

# Case study

## EXPLORING CLIENT APPROACHES TO GENDER-BASED VIOLENCE PREVENTION AND RESPONSE

CLIENT:

Asyaport

Infrastructure, **TURKEY**

 **IFC** | International  
Finance Corporation  
WORLD BANK GROUP  
*Creating Markets, Creating Opportunities*





**Economy name:**  
Republic of  
Turkey

**Main business city:**  
Istanbul

**Region:**  
Europe &  
Central Asia

**Income level:**  
Upper middle income

**Population (2019):**  
83,429,615

**Female population:**  
42,255,902 (50.6%)

**Labor force participation rate:**  
33.9% female  
72.4% male

**Proportion of wage and salaried workers:**  
67.8% female  
69.8% male

**Proportion of self-employed workers:**  
32.2% female  
30.2% male



## Global rankings

Women, Business and the Law Indicator*	82.5/100
Gender Inequality Index†	59/162
Global Gender Gap Index‡	130/153
Middle East and North Africa Gender Gap Index‡	5/19
Wage equality‡	106/153
Economic participation and opportunity‡	136/153



## Women, Business and the Law\*

Can a woman get a job in the same way as a man?	Yes
Does the law prohibit discrimination in employment based on gender?	Yes
Is there legislation on sexual harassment in employment?	Yes
Are there criminal penalties for sexual harassment in employment?	Yes
Are there civil remedies for sexual harassment in employment?	Yes
Is there legislation specifically addressing domestic violence?	Yes



## Gender-based violence‡

Prevalence of lifetime domestic violence	38%
Prevalence of child marriage	15%

Unless otherwise indicated, all data for this overview were taken from WBG, World Development Indicators:

*Labor force participation rate, female (% of female population ages 15+) (modeled ILO estimate), (2020)*

*Labor force participation rate, male (% of male population ages 15+) (modeled ILO estimate), (2020)*

*Wage and salaried workers, female (% of female employment) (modeled ILO estimate), (2020)*

*Wage and salaried workers, male (% of male employment) (modeled ILO estimate), (2020)*

*Self-employed, female (% of female employment) (modeled ILO estimate), (2020)*

*Self-employed, male (% of male employment) (modeled ILO estimate), (2020)*

\* WBG, Women, Business and the Law Indicator, (2020)

† UNDP, Gender Inequality Index, (2018)

‡ WEF, Global Gender Gap Report, (2020)

§ UN Women, Global Database on Violence Against Women (accessed on September 22, 2020)

# Asyaport

## Infrastructure, **TURKEY**

### **GENDER-BASED VIOLENCE IN TURKEY**

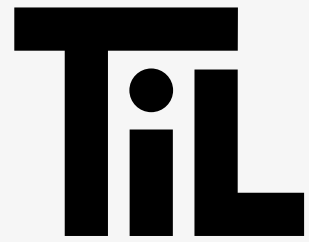
During the founding of the Turkish Republic in 1923, legislators enacted important legal reforms to ensure equality between women and men. The Turkish Constitution written at that time explicitly sanctioned that both men and women were entitled to receive primary education and had the right to vote and be elected. In the 1980s, a women's movement raised public awareness of women's rights abuses in the country, especially violence against women. In response, in 1985, the Government of Turkey ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In the 1990s, gender equality improved in public institutions, universities and, civil society.<sup>1</sup>

The "Law for the Protection of the Family" was enacted in 1998 to protect survivors of domestic violence. However, statistics and court proceedings, including some European Court of Human Rights cases, have shown that incidents of domestic violence has not significantly reduced. This is seen to be due to gaps in effective implementation of the family law by enforcement officers, prosecutors and judges. Throughout the country, gender-based violence (GBV) continues to be a concern.<sup>2</sup>

Starting in 2000, Turkey began to update its fundamental laws with respect to gender equality. Several constitutional amendments were introduced in the first decade of the twenty-first century. The Constitution now states a commitment to equality. A reference to the family as the foundation of Turkish society has also been amended to clarify that equality between the spouses is a principle of the family. In 2011, Turkey signed the Council of Europe's Istanbul Convention on preventing and combating violence against women and domestic violence; and was the first country to ratify this convention the following year.<sup>3</sup>

In spite of the country's signing of these international agreements and its legislative improvements, more effort is still needed to end violence against women throughout Turkey. Patriarchal attitudes, cultural and social practices, gender inequality, and stereotypes remain pervasive, and reasons for substantial continued gender discrimination and violence. The Constitution continues to suggest there are certain forms of employment that may not be suitable for a person based on their sex; and identifies women alongside physically and mentally disabled persons as in need of special protection with regard to working conditions. Women in Turkey also continue to be at risk of child marriage, sexual harassment, discrimination in the workplace, and barriers to accessing education.<sup>4</sup>

Turkey currently ranks 130th out of 153 countries on the World Economic Forum's Global Gender Gap Index. In 2020, the country's scores for women's economic participation and opportunity, educational attainment, and political empowerment showed a significant decline compared to the previous decade. The country ranks somewhat within the Middle East and North Africa Region Gender Gap Index, where it is currently 5th out of a total of 19 countries.<sup>5</sup>



**Terminal Investment Limited**

Since 2015, Asyaport has continuously **monitored** the **number of women** in its workforce; and they have seen the total number of female employees **double** since then.

