



# Sexual Harassment

**Harassment** covers behaviors that are meant to “humiliate, demean, or embarrass” an individual. Harassment takes multiple forms and occurs across written, physical, and verbal behaviors.

**Attitudes towards harassment or what is defined as harassment can vary culturally and legally from place to place.**

**Sexual Harassment** is unwanted sexual advances, requests for sexual favors, and other offensive conduct of a sexual nature. It can be done regardless of gender identity and sexual identity and one can be a victim regardless of their gender and sexual identity. Sexual pranks, inappropriate and unwanted touching, or the sharing of suggestive and offensive images are all examples of sexual harassment.

**Workplace Bullying / Power Harassment** is mistreatment over time of one or more individuals by one or more perpetrators. It is conduct that threatens, humiliates, intimidates, interferes with work, or is verbally abusive. Public humiliation and retaliation are examples of power harassment.

<https://harassment.agu.org/homepage/types-of-harassment/>

## Sekuhara - sexual harassment in Japan

In Japan, according to government figures, over **95%** of sexual violence incidents are not reported to the police.

The law established two forms of sexual harassment, or *sekuhara*: *daisho* and *kankyo*.

**Daisho**: “rewards or penalties are explicitly linked to sexual acts”

**Kankyo**: “the environment is made unpleasant through sexual talk or jokes, touching, or hanging sexually explicit posters. This applies to everyone in an office, including customers.”



<https://ajet.net/resources/counselling/sexual-harassment/>

<https://thisjapaneselife.org/2014/06/23/sexual-harassment-sekuhara/>

knowtheline.com

## Legal resources

Thanks to Lawyers for **LGBT & Allies Network (LLAN)** Stonewall Japan was able to receive information about harassment laws in Japan. Here is a summary of the information:

**Article 11** of 'Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment' places responsibility on employers to take “necessary measures” to ensure that employees do not suffer a drop in quality of their working conditions due to sexual harassment or their response to sexual harassment. **Article 11-2** of the same act states that employers take “necessary measures” to prevent a drop in working conditions for women due to pregnancy, childbirth, or request of maternity leave.

**Article 25** of 'Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members' is similar to the above **Article 11-2**. It places obligations on employers so that employees are not disadvantaged by taking childcare leave or caregiver leave. Under **Article 25** employers must (1) include anti-harassment work rules and educate employers through training (2) provide counseling services for victims (3) respond to harassment consultations in a prompt and appropriate manner.

These articles only apply to harassment in the workplace. There do not exist explicit outside the workplace harassment provisions. Tort theory (the seeking of compensation for a legal wrong) is often used against perpetrators for non-workplace claims

The Ministry of Health, Labour and Welfare's guidelines on sexual harassment clarifies that the aforementioned Article 11 also applies for sexual harassment towards LGBT people, regardless of their sexual orientation or sexual identity. Many LGBT individuals are not out at the workplace thus the number of reported sexual harassment cases towards LGBT individuals remains low.

[https://docs.google.com/document/d/1eoJlaURfzgtB\\_QdjPwO738uWyZwCN\\_tEOi7rbViM62U/edit?fbclid=IwAR1MtsBFIf3EvHjM8eSdz0McygRpD\\_2xj0Oon0mrX4BJp\\_GchxuGRpXvtgk](https://docs.google.com/document/d/1eoJlaURfzgtB_QdjPwO738uWyZwCN_tEOi7rbViM62U/edit?fbclid=IwAR1MtsBFIf3EvHjM8eSdz0McygRpD_2xj0Oon0mrX4BJp_GchxuGRpXvtgk)

## What can you do? - Situational Awareness

- Situational awareness is a tool that can help to reduce risk through a proactive approach in 3 steps

### 1 Look

Observe your environment. Be aware of your surroundings, of what is happening and the people around you.

*Example:* You and your friend are in a club. It is dark, loud, crowded. There are five employees.



### 2 Think

Assess the information, make a decision, plan your actions. Do not get yourself in danger! Ask for help. Make other people aware of your observations.

[https://www.flickr.com/photos/cascade\\_of\\_rant/](https://www.flickr.com/photos/cascade_of_rant/)

*Example:* A situation develops. A person is making unwanted advances. You assess the situation and decide to move locations to avoid that person.

### 3 Act

Execution of your plan.

*Example:* You want to avoid confrontation and try to lose that person in the crowd.

### Repeat



## More things to do

- Never take a drink from a stranger or someone you barely know.
- Always watch people pour your drink.
- Finish your drink before going to the bathroom, or take it with you.
- Never leave your drink unattended.
- Keep your drink covered.
- Do have a plan
- Do be vigilant
- Do communicate
- Do go in groups (> 3)
- Do carry a cellphone
- Do avoid risky situations
- Do trust your gut!
- Don't get drunk
- Don't be a burden
- Don't disappear
- Don't be too trusting
- Don't over-share
- Don't flash your cash
- Don't bring valuables



More sources:

<https://www.nippon.com/en/currents/d00171/>

<https://www.japantimes.co.jp/community/2010/10/26/issues/foreigners-victims-perpetrators-of-sekuhara/#.XByalFwzZPY>