



General Assembly

Distr.: Limited
9 July 2019

Original: English

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Argentina, Australia, Austria, Belgium,* Bolivia (Plurinational State of),* Bosnia and Herzegovina,* Bulgaria, Canada,* Croatia, Cyprus,* Czechia, Denmark, Ecuador,* Estonia,* Finland,* France,* Georgia,* Greece,* Haiti,* Hungary, Iceland, Ireland,* Israel,* Italy, Japan, Latvia,* Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Mexico, Monaco,* Mongolia,* Montenegro,* Netherlands,* New Zealand,* Norway,* Peru, Republic of Moldova,* Romania,* San Marino,* Slovakia, Slovenia,* Spain, Sweden,* Switzerland,* Tunisia, Turkey,* Ukraine, Uruguay: draft resolution

41/... 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 work

The Human Rights Council,

Reaffirming the obligation of all States to respect, protect and fulfil all human rights and fundamental freedoms, and reaffirming also that all forms of discrimination on the basis of sex are contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination,

Reaffirming also the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences, and the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling all relevant resolutions of the Human Rights Council, the Commission on Human Rights, the General Assembly and the Security Council and the relevant resolutions and agreed conclusions of the Commission on the Status of Women, which, inter alia, affirmed that all forms of violence against women and girls must be prevented, condemned and eliminated,

* State not a member of the Human Rights Council.



Reaffirming the importance of fully implementing General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, including the commitment of all States to achieve gender equality and empower all women and girls, to eliminate all forms of violence against all women and girls in the public and private spheres and to achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value,

Recalling the International Labour Organization Declaration on Fundamental Principles and Rights at Work and its Equal Remuneration Convention, 1951 (No. 100), Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182) and other relevant international labour standards,

Recalling also the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework, including the responsibility of business enterprises to respect human rights, bearing in mind the different risks faced by women and men,

Taking note of the handbook on addressing violence and harassment against women in the world of work of the United Nations Entity for Gender Equality and the Empowerment of Women and the International Labour Organization,

Acknowledging the important role played by regional conventions, instruments, declarations and initiatives in preventing and eliminating violence against women and girls,

Taking note with appreciation of the reports of the Special Rapporteur on violence against women, its causes and consequences, on violence against women in politics and on 25 years of the mandate,¹

Welcoming the International Labour Organization Violence and Harassment Convention, 2019 (No. 190),

Taking note with appreciation of the report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on how to integrate a gender perspective in implementing the Guiding Principles on Business and Human Rights,²

Expressing deep concern at the continued prevalence of violence against all women and girls, in particular indigenous women and girls, in all its different forms and manifestations worldwide, and re-emphasizing that violence against women and girls violates, abuses or impairs their human rights and, as such, is completely unacceptable,

Stressing that “violence against women and girls” means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private spheres, including in digital contexts and in the course of, linked with or arising out of work, and noting the economic and social harm caused by such violence,

Acknowledging that girls, working in accordance with national law and under other circumstances, may experience violence in the world of work, condemning child labour in all its forms and reaffirming Member States’ obligations in accordance with international law to protect children, including from economic exploitation, abuse and discrimination,

Recognizing the importance of partnership and dialogue between States and business enterprises, including social media companies and digital technology companies, in collaborating on joint initiatives that prevent and respond to impunity for violence against women and girls in digital contexts while respecting human rights and fundamental

¹ A/73/301 and A/HRC/41/42.

² A/HRC/41/43.

freedoms, including the right to freedom of opinion and expression, and the inherent dignity of women and girls,

Acknowledging that sexual harassment is a form of violence and a violation and abuse of human rights that is likely to result in physical, psychological, sexual, economic or social harm or suffering,

Recognizing that violence against women and girls is a global phenomenon rooted in historical and structural inequality in power relations between women and men, which further reinforce gender stereotypes and barriers to women's and girls' full enjoyment of all human rights, and that all forms of violence against women and girls, including harmful practices, constitute a major impediment to their full, equal, effective and meaningful participation in society, the economy, and political and individual decision-making, as well as in leadership roles, hindering them from the exercise and enjoyment of human rights and fundamental freedoms,

