

# Combating Sexual Harassment in the workplace and Addressing key gaps in current policies in Lebanon.



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## Disclaimer

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# Executive summary

This paper is part of ongoing efforts since 2021 by the Lebanese League for Women in Business to combat violence and harassment in the workplace, particularly gender-based violence. The importance of this paper is especially highlighted amidst crises, which necessitate the development of comprehensive policies to provide protection and support to those affected or at risk of harassment in all its forms, ensuring a safe and inclusive environment for everyone.

Accordingly, the paper recommends a series of practical steps for stakeholders, ranging from the government and ministries to the Parliament and other entities, to advance the ratification of International Labour Organization Convention No. 190 and Recommendation No. 206. These recommendations include enhancing governmental coordination, enacting necessary legislation, supporting national action plans, and allocating resources to protect victims.

The proposal also calls for the establishment of internal policies in public and private institutions to prevent harassment, along with training for labor inspectors and judges to strengthen the implementation of the convention. Furthermore, it emphasizes the role of civil society and media in raising awareness and advocacy, as well as the role of international organizations in providing technical support.

# Introduction

According to the latest survey by the International Labour Organization (ILO)<sup>1</sup>, one in every five people has experienced some form of violence or harassment at work, with women being the most frequent victims of sexual harassment. Despite the significance of these findings, measuring violence and harassment in the workplace remains challenging due to victims' silence and reluctance to report incidents. Globally, only half of the victims disclose their experiences of sexual harassment to another person, often after repeated incidents<sup>2</sup>.

A 2019 Arab Barometer study revealed that the rate of sexual harassment in public spaces across Arab countries is 39% among women compared to 22% among men<sup>3</sup>. Gender-based harassment impedes women's participation in the labor market, leaving psychological and physical impacts that limit their career paths, reduce productivity, and weaken their advancement to leadership positions. These negative effects ripple through families, communities, and the economy as a whole, deepening gender gaps and reinforcing negative stereotypes about women. During crises, incidents of sexual harassment intensify as the work environment undergoes drastic changes, creating unsafe conditions both in physical workplaces and online. With the shift of many jobs to remote work, interactions between employees or employers through digital platforms have become a new avenue for harassment. Economic pressures and rising unemployment exacerbate fears of job loss, discouraging victims from reporting harassment and emboldening harassers to exploit this vulnerability. Institutional resources allocated to employee protection often dwindle, leading to weaker preventive policies and oversight mechanisms as organizations focus on surviving financial crises. This enables abusive behaviors to persist unchecked. Amid increased psychological pressures, some individuals may channel their frustrations through abusive behavior toward others. At the same time, awareness about harassment and reporting mechanisms tends to decline during crises, limiting women's ability to assert their rights and confront violations.

# Background

International legal texts have long sought to combat sexual harassment as a pressing issue, particularly within the framework of human rights and women's rights. These rights are enshrined in the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Additionally, UN Security Council Resolution 1325, adopted in 2000, on Women, Peace, and Security, played a significant role in highlighting this issue by explicitly calling for measures to protect women and girls from gender-based violence and all forms of sexual abuse.

In June 2019, the International Labour Organization (ILO), during its centenary conference, adopted the Convention on Violence and Harassment in the World of Work (Convention No. 190) and its accompanying Recommendation No. 206. This convention, for the first time, recognizes every individual's right to a workplace free from violence and harassment and provides a comprehensive legislative framework to prevent and eliminate such behaviors, particularly those rooted in gender-based discrimination.

In the Lebanese context, sexual harassment is punishable under the Penal Code, classified under "indecent crimes" from Articles 507 to 513. However, these provisions focus solely on imposing penalties without offering effective mechanisms to protect and rehabilitate victims, ensure the safety of witnesses and whistleblowers, or address other essential aspects of protection frameworks.

In this regard, the Lebanese Parliament enacted Law No. 205 on Criminalizing Sexual Harassment and Rehabilitating its Victims on December 30, 2020, which was published in Official Gazette No. 1 on January 7, 2021. This law is the first of its kind to specifically criminalize sexual harassment, expand its scope to include all spaces, including workplaces, and guarantee protection and rehabilitation for victims, along with safeguards for witnesses and whistleblowers.