There are currently **62 women** working for Asyaport:

- 25 white-collar subcontractors
- 29 blue-collar subcontractors
- 8 white-collar consultants

The company is making efforts to overcome **social gender stereotyping**. It recently completed an **equal opportunities action plan** with the goal of further increasing the number of **women employees**.



## Case Study: Asyaport Infrastructure, **TURKEY**

### PROJECT BACKGROUND

Asya Port Liman Isletmeleri ('Asyaport') is a \$415 million project to build a greenfield container terminal on the Marmara Sea, approximately 70 km from Istanbul in Turkey. The terminal is indirectly majority owned by Terminal Investment Limited. It is a deep-water site, strategically located to serve as a transshipment hub for containers destined for the Black Sea traveling via the Bosphorus Strait. Construction of the terminal began in 2010 and operations commenced in 2015.

Construction work included the quarrying of six million metric tonnes for land fill and reclamation, the installation of concrete piles for the feeder quay, the construction of the main quay wall, and the paving and outfitting of the container yard. As of 2020, Asyaport is designed to handle a maximum annual throughput of 2.5 million twenty-foot equivalent units (TEUs). This is achieved with the help of 11 ship-to-shore container cranes, 30 rubber-tired gantry cranes, two reach stackers, four empty container handlers, 53 terminal tractors, and three ship cranes. The terminal can handle container vessels with a capacity of up to 24,000 TEUs with a maximum draught of 18 meters.

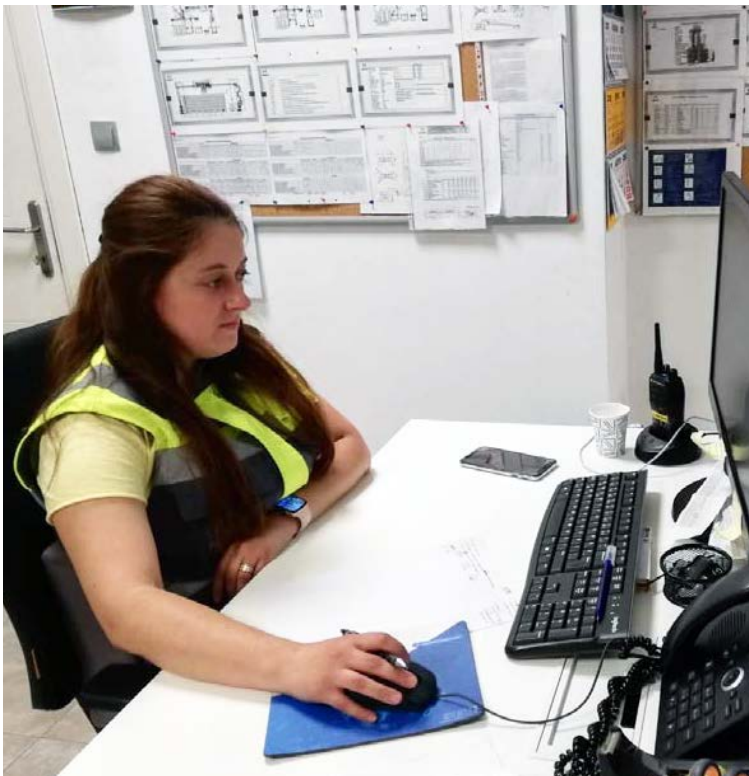
In 2013, along with its co-financiers (EBRD and IsBank), IFC committed a \$75 million loan over 10 years for greenfield construction of the terminal. In 2019, a follow-up investment of \$12 million from IFC, along with another \$12 million from EBRD, was approved for the purchase of new equipment for the terminal to reach full design capacity and increase efficiency.

### HOW ASYAPORT WORKS TO PREVENT GENDER-BASED VIOLENCE

In 2019, Asyaport completed a GBV risk assessment as part of IFC's Environmental and Social (E&S) review. Based on the results of this assessment, the company agreed to take actions to promote equal opportunities in the project and reduce GBV risks. These actions were documented in the company's E&S Action Plan:

- **Provide specific training** to grievance officers and general awareness to employees on harassment and bullying.
- **Update the grievance mechanism** to include specific treatment of harassment and GBV grievances.
- **Consult with female employees** about their concerns regarding transportation and safety.
- **Explore opportunities** for hiring more women in port operations.

The company has implemented all these measures, and more.



Asyaport's sexual harassment policy asks employees to think about what appropriate behavior in the workplace looks like. It provides useful questions for employees to reflect upon, such as:

- **Would other employees find the behavior appropriate for the workplace environment?**
- **Would I feel embarrassed if my relatives witnessed this behavior?**
- **If a relative were subjected to such behavior, would I feel uncomfortable?**



## Case Study: Asyaport Infrastructure, **TURKEY**

### Anti-harassment policy

In 2019, Asyaport introduced its anti-harassment policy. The policy applies to direct employees and subcontractors, and in all situations where employees are together. In introducing the policy, the company recognizes that behaviours such as sexual harassment and assault are forms of discrimination arising from gender inequality, and can often be hidden in corporate environments dominated by hierarchical relationships. Harassment in the work environment – which the company also identifies can be directed at any employee – is identified as a specific risk to employee wellbeing and business operations. When it happens, Asyaport writes, 'both the person and the corporate environment suffer from this situation'.