Recognizing also that violence against women and girls is a manifestation of gender inequality and discrimination against women and girls, and can violate their economic rights, impede their economic empowerment and impose direct and indirect short- and long-term costs on individuals and society, including loss of livelihood and additional expenses relating to health, legal services and social welfare,

Reiterating the need to intensify efforts at all levels and to engage with all stakeholders, including men and boys alongside women and girls as agents of change, to prevent and eliminate all forms of discrimination and violence against women and girls in the public and private spheres, including the need to address gender stereotypes, negative social norms, attitudes and behaviours and the socioeconomic drivers that underlie and perpetuate such violence,

Recognizing the particular risk of violence faced by all women and girls who experience multiple and intersecting forms of discrimination, and stressing the urgent need to address all forms of violence and discrimination against them,

Recognizing also that poverty, discrimination and marginalization resulting from exclusion from social policies and from the benefits of education, health, labour protection and sustainable development can place women and girls at increased risk of violence,

Strongly condemning all acts of violence against women and girls involved in political and public spheres, including women parliamentarians, political candidates, journalists and other media workers and human rights defenders,

Acknowledging that some forms of violence in the world of work affect women specifically, such as harassment, discrimination and bullying by co-workers, subordinates or superiors in the context of pregnancy, breastfeeding and maternity leave,

Recognizing that violence, including sexual harassment and domestic and intimate partner violence, undermines the full realization of the right to work and can result in increased absenteeism, reduced productivity and disrupted work history, thereby impeding women's ability to remain and advance at work and hindering the economic empowerment of women and girls,

Stressing that laws addressing violence against women and girls are often of limited scope and may not cover many workplaces and contract statuses, such as those of temporary workers and domestic workers, including migrant domestic workers, as well as the informal sector and those working in conflict and post-conflict settings, and that gaps need to be addressed,

Recognizing that women and girls undertake a disproportionate share of unpaid and domestic work and that policies and initiatives that support the reconciliation of work and family life and the equal sharing of responsibilities between women and men are critical for achieving gender equality and eliminating violence against women and girls,

Recognizing also the role of employers in developing effective human resources and labour protection policies to prevent and respond to violence in the workplace, establishing processes for employees to share information in confidence, protecting victims and

survivors from secondary victimization and protecting victims, survivors, witnesses and whistle-blowers from reprisals for reporting violence and providing victims and survivors with adequate support to address the effects of that violence,

Recognizing further the need to promote the early, full, effective and meaningful participation of women and girls, including victims and survivors of violence, in the conceptualization, development and implementation of intersectional gender-responsive policies, regulations and legislation designed to prevent and eliminate all forms of violence against women and girls,

Reaffirming women's and girls' economic and social rights, and emphasizing the significant role that women play in economic and social development and in the eradication of poverty, and that sustainable development will only be achievable with women's economic empowerment and independence, and equal access to economic and productive resources, including ownership and control of land, natural and other productive resources, property, inheritance, financial services, including microfinance, equal opportunities for women for full and productive employment and decent work, and equal pay for work of equal value, legal advice and support, vocational training, information and communications technology and markets, and by removing barriers to their full, equal, effective and meaningful participation in local, national, regional and international economies,

Recognizing the major contributions made by civil society, including women's and community-based organizations, feminist groups, women human rights defenders, social partners such as labour unions and employer organizations and girls' and youth-led organizations, in promoting the economic empowerment of women and girls and the fulfilment of their right to decent work and education, and recognizing also the importance of having open, inclusive and transparent engagement with civil society in the development and implementation of measures promoting gender equality and the empowerment of all women and girls,

Recognizing also the critical contribution of families in eliminating all forms of violence against women and girls, including sexual harassment and domestic violence, by, inter alia, providing for a supportive environment for the empowerment of all women and girls, including through raising awareness about the human rights of women and girls, and that family-oriented policies can play an important role in preventing and responding to all forms of violence,

1. *Expresses outrage* at the persistence and pervasiveness of all forms of violence against women and girls worldwide;

2. *Condemns in the strongest possible terms* all forms of violence against women and girls, including in the world of work;

