

Private sector

The Dalit Discrimination Check (DDC) developed by the Danish Institute for Human Rights, Danida and IDSN was launched in Denmark at a meeting at the Ministry of Foreign Affairs on 5 September, attended by several companies and other involved actors. The Dalit Discrimination Check is a tool developed specifically to help companies prevent discrimination and exploitation of Dalits in their Indian operations and with suppliers. The tool is designed as a comprehensive checklist consisting of self-guided questions and indicators that highlight possible violations. The tool provides simple descriptions of what the components of Dalit discrimination look like in a business context and allows managers to check their company's policies, procedures and performance. The tool is relevant for all companies operating in or sourcing from India and can help companies implement corporate social responsibility principles, such as the Global Compact and the Ambedkar Principles, a set of guidelines for companies to address caste discrimination. The DDC takes its point of departure in the Ambedkar Principles. The Dalit Discrimination Check is available for free and exists in a booklet version and in a web-based version, which can be accessed at www.humanrightsbusiness.org).

In a meeting with a group of companies hosted by the Confederation of Danish Industries on 23 September, discrimination in the labour market in India was discussed with Indian resource persons, Henri Tiphagne and Ashwini Deshpande. The Danish Ministry of Foreign Affairs announced the DDC on its website and the Minister for Development recommended the use of the check in an interview with a major daily business executive newspaper.

In the Netherlands, the Ministries of Foreign Affairs and Economic Affairs have also taken a particular interest in the DDC and the Ambedkar Principles.

In November, information about the DCC was sent out to more than 3.000 email addresses worldwide, through the Dalit Network Netherlands. A large number of the recipients were from India and other South Asian countries. The DDC was also published on the homepage of the resource website www.business-humanrights.org and has reached a large number of professionals working with (CSR).

In India, the Dalit Discrimination Check has been introduced to a number of companies, including most of the multinational companies (MNCs), and The International Labour Organisation, New Delhi, has introduced the check at a meeting with the Ethical Brands Group.

The tool is likely to be of interest to the Global Compact. Communications from companies on progress show that some companies already mention caste, including MNCs in India, Pakistan and Nepal.

The Danish Ministry of Foreign Affairs and IDSN in cooperation with the Danish Institute for Human Rights have initiated a dialogue with Professor John Ruggie, Special Representative of the UN Secretary-General on business & human rights to discuss how the DDC, which is based on the human rights compliance assessment model, can be taken into the work on human rights and business at the international level as well as practically for companies working in caste affected countries.

In cooperation with DSN-UK, training materials are being developed to address some of the difficulties faced by foreign companies in addressing this form of discrimination due to cultural barriers and the sensitivity of the issue. The training material will accompany the DDC and is developed for training within MNCs in India and Europe.

Caste discrimination in a global discourse

Caste discrimination is closely related to the hierarchical and hereditary allocation of jobs, by which Dalits are assigned the most menial and dirty jobs with the lowest status, and they are often forced into bonded labour and hazardous industries, and a large number of Dalits, including Dalit children, work under slave-like conditions. In modern economies such as India's IT and industry sectors, discrimination continues to affect the possibilities for Dalits to engage on an equal footing with other groups. It has been well documented that discrimination on the basis of caste is extensive in the hiring process, in possibilities for promotion and in terms of intolerance and prejudices at the work place. With the increasing investments and outsourcing to caste-affected countries, especially India, by transnational companies it is necessary to consider caste-based discrimination as a priority issue in the global discourse on business and human rights.

Leaflets on the DDC were distributed by DNN during the international expert meeting in Santiago de Chile on the ISO 26000 Guidance on Social Responsibility for organisations to a large number of international delegates. Equally if not more important is that efforts to include the issue of caste in the new Draft Guidance have been successful. Not only is caste referred to as prohibited ground for discrimination several times but also the 'untouchables' are specifically mentioned as a vulnerable group that organisations have to consider.

The Fair Labour Association (FLA), a multi-stakeholder initiative comprised of hundreds of companies, who together with NGOs and unions work on improving labour conditions in the international supply chain of several consumer products, was provided with comments on its Code of Conduct and requested to include caste as a ground for discrimination at the labour market by DSN-UK.

A forthcoming ILO Asia Pacific Employment Working Paper on "Dalits and Employment in the Private Sector in India" deals with employment issues of Dalits. The paper, to which IDSN has contributed, provides an insight into the discussion, which has taken place in India since 2003, on how private enterprises can support better and "decent work" employment opportunities for Dalits. While within India numerous initiatives have been taken to eliminate discrimination on the basis of caste, the issue has only recently been presented to the international community. The Government of India is now urging the private sector to take on its responsibility of empowering Dalits socially and economically. Although it has refrained from imposing legislation setting benchmarks for employment of Dalits in the private sector, the Government may not shy away from doing so if it deems it necessary to speed up the pace of elimination of caste based discrimination in the country.

The ILO Asia Pacific Employment Paper

The paper provides basic background information to introduce Indian and foreign entrepreneurs to the social and economic obstacles to the Dalits. It will highlight legislative and policy measures taken by national and international actors, and activities undertaken by the Dalits themselves, judging their acceptability and effectiveness. The paper also presents relevant human rights and affirmative action tools for the private sector including the Ambedkar Principles and the Dalit Discrimination Check.

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In 2008, members of the IDSN Private Sector Working group have taken various initiatives in their own national settings.

DSN-UK launched its company report 'Another Apartheid?' on 22 April in the Parliament. Speakers included HSBC India's Head of Corporate Affairs, Malini Thadani, and the Director of the Ethical Trading Initiative, CEO of Tempsolutions Inc. The event was well attended by representatives of UK companies, NGOs and parliamentarians with about 80 attendees in total. DSN-UK is pursuing a dialogue with the UK India Business Council to ensure that caste discrimination is on their agenda in dealings with India and has entered into cooperation with UNITE, the largest manufacturing union in the UK. DSN-UK held a high level meeting with Shell at which they agreed to engage with HSBC on how they have made recruitment policies. Shell further agreed to put a statement on their website saying that Shell does not want to discriminate on the basis of caste.

The Dalit Solidarity Platform, Germany, engaged with a number of German companies operational in India to encourage a study on the staff composition according to caste. Daimler has agreed to conduct a study. A Private Sector seminar scheduled to be held in October in Germany had to be cancelled due to lack of participation by companies, although many had expressed initial interest.

In Denmark two meetings have been held with companies to introduce the DDC; the first one was called by the Ministry of Foreign Affairs, the second one by the Confederation of Danish Industries and the total number of companies reached was about 20.

Finally a resolution passed by the Dutch parliament carries the provision that every company which receives Government support in any way (subsidies, credits, participation in trade missions, etc.) should either make clear that they are not involved in the violation of fundamental labour rights in their supply chain, or have a public plan of action on how to remedy the violations of fundamental labour rights in the supply chain. This resolution, once turned into practical policy, gives tremendous scope to raise the issue of caste discrimination at the labour market and promote the DDC.