later heard from wider participants with questions and related experiences on the issue of sexual harassment and gender-based violence—an important part of the multi-stakeholder activities of the Forum.


### 3.1 Outline of the ILO Convention 190 and Recommendation 206 on 'Violence and harassment in the world of work'

*By Valentina Beghini, Senior Technical Officer – Gender, Equality and Diversity and ILOAIDS Branch, International Labour Organization (ILO)*

**Ms Valentina Beghini** referred to the ILO Violence and Harassment Convention (C190) and Recommendation (R206) as a global mandate to end violence and harassment in the world of work. The convention and accompanying recommendation was adopted in 2019 at the International Labour Conference of the International Labour Organization. For the first time, these standards set out the right of everybody to a world of work free from violence and harassment. Conventions are binding treaties, and therefore obligations for ratifying states.

The rights outlined in the Convention apply to all sectors, whether private or public, in the formal and informal economy, and in urban or rural areas. The Convention covers abuses occurring in the course of, linked with or arising out of work, for example during breaks, work-related trips, and while commuting to and from work. The Convention and the Recommendation recognize that preventing and eliminating violence and harassment in the world of work requires Members to respect, promote and realize the fundamental principles and rights at work as well as to promote decent work.

**Ms Beghini** noted that the ILO's idea of a world of work is based on dignity and respect for everyone. She emphasized the importance of clearly defining 'violence and harassment'. In many countries, it has proven difficult to draw the line between violence and harassment. Thus, the Convention takes a pragmatic approach and defines 'violence and harassment' as seen below:

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- ♀ 'Violence and harassment' refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence.
  - ♀ 'Gender-based violence and harassment' then refers to violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.

In national laws and regulations, States are able to define violence and harassment as a single concept or separately, and could also set out what specific behaviours and practices constitute violence and harassment. What is important is that there is effective prevention of and protection against the range of unacceptable behaviours and practices (Art. 1(2)).

Under Convention No. 190, sexual harassment is not defined, but it is clearly included within the definition of gender-based violence and harassment (Art. 1(1)(b)). Sexual harassment is a serious manifestation of sex discrimination and a violation of human rights, which is addressed in the context of the ILO Discrimination (Employment and Occupation) Convention 1958 (No. 111). Within the framework of ILO Convention No. 111, and according to the 2002 General Observation of the ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts), definitions of sexual harassment contain the following key elements:

- ♀ *quid pro quo*: any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the recipient; and a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job; and
- ♀ *hostile working environment*: conduct that creates an intimidating, hostile or humiliating working environment for the recipient.

C190 calls for an inclusive, integrated and gender-responsive approach, which has three pillars:

1. Prevention and protection
2. Enforcement and remedies
3. Guidance and training


The Convention recognizes that domestic violence has an impact on the world of work, specifically on employment, productivity and health and safety. The Recommendation proposes several measures to mitigate its impact, such as employers providing leave for victims, flexible work arrangements, temporary protection against dismissal and that they include domestic violence in workplace risk assessments and awareness-raising.

Laying out the next steps, **Ms Beghini** noted that all Member States are required to bring the Convention to the attention of competent national authorities. Following the recent ratifications of Uruguay and Fiji, the Convention will enter into force on 25 June 2021. States that ratify the Convention submit regular reports for review by the ILO Committee of Experts on the Application of Conventions and Recommendations.

### **3.2 Introduction to main sexual harassment (SH) and gender-based violence (GBV) issues at plantation level, and existing trade union and company initiatives on the practical implementation of Convention No. 190**

*By Adwoa Sakyi, Regional Women's Coordinator for Africa, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)*

A trade unionist with over 20 years of experience, currently employed by IUF, **Ms Adwoa Sakyi** introduced the main sexual harassment and gender-based violence issues at plantation level. She also outlined existing trade union and company initiatives that support the practical implementation of C190.



The IUF represents unions that cover the entire food chain: from agriculture, food, hotels and restaurants, to tobacco and workers in the informal economy.

**Ms Sakyi** began by saying that gender-based violence is one of the worst, most widespread, and probably oldest types of gender discrimination globally. Women are often confined to precarious work conditions, quid pro quo scenarios, and are overall hampered from accessing decent work. In the agricultural sector, many women remain isolated on plantations run by men.

In Africa, as a result of capacity building, awareness raising campaigns and exchange of experiences, unions have increasingly negotiated arrangements that support issues important to women, particularly through collective bargaining clauses—a method that works because everyone involved has a role. Lately more and more women are coming forward to ‘break the silence’ surrounding gender-based violence. **Ms Sakyi** explained how IUF continues to engage on this issue with zero tolerance for gender-based violence, which it firmly considers a trade union issue.