3. *Recognizes* that domestic violence is not a private family matter and must be eliminated;

4. *Expresses deep concern* that all forms of discrimination, intimidation, harassment and violence, including in the world of work, prevent women and girls from fully enjoying their human rights and fundamental freedoms, which hinders their full, equal, effective and meaningful participation in economic, social, cultural, civil and political spheres and is an impediment to achieving gender equality and the empowerment of all women and girls;

5. *Recognizes* the right to the highest attainable standard of physical and mental health and the right to the enjoyment of just and favourable conditions of work, which includes, inter alia, having access to safe and healthy working conditions;

6. *Reaffirms* that human rights include the right to have control over and to decide freely and responsibly on matters relating to sexuality and to attain the highest standard of sexual and reproductive health free from coercion, discrimination and violence, including full respect for dignity, integrity and bodily autonomy;

7. *Stresses* the need to address multiple and intersecting forms of discrimination, which place women and girls at greater risk of exploitation, violence and abuse, and to implement measures to prevent and eliminate gender stereotypes, negative

social norms, attitudes and behaviours that cause or perpetuate gender-based discrimination and violence against women and girls;

8. *Recognizes* that a proactive and reactive multipronged approach, working with all relevant parties, is required to eliminate violence in the world of work, including education, training and media campaigns and promoting respect, accountability and non-discrimination in the world of work and that actions to prevent and respond to violence in the world of work can have a positive impact in reducing violence against women and girls outside the world of work;

9. *Encourages* national legislative authorities and political parties to adopt codes of conduct and establish reporting mechanisms, or revise existing ones, indicating that they have zero tolerance for all forms of violence against women in politics, including in digital contexts;

10. *Calls upon* States to take immediate and effective action to prevent all forms of violence against women and girls by:

(a) Developing, reviewing and strengthening inclusive policies, including by allocating adequate resources to address the historical, structural and underlying causes, including unequal power relations and gender stereotypes, negative social norms, attitudes and behaviours, and risk factors of violence against women and girls, and ensuring that laws and policies are harmonized to address widespread violence against women and girls and are implemented in compliance with their international human rights obligations;

(b) Ensuring the early, full, effective and meaningful participation of women and girls, including victims and survivors of violence, in the development and implementation of gender-responsive national policies, legislation, action plans, programmes, projects and strategies to eliminate violence against women and girls in the world of work and creating monitoring and accountability mechanisms to ensure implementation of gender-responsive policies and regulations, as well as analysing the gender impact of such policies in consultation and collaboration with women's and civil society organizations and gender equality advocates;

(c) Supporting initiatives undertaken by, inter alia, relevant international and non-governmental organizations, civil society actors, the private sector, social media companies, digital technology companies, faith and community groups, religious leaders, politicians, parliamentarians, journalists and other media workers, human rights defenders, including women human rights defenders, indigenous leaders and groups, labour unions, girls' and youth-led organizations and other relevant actors, as part of their efforts to develop targeted and accessible responses, programmes and policies, including by allocating adequate resources aimed at promoting gender equality and at preventing, responding to and protecting women and girls from all forms of violence;

(d) Urging employers to prevent violence in the workplace and to protect the safety and health of employees as part of their duty of care by adopting and implementing an inclusive policy on violence prevention with the meaningful and effective participation of employees and their representatives, establishing processes for employees to share information in confidence, identifying and mitigating risks of all forms of violence, including in digital contexts, and providing information and training to all employees and managers on the prevention of violence;

(e) Developing and implementing educational programmes and teaching materials that raise awareness about violence in the world of work, including through evidence-based comprehensive sexuality education, consistent with the evolving capacities of the child, that explains consent, respect for boundaries and what constitutes unacceptable behaviour, inter alia, sexual harassment and gender-based violence, and promotes the development of respectful relationships in the world of work based on gender equality and human rights;

(f) Enacting and enforcing the necessary legislative or other measures, with the full, effective and meaningful participation of relevant stakeholders, including employers, workers, unions and civil society organizations, to prevent and eliminate violence in the

world of work, end impunity and ensure effective reparations, including to promote re-entry into the labour market for victims and survivors of violence;

