

Mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Questionnaire

1. *In what ways do women experience the impact of business related human rights abuses differently and disproportionately? Please, provide concrete examples in the context of both generic and sector or region specific examples of women.*

In 2017, 53% of women were reportedly employed in Georgia compared to 67% of men. The gender gap widens even more among younger population with only 47% of women in the age group of 25-34 employed compared to 74% of men. Gender stereotypes, unequal division of unpaid agricultural and domestic work and a lack of gender-responsive services and programmes limit women's abilities to acquire new skills, develop business and earn sustainable income.

Domestic work

Women carry out the majority of unpaid care work.

The gendered division of labor in society and the associated unpaid care work inhibit women from working. In case women still manage to combine formal job and house work, the overload of responsibilities hinders their personal development and career.

Informal employment is associated with significantly lower incomes for women than men as well as lower levels of mobility and confidence.

Cultural norms and Stereotypes

Gendered division of labor discourage women from labor force participation and is one of the principal causes for low economic activity of women.

Women are limited by discriminatory gender norms that deem specific professions as inappropriate for women, such as some jobs in the service industries (restaurants and tourism), which end up limiting women's opportunities. Expectations from families/partners can also function as impediments to women's formal economic activities in the country.

Social and cultural norms in the existing patriarchal society discourage women from labour force participation, promotion to managerial positions, encourage gender pay gap, are highly influential over individual behavior in a broad variety of contexts, including domestic violence, sexual harassment, sexism, or discrimination based on gender.

The existing stereotypes around women's and men's jobs also limit women's opportunities in fields such as Science, Technology, Engineering, Math and others.

Multiple discrimination

Women belonging to certain disadvantaged groups are at even higher risk of being discriminated against at the workplace, or entirely excluded from the labor market. Those include – women victims of domestic violence, ethnic minorities, religious minorities, women with disabilities, etc.

The challenges exist on both sides - The discriminatory practices of the employer at the stage of employment and at the workplace. Lack of willingness to adapt the workplace to the needs of the employee; - Vulnerable women lack confidence to apply to the vacant job opportunities. Those who seek the employment, often face obstacles due to the dependents, spouses and other family members that preclude them for keeping the position.

2. *Please share any good practices on how to deal with increased marginalization or vulnerabilities faced by women due to intersectionality, feminization of work, informal economy and conflicts.*

Businesses can significantly contribute to resolution of existing challenges through:

- ✓ Strengthening internal communication with employees and contributing to social campaigns that encourage men to carry out a larger share of unpaid care work, including care of dependents and household labor; and that expresses the critical importance of unpaid care work to countries' economies, societal well-being, and quality of life;
- ✓ Design and implement family-friendly working arrangements for all workers. Specifically consider providing flex time and job-sharing positions;
- ✓ Establish child care facility for staff children at the premises of the company;
- ✓ Contribute to women's involvement in professions that are stereotypically regarded as "men's job", through: awareness raising activities with school children and university students; internship programmes that target women; mentorship programmes for women; targeted PR campaigns and marketing practices;
- ✓ Adopt special internship and employment programmes for vulnerable women, adjusting the working environment to their needs.

Good case practices:

- ✓ **"m2 Real Estate"** is a Georgian company active in the real estate development and property management sector. One of the company's direction is construction - a male-dominated industry in Georgia. With the aim of defeating stereotypes in this field, company launched internships and employment programmes for women, promoting their role in construction industry. Since the launch of the programme, previously male dominated positions in the company, such as Construction Site Manager, are presently fully occupied by women. Company has worked hard to improve gender balance in the top management as well, resulting in 50-50 % representation of women and men in the top management positions of the company.
- ✓ Hospitality Company in Georgia **"Adjara Group"** which manages hotels in Tbilisi and in the regions of Georgia, has implemented number of projects inside the company and in the society to address the problem of domestic violence. Company partnered with local non-governmental organization to raise awareness in the community, in the mountainous regions of Georgia, around the topic. Company also held information sessions for employees, informing them about the available internal complaint mechanisms and assistance possibilities from the side of the company, as well as external state mechanisms

which can help victims to address the issue. Company also partnered with state shelter for victims of domestic violence, trained women and employed several of them in the hotel.

3. *How to address sexual harassment and sexual or physical violence suffered by women in the business-related context including at the workplace in supply chains and in surrounding communities? Please share any good practices which have proved to be effective in dealing with sexual harassment and violence against women.*

Establishing internal complaints mechanism/procedures in business sector is a way for preventing all forms of discrimination, physical violence and sexual harassment at the workplace. Companies have the flexibility to design a system that suits the organization's structure, size and/or resources.