# Purpose

The purpose of this policy paper is to call on all relevant stakeholders to adopt a reformative vision aimed at amending public policies related to economic violence, particularly violence resulting from sexual harassment, both in general and during crises. It also emphasizes the need to address these challenges in alignment with International Labour Convention No. 190 and its accompanying Recommendation No. 206, which would contribute to achieving the following goals:

- Alignment of national legislation with international standards.
- Creation of safe and harassment-free workplaces<sup>4</sup>.
- Promotion of women's rights and gender equality.
- Increased productivity and reduced absenteeism in workplaces<sup>5</sup>.
- Achievement of Sustainable Development Goals (SDGs), particularly SDG 5 (Gender Equality) and SDG 8 (Decent Work and Economic Growth).

## Challenges in Combating Sexual Harassment<sup>6</sup>

- **Cultural/Social Challenges**

- Key issues include varying understandings of the concept of sexual harassment and the prevalence of a "culture of shame," which often compels victims to remain silent for fear of social stigma. Additionally, insufficient awareness is a major obstacle to the effective implementation of the law, both at the level of law enforcement, judges, and lawyers and among individuals. Many victims lack knowledge about their rights to protection and rehabilitation.

- **Legal Challenges:**

- The absence of clear mechanisms for protection and rehabilitation, delays in issuing implementing decrees, and the failure to establish a dedicated fund to support victims hinder progress. Furthermore, the legal framework lacks inclusivity in defining the victim, workplace, and mechanisms for protection and rehabilitation. There is also a need to develop effective dispute-resolution mechanisms.

- **Economic Challenges:**

- Legal costs, including attorney fees and litigation expenses, represent significant barriers for vulnerable groups exposed to harassment.

- **Difficulty in Evidence:**

- Proving cases of harassment is a global challenge, not limited to Lebanon.

- **Impact of Crises:**

- Government entities face pressures from successive crises in Lebanon, leading to a reprioritization of efforts toward immediate crisis response. However, combating sexual harassment alongside humanitarian responses should be treated as a priority, as harassment tends to increase during crises, hindering the realization of other rights.

- **Practical Challenges:**

- The lack of coordination mechanisms between government entities and civil society, which is a key partner in combating this phenomenon, poses a significant issue. Additionally, there is a deficiency in inspection, monitoring, and follow-up mechanisms, coupled with weak enforcement of the law. Despite the existence of legislation addressing workplace sexual harassment, only a small number of private sector institutions have implemented codes of conduct or internal systems to prevent and combat harassment. This is often due to a lack of awareness or the absence of a binding legal framework.

## Recommendations

- The recommendations were developed based on an extensive dialogue session held on October 31, 2024, which brought together over 50 experts and representatives from various stakeholders, including ministries, civil society organizations, international organizations, lawyers, and academics. These recommendations were also informed by guidance documents issued by the International Labour Organization (ILO)<sup>7</sup>. They aim to create a roadmap for all relevant parties to implement policies targeting the prevention of sexual harassment in workplaces.
- **Government and Relevant Ministries**
- **Government:**
- Ratify and accede to ILO Convention No. 190, and submit the draft law for ratification by Parliament.
- Continue implementing the National Strategy to Combat Violence Against Women and Girls (2019-2029).
- Ensure the issuance of all necessary implementation decrees to secure protection, rehabilitation, and the establishment of a special fund under the Ministry of Social Affairs.
- Create a national coordination system among relevant stakeholders to streamline efforts, enhance effectiveness, and minimize resource wastage.
- **Central Administration of Statistics:**
- Mandate the Central Administration of Statistics, in collaboration with the Ministries of Labor and Social Affairs, to publish gender-disaggregated data on reported sexual harassment cases to support evidence-based policymaking.
- **Internal Security Forces:**
- Train personnel in the Internal Security Forces (ISF) who handle calls to hotline 1745.
- Provide specialized training for ISF officers on handling sexual harassment complaints and investigations.
- Ensure the enforcement of anti-harassment laws even during crises.
- **Ministry of Labor:**
- Expedite the adoption of a Code of Conduct for combating sexual harassment in private-sector workplaces.
- Develop robust monitoring and enforcement mechanisms, including incorporating violence and harassment into the duties of labor inspectors, investigating complaints, and providing guidance to employers and employees.
- Equip labor inspection authorities with adequate training and resources to address workplace violence and harassment effectively.

