

8. Triple Jeopardy: A Trade Union Perspective on Gender-Based Violence⁴⁴ against Women Journalists

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INTRODUCTION

In 1992, the *Committee on the Elimination of All Forms of Discrimination against Women* (CEDAW, United Nations, 1992) adopted General Recommendation 19 which explains that the prohibition of gender based discrimination includes violence. State parties to CEDAW must take all the necessary measures to eliminate violence, including legal sanctions, civil remedies, preventative measures, (such as public information and education campaigns) and protective measures (such as support services for women and girls who have experienced violence).

DEVAW, or the *Declaration on the Elimination of Violence against Women* was adopted by a UN General Assembly resolution in 1993 (UN, 1993). While the Declaration does not create legally binding obligations for States, it does represent a clear consensus that ‘violence against women constitutes a violation of the rights and fundamental freedoms of women’. The Declaration explains that violence against women is ‘a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women.’ *The Beijing Declaration and Platform for Action*, adopted by the Fourth World Conference on Women in 1995 (UN, 1995), calls upon governments to take action to address critical areas of concern, among them violence against women. It states; ‘violence against

⁴⁴ Transgender persons suffer the highest rate of gender-based violence, and a small percentage of men and boys who challenge traditional gender roles are also at risk. However, for the purposes of this paper, GBV herein refers specifically to violence against women journalists.

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women is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all States and should be addressed.'

DEFINING VIOLENCE

In 2006, the UN stated, "violence against women and girls is one of the most systematic and widespread human rights violations. It is rooted in gendered social structures rather than individual and random acts; it cuts across age, socio-economic, educational and geographic boundaries; affects all societies; and is a major obstacle to ending gender inequality and discrimination globally", (UN General Assembly, 2006). It defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". Women journalists face triple jeopardy: at risk as every other woman; the same risks as our male colleagues; and those risks that impact us specifically because we are women journalists, such as femicide and sexualized violence.

Direct forms of violence include: murder, femicide, sexual violence, death and familial threats, imprisonment, abuse of sedition and libel laws, bullying, harassment, sexual harassment, domestic partner violence, and online bullying/abuse. Indirect forms of violence include: being forced into insecure and temporary work, overt and systemic discrimination such as unequal pay for equal work, lack of access to training, jobs and promotion, and use of 'gagging clauses' or forced mediation. At the base, the root and cause of violence against women is inequality.

Fear of loss of their work, loss of standing in the community or on the job, shame, stigma, further abuse and escalating violence, including online, have kept many women silent. These fears have a solid and enduring base in impunity; according

to the Dart Center (2017), the impact of harassment is usually avoidance, denial or leaving the profession. It rarely ends with confrontation of the abuser.

EVIDENCE

INTERNATIONAL FEDERATION OF JOURNALISTS' SURVEY

A survey by the International Federation of Journalists (IFJ, 2017) showed that “almost one in two women journalists have suffered sexual harassment, psychological abuse, online trolling and others forms of gender-based violence while working”.

Almost 400 women journalists, across 50 different countries, were surveyed with 66% of those that had experienced some form of gender-based violence (GBV) acknowledging they had made no formal complaint. Of those that did, 85% responded that ‘no or inadequate action has been taken against perpetrators’, and that most workplaces (74%) have no reporting or support mechanisms.

Since the IFJ has been recording killed female journalists, there have been around 8 deaths reported per year but the true number could be higher as many deaths go unreported. For example, in 2015, the Communication and Information on Women Organisation, (CIMAC) in Mexico documented 184 cases of violence against women journalists since 2002, including 11 deaths - with a sharp increase in reported cases of violence since 2010.

The *IFJ Byte Back Campaign* (IFJ, 2017) highlights that the ‘virtual world mirrors the ‘real’ world, where women journalists are harassed, excluded and subjected to abuse for their work.’ The campaign calls on the public to expose trolling and harassment as a critical press freedom violation. Recent reports, including the IFJ survey, have cited this form of gender-based violence as the fastest growing.

The #MeToo Movement has gone a long way to highlight the levels of impunity

in terms of sexual harassment and the women willing to come forward face scrutiny and often further harassment and threats of violence.

RECOMMENDATIONS

INTERNATIONAL ORGANIZATIONS SHOULD:

- Through the UN, convene a multi-stakeholder, expert panel to develop an overriding strategy to tackle the many levels of gender-based violence and include representatives from: unions, states, civil society, academia and NGOs.
- Through the UN, exert more pressure on States that have not yet fully implemented already ratified agreements addressing gender-based violence, including CEDAW and UN Resolution 1325 on Women, Peace and Security.
- Support the ILO Convention against violence in the world of work and pressure State actors to ensure other ILO Conventions are fully implemented.

TRADE UNIONS SHOULD:

Put pressure on and convince their governments that they have a responsibility under international human rights law to:

- Take action to address the causes of domestic abuse and to improve the services on offer to the victims.
- Prevent, investigate and punish acts of all forms of violence against women whether in the home, workplace, the community or society, in custody or in situations of armed conflict.
- Take all measures to empower women.