Good practice: Non-governmental organization Civil Development Agency (CiDA) has experience and expertise working with business sector in terms of establishing complaint mechanism. CiDA's work with companies includes the following major steps:

- ✓ **Information sharing meeting** - the first inception meeting with CEOs and top management takes place to increase their understanding on importance and benefits of establishing complaint mechanism.
- ✓ **Awareness raising** of company staff and management: trainings on prevention of sexual harassment & remedy mechanisms
- ✓ **Documented complaint mechanism procedures** – CiDA's consultant assist companies in creating an effective, fair, confidential mechanism which is based on the human rights principles. Complaint procedure is documented, adopted and information shared with all employees regularly on how to use the mechanism. Clear guidance of the complaint mechanism procedures are explained to all employees.
- ✓ **Recommendation package** – Companies are provided with recommendations on how to ensure effective functioning of the complaint mechanism; build trust and understanding of staff; and establish a strong internal monitoring and evaluation mechanism.

4. *Which state laws and policies or social, cultural and religious norms continues to impede women's integration into economic activities and public life generally?*

Policies: Despite some progress made by Georgia to improve legislative and policy frameworks to support gender equality and women's rights, important labour protections and policies to promote women's decent work are still not in place, and challenges remain in further mainstreaming gender into sectoral policies, strategies and service delivery to advance women's economic empowerment. In its 2014 report, the ILO Committee of Experts again urged the State Party "to take concrete steps to give full legislative expression to the principle of equal remuneration for

men and women for work of equal value" and expressed concern at the lack of effective enforcement mechanisms to ensure the fulfilment of this right.¹

Similarly, the CEDAW Committee, in its 2014 Concluding Observations for the Georgia State Party, expressed concern at the poor enforcement of legislation laws prohibiting sexual harassment in the workplace and protecting maternity, due to the lack of national labour inspectorates for effective labour law reporting or similar enforcement mechanisms.

The Gender Equality Council of the Parliament of Georgia actively works on various issues including equal remuneration for men and women for work of equal value and regulation of the sexual abuse.

The GEC member, Dimitri Tskitishvili introduced the Bill on labor rights of women at the Conference "Woman, Labor, Rights" held in December, 2018. Based on the position of the civil sector, GEC has developed the Bill in cooperation with the employers. The experience showed that absence of the regulations often entail discrimination by the employers thus putting the fair entrepreneurs in non-competitive environment where deriving from their moral rights, they have to make higher expenses. Thus, according to Dimitri Tskitishvili, the Parliament shall establish uniform rules oriented on the protection of human rights.

Recently, the first vice Speaker, Chair of the Gender Equality Council introduced the draft of the legislative amendments to the Code of Administrative Offenses to define the term "sexual abuse" prior to initiation in order to receive opinions from all stakeholders and revise the Bills if necessary. The changes introduced envisage: regulation of sexual abuse in public area and labor relations and define MIA as the enforcement mechanism in public area and Public Defender in labor relations.

Please also see above response to Question 1.

5. *Are there any good practices of integrating a gender perspective into State's economic sphere (e.g state owned enterprises? Public procurement agencies, trade missions, export credit agencies, privatization of public services, public-private partnerships, and trade and investment agreements)?*

N/A

6. *How could policy coherence be improved between different government ministries or departments dealing with women issues and business-related matters?*

Localization and coordination is a key for improving policy coherence between different governmental bodies at the central and local levels. Localization itself improves and strengthen the coordination mechanisms between different governmental agencies. It is a bottom-up approach to policy-making that aligns local, national, regional and international policies and community-driven strategies to ensure local ownership, participation and links among communities, civil society organizations and government.

¹ Report of the Committee of Experts on the Application of Conventions and Recommendations, 2014.

The Localization allows for direct engagement of central and local authorities including governors, mayors, community leaders, religious leaders and others. Localization and tight coordination between different governmental bodies allows local actors for ownership and integration of women into development plans and budgets and more sustainable means of implementation.

The Gender Equality Council presents institutional mechanism at the Parliament of Georgia. In 2010 as a result of adoption of the Law of Georgia “On Gender Equality” and introduction of respective changes to the Rules of Procedure of the Parliament, the Gender Equality Council has been converted into the Standing Body of the Parliament. The Council facilitates to definition of main directions of the state policy on gender issues by the Parliament. The Council is responsible for elaboration and development of the legislative base in gender equality sphere and for provision of consideration and endorsement of the respective strategy. The Council shall as well ensure oversight of the activity of the agencies accountable to the Parliament of Georgia. One of the important directions of the activity of the Council is public awareness on gender equality and facilitative undertakings to boost women’s activities.

To strengthen Gender Equality mechanism at the executive level, in July 2017, new **Inter-Agency Commission** was created under the Human Rights Council. The Commission is, inter alia, in charge of elaborating pertinent National Action Plans related to Gender Equality, Violence against Women and Domestic Violence, coordinating/monitoring relevant agencies responsible for the implementation of the NAP-s, promoting gender mainstreaming into Government policies. In addition, Inter-Agency Commission accommodates the role of domestic monitoring body as it is envisaged by Article 10 of so called Istanbul Convention.

7. What is the extent to which businesses currently apply a gender lens in conducting human rights due diligence including social or environmental impact assessment?