The policy includes descriptions of harassment, sexual harassment, sexual assault, sexual abuse, and retaliation. For sexual harassment specifically, incidents are classified into three levels:

- (i) **Simple harassment:** These are behaviors that create unwanted environments, but do not progress to threats. Examples include using slang words, asking questions about a person's sex life, or producing gossip.
- (ii) **Continuous harassment:** These are the same behaviors as simple harassment, but they are carried out multiple times despite warnings.
- (iii) **Severe harassment:** These are behaviors that constitute threats, blackmail, or insults. An example is when a person is threatened to accept a sexually explicit offer in order to avoid harm or negative impact – what is usually described as *quid pro quo* sexual harassment.

In outlining its commitment to support employees affected by sexual harassment, Asyaport stresses understanding the needs of such employees for justice and dignity to be restored.

The company also references sexual harassment in its general Human Resources policy, where it emphasizes that 'unlawful conduct related to harassment and violence is not acceptable under any circumstances'.

### Anti-harassment training

Asyaport is committed to providing training to all employees on sexual harassment. This commitment is stated in the company's anti-harassment policy. Between May and June 2020, 28 employees – including some managers and directors – received this training across three sessions.

After completing the training, employees are handed a brochure that provides additional information about who to contact if they witness or experience an incident. In this brochure, the company iterates its commitment to providing a safe workplace for anybody who is on site.

*Any kind of discrimination and/or harassment by any employee, manager, consultant, guest, auditor, supplier of goods and services, and persons who are not employees of the business will not be tolerated.*

The brochure offers employees guidance on how to interpret a particular behavior to help them confirm their concern that they may have experienced sexual harassment. Here, a series of questions is presented to help employees reflect on the situation. There are also some scenarios to help employees determine if they need to make a formal report or not. A guiding principle for doing so is to consider whether a person who has engaged in an act of harassment is willing to recognize what they have done



**Traditionally in Turkey, it was thought that women would not be interested in port operations work. The company is making efforts to overcome this social gender stereotyping. It recently completed an equal opportunities action plan, and has commenced hiring female employee to work in their port operations.**

## Case Study: Asyaport Infrastructure, **TURKEY**

and refrain from engaging in the same behavior again. In some cases, and depending on how the perpetrator responds after an incident, the affected employee may decide not to lodge a report. This might be in a case when:

- As soon as the perpetrator realizes that their behavior is inappropriate, they apologize.
- The perpetrator consciously makes efforts to avoid committing similar behaviors.
- The perpetrator does not ignore the incident or underestimate its significance.

This is a unique approach that Asyaport has decided to take. By providing an opportunity for employees who have committed harassment to learn and self-correct, the company seeks to promote a mature and empowered discourse about harassment among employees.

Of course, employees always have the right to report. And this is made explicit in the brochure. The company encourages anybody who believes they have been harassed to collect and save any relevant materials as evidence, seek help from a trusted person, and report to the Harassment Protection Officers. The company assures its employees that they are not alone and will be supported in this matter.

### Responding to incidents of harassment

Asyaport assigns responsibility for managing workplace harassment to specific staff. For the HSE Specialist, the Quality Control Specialist, and the Payroll and Personnel Affairs Specialist, this responsibility is included in their job descriptions.

All three personnel have a responsibility to:

- receive complaints;
- prepare and run surveys about harassment;
- investigate complaints;
- keep confidential records;
- protect privacy of persons involved in allegations;
- run education sessions to make a difference on harassment in the workplace; and
- participate in training and other seminars to learn more about workplace harassment.

### Anti-harassment survey assessment

In 2020, Asyaport ran a survey with its female employees to help the company better understand workplace risks associated with harassment. More than three quarters of all female employees completed the survey, with almost an equal number of blue collar and white-collar participants across eight different departments.

The results gave the company additional useful insights into the experiences of their female employees. For example, safety when working late was a concern for 5 percent of the survey respondents. And 91 percent agreed that the use of security cameras in the working environment would also be a good preventative measure.

After reviewing the results of this survey, Asyaport organized a meeting to encourage female employees to discuss their answers. The company updated its anti-harassment policy on the basis of feedback received.



## Case Study: Asyaport Infrastructure, **TURKEY**

### References

- 1 See: <https://eca.unwomen.org/en/where-we-are/turkey>
- 2 See: <https://prospectjournal.org/2012/09/03/challenging-domestic-violence-in-turkey>
- 3 (n 1)
- 4 See: <https://eca.unwomen.org/en/where-we-are/turkey/ending-violence-against-women>
- 5 See: <https://www.weforum.org/reports/gender-gap-2020-report-100-years-pay-equality>

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