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## Recommendations

- Ministry of Finance:
  - Ensure the provision of financial resources for the dedicated fund to assist victims, enabling the Ministry of Social Affairs to offer effective rehabilitation and support services.
- Ministry of Social Affairs:
  - Collaborate with local and international civil society organizations to provide rehabilitation and support services for victims, particularly when financial constraints hinder action.
  - Raise awareness during crises, particularly in shelters and humanitarian service centers.
- Ministry of Education and Higher Education:
  - Prepare educational materials focusing on preventing workplace sexual harassment and integrate this concept into educational curricula.
- Judiciary:
  - Urge the judiciary to enforce Law No. 205 rigorously and refrain from solely relying on the Penal Code when adjudicating harassment cases. Issue prompt and deterrent rulings against perpetrators.
  - Train judges and investigators on sexual harassment cases to ensure comprehensive understanding and application of the law and relevant conventions.
  - Task the Ministry of Justice, in collaboration with the Ministry of Interior, with creating a dedicated mechanism for handling and investigating complaints, ensuring transparency, prompt resolution, and victim protection during legal processes.
- Public Institutions and Administrations
  - Request the Civil Service Board to develop internal policies for public institutions aligned with ILO Convention No. 190 to prevent workplace sexual harassment.
  - Ensure ministries and public institutions adopt policies issued by the Civil Service Board to address workplace harassment complaints effectively.

## Recommendations

- Parliament
- Approve the draft law allowing the government to accede to ILO Convention No. 190 after its submission by the Cabinet.
- Amend existing laws to align with ILO Convention No. 190, including revisiting definitions in Labor Law, the sponsorship (kafala) system, and Law No. 205, and ensuring clear protections for all workers, including informal sectors.
- Monitor the government's progress on ratifying Convention No. 190 and issuing required implementation decrees.
- Organize workshops and conferences in collaboration with relevant ministries and civil society organizations to support the ratification of Convention No. 190 and combat sexual harassment.
- Trade Unions and Worker/Employer Organizations
- Advocate for implementing the convention and ensuring worker protections, especially during crises.
- Include provisions addressing violence and harassment in collective agreements.
- Collaborate with employers to implement preventive measures and provide relevant training.
- Encourage workers to report incidents and support them throughout complaint procedures.
- Private Sector
- Develop internal policies and codes of conduct aligned with ILO Convention No. 190, incorporating:
  - A clear prohibition of workplace sexual harassment.
  - Comprehensive definitions and disciplinary measures.
  - Accessible complaint procedures.
  - Support measures for victims.
  - Provide regular training for all staff on sexual harassment prevention and complaint handling.
- Civil Society
- Launch advocacy campaigns for ratifying and implementing Convention No. 190.
- Organize awareness initiatives targeting policymakers and the general public to break the silence on harassment and promote victim support mechanisms.
- Media
- Publish reports and articles emphasizing the importance of ratifying Convention No. 190 and combating workplace sexual harassment.
- Use media platforms to pressure stakeholders and raise awareness.
- International Organizations
- Provide technical and legal support to the government and other stakeholders in ratifying the convention and developing awareness, protection, and rehabilitation programs.
- Academics and Legal Experts
- Conduct research on the impact of legal frameworks addressing workplace harassment and share findings through workshops and policy discussions.

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The Lebanese League for Women in Business (LLWB) is a non-profit organization established in 2006. As a socio-economic association, LLWB is committed to empowering women in business and the workforce.

Our mission is to support women to take the lead and succeed in their professional growth. To ensure inclusion, diversity and equity, we also encourage the active participation of men mainly youth in our initiatives, recognizing that gender equity and women's empowerment require collective action and collaboration.

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