Private sector’s understanding on the role of business in promoting human rights and women’s empowerment is still relatively low. Promoting Corporate Sustainability (CS) and demonstrating business case is essential for a long term corporate success, which will positively impact on the society as a whole. CS is a new approach in the country. CiDA coordinates two major corporate sustainability initiatives in Georgia **CSR Club** which is a non-registered platform (with 90 member companies) and has a general mission to contribute to the sustainable development through promoting the corporate responsibility and the Global Compact Network Georgia, (GCNG) which is a local network of the **UN Global Compact**. Within these platforms, organization supports businesses to understand what responsible business means and how to put sustainability commitments into action to meet fundamental responsibilities in the areas of human rights, labour, environment and anti-corruption. Under the GCNG working group “Women’s Empowerment in Business Sector” has been created. The working group aims to support business in incorporation of Women's Empowerment Principles (WEPs) on their policy level. Up to date there are 22 companies which signed up to WEPs and adopted relative Action Plans.

As a result, successful examples of business activity include: Gender diversity and promotion of women to the managerial positions in number of companies; Overcoming stereotypes around “men” and “women” professions, and employing women in the role which are generally regarded as “men work”; partnerships around building capacity and employment of vulnerable women such as victims of domestic violence; Business involvement in the promotion of STEM among girls / women in the schools and universities; adopting effective complaints mechanisms inside the company for the prevention of sexual harassment and other types of gender-based discrimination; etc.

8. Are there any good practices of business enterprises adopting a gender perspective in making human rights policy commitments addressing the gender wage gap and under-representation of women in boards and senior positions or involving affected women in meaningful consultations and remediation processes?

Since 2016, CiDA has been promoting Women’s Empowerment Principles (WEPs) in the business sector in Georgia, in order to socially and economically empower women at the workplace, marketplace and in the community. CiDA provides assistance to companies in integration of WEPs in the policies and everyday operations through: assessment of companies’ operations in accordance to WEPs assessment tool; providing assistance in elaboration of Action Plans on Women’s Empowerment Principles; providing assistance in implementation of WEPs Action Plans.

Please see above answers to the questions 2 and 8.

9. What is the role of businesses in dealing with domestic laws policies and societal practices which are discriminatory to women?

The global consensus has been reached on the fact that without the engagement of the private sector, which accounts for 90% of jobs in the developing countries, the Sustainable Development Goals will not be reached. With its outreach and networks and its ability to swiftly adapt and innovate, the private sector is well-positioned to bring new solutions to achieving the Sustainable Development Goals. The SDGs present significant opportunities for the private sector to open up new market opportunities and attract new private investments in sustainable development by leveraging companies’ core competencies, expertise and resources. Globally, many leading companies are already using the SDGs to help them develop new inclusive and sustainable opportunities. However, barriers such as regulatory environments, lack of information, and lack of systematic public-private sector collaboration is currently preventing more businesses from responding to the Global Goals.² When it comes to gender equality and women’s empowerment, private sector can certainly use the SDGs to find further opportunities to grow and develop their business while generating the significant societal benefits that their customers, investors, and their communities increasingly value. Money in the hands of women fosters development through women’s higher spending on the family- in the health and education of their children,

² UNDP, *Business Solutions for SDGs*, available on-line at: <http://www.undp.org/content/undp/en/home/presscenter/pressreleases/2017/09/20/business-solutions-to-the-sdgs-how-private-sector-and-un-can-partner-to-achieve-the-global-goals.html>

contributing to breaking inter-generational poverty. Small and medium-sized enterprises (SMEs) form the backbone economic empowerment accounting for about 90% of businesses and more than 50% of employment worldwide. They are key engines of job creation and economic growth in developing countries, particularly following the global financial crisis.³

10. How could media and advertising industries fight against gender stereotyping and disempowerment of women?

Media and advertising industries can play a huge role in increasing community's awareness on gender issues, through a strong media campaign they can positively impact society and destroy gender stereotypes.

Importantly, Georgian National Communication Commission, which is a regulatory authority of broadcasting and electronic communications fields should open more space for business, regulations on business sector broadcasting can be simplified. In this case business can broadly engage in promoting women's economic empowerment and showcasing business cases.

11. What additional or specific barriers do women (women human rights defenders) face in accessing effective remedies for business-related human rights abuses?

N / A

12. How could all types of remedial mechanisms processes and outcomes be made more gender-sensitive?

N / A

13. How to overcome power imbalances and discriminatory practices that might undermine the effectiveness of remedies obtained by women?

N/A

14. Please provide any additional comments, suggestions or information which you think may be relevant for the Working Group's forthcoming report on the gender lens to the UNGP.

³ SIFC (2012) IFC and Small and Medium Enterprises, Issue brief 2. Kofi Annan (2015), available on-line at: http://www.ifc.org/wps/wcm/connect/277d1680486a831abec2fff995bd23db/AMI1IFC+IssueBrief_SME.pdf?MOD=AJPERES