

Caste Discrimination Relevant Extracts from the ILO 2011 Global Report

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- [Read the full ILO Global Report 2011](#)
- [Read the ILO press release \(16 May\)](#)
- [Read the ILO Programme for the Promotion of the ILO Declaration on Fundamental Principles and Rights at Work “Elimination of discrimination in respect of employment and occupation”](#)

Discrimination based on social origin

167. The problem of discrimination on the basis of social origin arises when an individual’s membership of a class, socio-occupational category or caste determines or influences his or her occupational situation either by denying access to certain jobs or activities or, on the contrary, by assigning that person to certain jobs. Although nowadays such situations are less frequently encountered in a pronounced form, prejudices and preferences based on social origin may persist even where rigid stratification has disappeared. Even in open societies, where social mobility is common, a number of phenomena continue to impede complete equality of opportunity for various social categories, despite measures adopted to increase mobility and opportunities.¹³²

Caste-based discrimination

168. Caste-based discrimination remains most widespread in the case of the Dalit population in South Asia. This includes limited access to certain types of jobs, and wage gaps in comparison with other population groups.¹³³ There are also considerable differences between castes in terms of educational attainment.¹³⁴

169. In 2008, the Ministry of Finance of Nepal acknowledged the cultural and economic discrimination experienced by Dalits and Madeshi.¹³⁵ While at work, at least in rural areas, Dalits must maintain a physical distance from upper-caste co-workers, and the two groups may not eat or drink water from the same pitcher to prevent “contamination”.¹³⁶ Social perceptions about certain castes limit employment opportunities and subject members of those castes to humiliation in their everyday lives and at work.

170. A field study conducted by the Indian Institute of Dalit Studies demonstrated discrimination against low-caste individuals in hiring practices in the Indian private sector. The chances of a qualified applicant with a Dalit name being invited for an interview was about two-thirds of that of a high-caste Hindu applicant. The chances of an equally qualified Muslim applicant being invited for an interview were found to be about one third of that of a high-caste Hindu applicant.¹³⁷

171. Although a formal caste system does not exist in Bangladesh, individuals who are confined to certain occupations and typically live in extreme poverty in isolated areas experience treatment similar to those in untouchable castes.¹³⁸ Examples of specific groups include the Mymal, who work as fishermen, the Kulies, who work in tea gardens, and the Bede, who are engaged in snake charming.¹³⁹

Legislative and policy developments

172. India has various schemes such as education grants, subsidies and loans, with the goal of improving the education and economic situation of scheduled castes. A new Five-Year Plan (2007–12) includes the aim of further elimination of discrimination based on social origin. Furthermore, the plan recognizes the role of comprehensive legislation protecting rights to education and employment and the possibility of affirmative action in the private sector. The country also has a

quota system for individuals in scheduled castes in the public sector as a further means to eliminate discrimination. In addition, the Self-Employment Scheme for the Rehabilitation of Manual Scavengers was developed to eliminate caste confinement to menial jobs.¹⁴⁰

173. Another example of differential treatment based on social origin relates to people coming from rural communities. In China, new laws have been implemented over the past four years to improve the situation of internal rural migrant workers. The law on employment promotion was introduced in January 2008 to end discrimination against internal migrant workers. For the first time, the law states that rural migrant workers should have the same rights to employment as urban workers, and that workers who have been in the city for more than six months will be entitled to unemployment benefits and services from the local government.¹⁴¹

132. ILO: *Equality in employment and occupation*, op. cit., Ch. I: Scope of the Convention as regards individuals, definition and grounds of discrimination.

133. ILO: *Discrimination at Work in Asia*, DECLARATION fact sheet, 2007.

134. T. Ito: "Caste discrimination and transaction costs in the labour market: Evidence from rural North India", in *Journal of Development Economics* 88 (2009), pp. 292–300.

135. Ministry of Finance: Budget Speech of fiscal year 2008–09, delivered to the Legislature-Parliament, 19 Sep. 2008, p. 5.

136. ILO: *Dalits and labour in Nepal: Discrimination and forced labour* (ILO Nepal, 2005), p. 41.

137. S. Thorat, P. Attewell and F. F. Rizvi: *Urban labour market discrimination*, Indian Institute of Dalit Studies, Working Paper Series

Vol. III, No. 1 (2009), p. 1.

138. Government of People's Republic of Bangladesh, General Economics Division: *Bangladesh: Unlocking the potential – National*

Strategy for Accelerated Poverty Re-education, 16 Oct. 2005, p. 160.

139. *ibid.*

140. ILO: Information cited in CEACR individual observation published 2010 concerning the application by India (ratification: 1960) of

the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

141. ITUC: *Internationally recognised core labour standards in the People's Republic of China*, Report for the WTO General Council

Review of the trade policies of the People's Republic of China, Executive Summary, Geneva, 21 and 23 May 2008, p. 12.