(g) Adopting or strengthening measures to respect, protect and fulfil the human rights of all women and girls, including those engaged in unpaid work, working in the informal sector and in conflict and post-conflict settings, and domestic and migrant workers, to prevent discrimination and violence in the world of work;

(h) Developing and implementing national criminal justice legislation, policies and programmes that take into account the important role and specific needs of women and girls and promoting gender-responsive measures in crime prevention and protection policies;

11. *Also calls upon* States to take immediate and effective action to respond to all forms of violence against women and girls, and to support and protect all victims and survivors by:

(a) Holding perpetrators to account and eliminating impunity for all forms of violence against women and girls;

(b) Ensuring that legislation allows for the timely and effective investigation, prosecution, including *ex officio* prosecution, sanction and redress of violence against women and girls;

(c) Publicly condemning all forms of violence against women and girls, including through media and information campaigns;

(d) Taking measures to ensure that all workplaces are free from violence and discrimination, including sexual and gender-based violence, harassment and discrimination, including through regulatory and oversight frameworks and reforms, independent review mechanisms, processes and mechanisms for victims, survivors, witnesses and whistle-blowers to share information and report violence, collective agreements and codes of conduct, including appropriate disciplinary measures, protocols and procedures, and referral of cases of violence to health and psychosocial services for treatment and to police for investigation, as well as through awareness-raising and capacity-building in the broader public and in the world of work, in collaboration with employers, unions and workers;

(e) Promoting and protecting sexual and reproductive health and reproductive rights, including for victims and survivors of sexual and gender-based violence in the world of work, by developing and enforcing policies and legal frameworks, and strengthening health systems that make quality comprehensive sexual and reproductive health services, information and education universally accessible and available, including, *inter alia*, emergency contraception and obstetric care, post-exposure prophylaxis for HIV infection and safe and legal abortion where not against national law;

(f) Providing victims and survivors of violence in the world of work with effective remedies, including relief support and legal, medical, psychological and confidential counselling services and access to reasonable and necessary leave to participate in legal processes, receive medical treatment or make arrangements for their safety, and relevant, comprehensive and victim/survivor-centred legal protection in a gender-responsive manner, including protection of victims and survivors from secondary victimization and protection of victims, survivors, witnesses and whistle-blowers from reprisals for reporting violence in the world of work;

(g) Encouraging the development and establishment of counselling and rehabilitative services to bring about changes in the attitudes and behaviours of perpetrators of violence against women and girls, and promoting research on counselling and rehabilitation efforts so as to prevent the recurrence of such violence;

(h) Encouraging business enterprises, in the effective implementation of the Guiding Principles on Business and Human Rights, to create gender-responsive policies and transparent and effective processes for reporting violence in the world of work, including protection of victims, survivors, witnesses and whistle-blowers from reprisals;

(i) Supporting civil society initiatives aimed at promoting gender equality and the empowerment of women and girls and preventing, responding to and protecting all women and girls from all forms of violence;

(j) Strengthening or establishing systems to regularly collect, analyse and publish statistical data disaggregated by sex, age, disability and other relevant characteristics on complaints about all forms of gender-based violence against women and girls;

12. *Invites* Member States of the International Labour Organization to ratify its Violence and Harassment Convention, 2019 (No. 190);

13. *Welcomes* the panel discussion on violence against women in the world of work, held during the annual full-day discussion on women's human rights at the forty-first session of the Human Rights Council, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the annual discussion to the Council at its forty-fourth session;

14. *Decides* to extend the mandate of the Special Rapporteur on violence against women, its causes and consequences, as set out by the Human Rights Council in its resolution 32/19 of 1 July 2016, for a period of three years;

15. *Encourages* relevant United Nations agencies, funds and programmes, in particular the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations trust fund in support of actions to eliminate violence against women, the treaty bodies and the special procedure mandate holders, within their respective mandates, and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur on violence against women, its causes and consequences, in the fulfilment of her mandate;

16. *Decides* to continue its consideration of the issue of the elimination of all forms of violence against women and girls as a matter of high priority, in conformity with its programme of work, at the forty-seventh session of the Human Rights Council.