Apart from collective bargaining, other plantation level initiatives include training and awareness raising for workers to empower them to speak up on issues often considered taboo. For example, initiatives include role plays to tease out the issues and capacitate women workers on dealing with sexual harassment, as well as the distribution of information and education materials produced to sensitize workers.

IUF has signed agreements with major companies who subscribe to the zero tolerance policy, demonstrating that supply chain intervention is key. Banana workers in the three major banana companies in Ghana who have agreements with IUF are an example of the implementation of C190 at the national level.

However, challenges persist and vulnerabilities in the system still need to be addressed. These include difficulties faced by trade unions and impacts on collective bargaining agreements, working conditions, and types of contracts. Specifically, workers in the agricultural sector tend to remain invisible and work under precarious conditions due to the frailty and the structure of the food system. In addition, trade unions are often restricted or repressed, and few agricultural workers are covered by collective bargaining agreements.

### **3.3 Tesco Gender Strategy / lessons from the South African fruit industry initiative to develop farm level grievance mechanisms as a key tool to tackling SH and GBV issues at source**

*By Tania Moodley, Responsible Sourcing Manager, Tesco*

**Ms Tania Moodley** shared key information on the process and lessons learnt from the development of Tesco’s Gender Strategy and its experience in enabling a collaborative approach for the development of farm level grievance mechanisms in the South African fruit industry. Her intervention touched on the following areas:


- ♀ overview of Tesco’s human rights strategy;
- ♀ Tesco’s gender strategy; and
- ♀ South African fruit industry’s farm level grievance mechanism.

Experiences on South African farms and in pack houses allowed Tesco to gather feedback and in some cases revise its strategies.

In terms of the firm’s human rights strategy the key focus areas are:

- ♀ forced labour;
- ♀ gender equality;
- ♀ sustainable livelihoods; and
- ♀ worker representation.

The strategy is implemented through the improvement of standards for people working in Tesco’s supply chains;



driving industry-wide efforts to address endemic labour and community issues throughout key supply chains; and, notably, using its convening power to advocate for change where it is needed. Sea faring workers impacted by COVID-19 is just one current example of where standards need improvement.

According to the United Nations, 35 percent of women—818 million women globally—over the age of 15 have experienced sexual or physical violence at home, in their communities or in the workplace. **Ms Moodley** shared a map that seeks to demonstrate areas of the world and in sectors in which women face the largest gender-related risks.

**Ms Moodley** presented Tesco's Roadmap for a gender equality strategy which involves phases from desk research, stakeholder engagement, and risk assessment to define its strategic focus; to supplier engagement and understanding local challenges to refine its strategic plan; and ultimately the implementation of its strategic plan. She noted that it will not be an easy solution.

The four focus areas to be addressed are:

- ♀ sexual harassment and discrimination;
- ♀ women in leadership and technical in positions in the agricultural sector;
- ♀ gender stereotypes; and
- ♀ increasing women's voices in the workplace.

The key product areas are bananas, farmed prawns, tea and berries which represent areas either where much has been achieved, or ones that need intervention.

To achieve transformative change, a company like Tesco must work together with others, show leadership, and show commitment. One important way to do this is to support principles that empower women.

The lessons learnt are: collaboration, showing leadership and leveraging scale, that is, focus on issues in which one can make a difference.

In the South African case, there were high levels of distrust among actors. Also, there was a strong demand for South Africa-tailored solutions. **Ms Moodley** discussed Tesco's experience in the development of farm level grievance mechanisms, a key project, which ensures workers in the fruit sector are heard and their concerns addressed.

With a large and varied work force in the South African fruit industry, challenges included distrust, integration, diversity and awareness, as well as overlap, ownership, scope and timing.

On a practical note, it is critical to establish legitimacy for farm-level grievance mechanisms: to get everyone around the table in order to test the mechanism.

For Tesco, this was a year-long process consisting of several stakeholder get-togethers, and an independent facilitator trusted by the trade unions and recognized by the businesses. **Ms Moodley** provided a series of testimonials by individuals in the sector which demonstrated the multifaceted issues faced in implementing the mechanism.

Specific lessons were learned from the development of a farm-level grievance mechanism. These include the importance of:

- ♀ ownership;
- ♀ third party facilitators;
- ♀ trust and collaboration;
- ♀ oversight stakeholder body; and
- ♀ empowerment of workers to achieve their rights through their own processes.