- Condemn violence against women and not invoke customs, traditions or practices in the name of religion or culture to avoid their obligations to eliminate violence against women.
- Develop and/or utilize legislative, educational, social and other measures aimed at the prevention of violence against women.
- Introduce or strengthen laws to give adequate protection and redress to victims of domestic abuse.⁴⁶

JOURNALISTS' TRADE UNIONS SHOULD:

- Keep better track of attacks, cases of bullying and harassment and murders of journalists, both locally and nationally.
- Encourage ethical journalist initiatives agreed in collective bargaining as these provide a better balance, not only in reporting content, but also in who is labelled as experts and who is writing the news.
- Develop guidelines for coping with bullying and harassment (one example is the bullying and harassment for freelancers, from the entertainment unions in the UK⁴⁷) and other model agreements, like the Dignity at Work, help to ensure a safer work environment and may help to convince employers that bullying and harassment may cost too much in terms of lost work hours to sick days.
- Investigate any suspected cases of workplace gender pay gaps to ensure equity of pay.
- Challenge and remove forced arbitration and other forms of gagging clauses that silence survivors, or worse protect the business and perpetrators. Instead, shift

⁴⁶ All recommendations under the sub-heading *Journalists' Trade Unions* come from <https://www.ituc-csi.org/trade-unions-say-no-to-violence>.

⁴⁷ <https://www.nuj.org.uk/documents/bullying-and-harassment-guidelines-for-freelancers/>

the focus towards support and protection of survivors.

EMPLOYERS SHOULD:

- Give a renewed emphasis to combatting sexual harassment at work and to implementing workplace guidelines to prevent it.
- Research and monitor workplace policies, including documenting good practice agreements and policies in the workplace.
- Provide training programmes on bullying and harassment to ensure that there is a gender-dimension that addresses the causes and impacts of sexual harassment at work.
- Identify sexual harassment as a core workplace health and safety risk through training programmes that includes specialised training for workplace representatives on how to prevent and tackle sexual harassment at work.⁴⁸
- Evaluate the risk of violence and ensure constant monitoring to determine potential sources of violence and verify the enterprise's state of readiness to react to it.
- Implement effective programmes to prevent violence in the workplace, be it verbal, physical, psychological or sexual, establishing a system where incidents of violence can be reported in confidence and appropriate disciplinary measures applied.
- Provide workers with training on the key elements of an anti-violence programme.
- Ensure that the workplace has a sexual harassment policy that takes into account the diversity of women workers.

⁴⁸ Recommendations under the sub-heading of Employers have come from the ETUC: <https://www.etuc.org/en/document/safe-home-safe-work-final-report-national-country-studies> and ITUC: <https://www.ituc-csi.org/trade-unions-say-no-to-violence>

- Protect women journalists working in conflict areas, including local, freelance reporters and media workers.
- Teach self-help protection and awareness of the impact of trauma, while acknowledging that not all of those who experience violence and abuse are traumatized.
- Recognize that the impact of abuse and violence will be different for each individual and educate journalists to raise awareness on impact of trauma.

RESOURCES AND GOOD PRACTICE

- Canadian Labour Congress “Can Work Be Safe, When Home Isn’t?”, A guide on why intimate partner violence is a work and union issue and how to provide support mechanisms. <http://canadianlabour.ca/issues-research/domestic-violence-work>
- Dart Center: Let’s Talk: Personal Boundaries, Safety & Women in Journalism Tip Sheet: Maintaining Boundaries with Sources, Colleagues & Supervisors
This tip sheet offers strategies for how to recognise, mitigate or address sexual harassment and other predatory behavior encountered while reporting. <https://dartcenter.org/resources/lets-talk-personal-boundaries-safety-women-journalism?section=2>
- ETUC Safe at Work, Safe at Home, Country Reports A guide to useful tools collected across the EU, including clear guidelines used for workplace prevention, how allegations will be investigated and addressed, equality training, and recommendations from unions. <https://www.etuc.org/documents/safe-home-safe-work-final-report#.WpK8xIJG3KJ>
- EIGE Cyber violence against women and girls. <http://eige.europa.eu/rdc/eige-publications/cyber-violence-against-women-and-girls>
- EIGE Gender Equality Index, EIGE has developed a way to measure GBV as part

of its Gender Equality Index. The new measurement framework measures forms of violence from harassment to death (femicide). <http://eige.europa.eu/gender-equality-index/2015/domain/violence/BE>

- IFJ Byte back Campaign provides a wide range of material on raising awareness of online harassment of women journalists and advocating with media houses to take actions to combat online abuse. <http://www.ifj.org/regions/asia-pacific/gender/ifj-byteback-campaign/>
- ITUC Stopping Sexual harassment at work 'This brochure provides tools and guidelines to strengthen and reinforce trade union policies and actions to STOP Violence Against Women...Violence against women must be wiped out in our homes, societies and the workplace if women are to have equal opportunities to access Decent Work and a Decent Life.' <https://www.ituc-csi.org/stopping-sexual-harassment-at-work>
- ITUC Trade Unions say NO to Violence. <https://www.ituc-csi.org/trade-unions-say-no-to-violence>
- ILO Conventions: <http://www.ilo.org/ilolex/english/convdisp1.htm>
- ITUC/UN "Protect, Respect, Remedy": Briefing Note for Trade Unionists Framework for Business and Human Rights and the United Nations Guiding Principles for Business and Human Rights. <https://www.ituc-csi.org/the-united-nations-protect-respect>
- National Union of Journalists (NUJ), UK and Ireland, guide to dealing with Bullying and Harassment in the Workplace. <https://www.nuj.org.uk/rights/health-and-safety/bullying-and-harassment/>

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