## 4. Q&A

**Ms Iris Munguia, COLSIBA/FESTAGRO**, commented on the importance of C190 as it relates to women's work and inquired about how it might further strengthen collective contracts. She noted that during the COVID-19 pandemic, domestic violence has increased globally.

**Ms Selfa Sandoval, COLSIBA/SITRABI**, raised a concern about how non-unionized workers are affected by these issues. She noted the need for a better environment for trade unions and their leaders and highlighted how a push for governments to ratify C190 and abide by its principles could provide protection to non-unionized workers.

**Ms Joky François, Rainforest Alliance (RA)**, explained that the organization RA has developed a new standard. Previously, it had a zero-tolerance approach to sexual harassment. The new RA approach instead focuses on ensuring that certificate holders assess cases of abuse and follow up with mitigation measures. If need be, there is a remediation protocol. RA is now working on pilots to determine what preconditions should be in place to make these mitigation efforts work (on training and guidance, for example) which will be the future work of RA.

**Ms Jennie Coleman, Equifruit**, posed the question: with the ILO convention in place, what are the rules on the ground? Despite the gains made with C190, it seems there is still work to be done. How can Equifruit best inform itself of the situation on the ground to understand if potential new partners adhere to fair trade gender equity rules? Are gender equity rules a sufficient tool? What questions should be asked to partners across the spectrum?

**Ms Munguia, COLSIBA/FESTAGRO**, replied to Ms Coleman that in the context of generalized violence and violations of human rights, trade unions must face fewer restrictions in order to do their work.

**Ms Gloria Garcia, COLSIBA**, responded to Ms Coleman that while on paper the situation seems to be improving, on the ground it looks quite different since some companies may be changing results and/or underreporting. She added that individual workers may not report for fear of losing their job, and that empowerment of workers is needed.

**Ms Sakyi, IUF**, replied to Ms Coleman by stating that in some instances companies are not respecting the fair trade rules. She continued that the nature of the work (workers are isolated and men control most aspects of work) creates a scenario in which sexual harassment occurs frequently.


Good collaboration between companies and trade unions are a must in order for workers to be safe. C190 is a historic convention and a legal document binding all parties. As such, stated **Ms Sakyi**, the space is open to take on these abuses. For example, inaction in the face of abuse on a plantation or in a processing unit could be linked to loss of, or restrictions on, certification among Fairtrade-certified companies: companies could lose money if they don't follow the fair trade rules. Fairtrade, in turn, can play a role in the building of capacity of trade unions and building capacity at the company level.

**Mr Emmanuel Ngweha, Fédération Nationale des Syndicats de Travailleurs - Filière Banane du Cameroun (FENASYTRAFBACAM)**, noted that in Cameroon a variety of stakeholders have been trying to implement C190 principles, particularly in the context of COVID-19. He asked panellists and other participants which approaches have been used in other countries to battle sexual harassment in businesses.

**Ms Stella Davis, Fyffes**, mentioned that Fyffes has a Gender Equality program on melon and pineapple farms. She noted that due to COVID-19 there is an increase in domestic violence and sexual harassment in communities. She asked how other companies like Tesco have adapted to COVID-19 in terms of their delivery methods and other related issues.

**Ms Moodley, Tesco**, noted that COVID-19 has unleashed many challenges, and, as a result, nimble responses are required, including information sharing. A number of initiatives are underway, including retailers coming together





to take on challenges. She also raised the possibility of collaborating through the United Kingdom's Department for International Development (DFID). She added that DFID has made funding available to suppliers in East Africa to address issues related to gender-based violence, sexual harassment, women's health and safety, and women's empowerment overall.

## 5. Conclusion

The primary objective of this second in a series of four webinars of the GE-TF was to raise awareness about sexual harassment and gender-based violence in the banana industry. Ideally, there would be another session on this topic since there are so many issues to discuss and share.

The examples brought up in the webinar were practical, such as what can be done to end gender-based violence in the workplace, and how to integrate these issues into collective bargaining agreements. The discussions covered ways to ensure gender specific clauses, and ways to set up grievance mechanisms. There was a proposal to develop specific tools for measuring advances made, and the question was raised as to whether or not policies and practices being implemented in the industry are making a difference. The GE-TF will continue to pursue this question.

The final two webinars, to be held in late October and late November 2020, will focus on:

- ♀ integrating the gender pay gap into living wage and living income initiatives; and
- ♀ the impacts of COVID-19 on women workers and producers in the banana industry.

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To discover the benefits of becoming a member of the World Banana Forum and to take an active role towards a sustainable banana sector, please visit:

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