

**International Consultation on Good Practices and Strategies to  
Eliminate Caste-Based Discrimination**

**“Good practice” cases**

**ILO Project: Promotion of Equality at Work in India**

**Description of the practice:**

**What was/is the background to the practice? Describe any key events or actions that led to it?**

The Indian government ratified the ILO Convention on Discrimination (Employment and Occupation) 111 in 1960 which deals with work-related discrimination and promotes equality in employment and occupation. Articles 2 and 3 of the Convention are providing guidelines to the Government to adopt a national policy and legislation for combating discrimination in the workplace. Governments have the obligation to report on the application of the convention, and uniquely to the ILO reporting system, employer's organizations and trade unions have the right to provide their own application comments separately. In 2007 and 2009 trade unions filed such comments saying that the manual scavenging practice is still persisting in India and approximately 7.70 lack manual scavengers are being forced to perform scavenging work as a caste based occupation. C. 111 clearly prohibits discrimination on the basis of social origin, which equals caste. As a follow up to the trade union comments, the independent ILO's main supervisory body, the Committee of Experts, requested the government to clarify its position. Subsequently, at the Application Committee of the International Labour Conference in 2007, the ILO members selected India and manual scavenging as one country to be discussed at this forum. These developments resulted in the Office initiating a small (100.000US\$) project “Promotion of Equality at Work India” for effective implementation of the principle of non-discrimination. The project contains a smaller component on “equal pay for work of equal value (between men and women)”, while the bulk of the project deals with manual scavenging.

**What was/is the title/name of the practice?**

Promotion of Equality at Work in India

**What was/is the aim/purpose of the practice?**

Strengthen national capacities to apply international labour standards on non-discrimination in employment and support government's, workers' and employers' organizations efforts to eradicate manual scavenging and promote equality in employment for the Dalit community.

**What was/is the target group(s)?**

Target group of the project is manual scavenger community in India (irrespective of religion of its members)

**Who were/are the partners involved (e.g. community based, NGO-based, government institutions, and other related stakeholders)?**

International Labour Organization, India country office is implementing agency and initiated collaboration with civil society organizations (CSO), government and state machinery, trade unions at different levels.

CSOs like Garima Abhiyan, Navsarjan Trust, and Social Development foundation, as well as the trade union Safai Karamchari Andolan

UN agencies UNICEF, UN WOMEN and WHO.

Government Bodies: Ministry of Social Justice and Empowerment, Ministry of Labour and Employment (specifically the Task Force on Sanitation and Leather Workers), Ministry of Railways and various National Commissions as well as Safai Karamchari Finance and Development Corporation and Planning Commission

Other Bodies: National Advisory Council, National Human Rights Commission, National Judicial Academy

**What was/is the duration of practice?**

As of now the project duration is April 2011 to March 2012.

**Legal and institutional frameworks:**

**Please explain the legal and institutional framework of the practice, if needed with inspiration from the following guiding questions:**

The project objective and linkage to ILO Convention No. 111 itself determined for implementation of the principle of non-discrimination in employment and occupation in India.

The project has advocacy, research and lobbying components integrated such as policy advocacy with Government on effective implementation of their eradication of manual scavenging policy and programmes. The Government of India is committed to completed eradication of scavenging by the end of 2012. and actively engaging relevant stakeholders such as National Advisory Council, NHRC, the judiciary and UN agencies for protection and promotion of human rights of the scavenger's community. Involvement of the media has been limited so far, but will be extended once the project has achievements to show for.

Manual scavenging practice is a worst form of caste based occupation performed by Dalits in India and the majority of them are women (95%). Therefore, categorically the project targets women scavengers specifically.

### **Implementation of the practice:**

**Please describe how the practice was implemented, if needed with inspiration from the following guiding questions:**

The project's concrete activities started in April 2011 so it will be difficult to measure the tangible impact as of now. Also project approach has advocacy orientation and engaging with stakeholders so it will require more time to see the real impact. However, ILO is one of the first UN agencies addressing manual scavenging issues with the unambiguous understanding it is a caste based discriminatory practice. Initial research also showed that the caste stigma remains when ex-scavengers find new and different forms of employment. This will be the hardest nut to crack.

Through this project, ILO is playing a role of catalyst between affected community and government to realize a goal of eradication of manual scavenging practice in India by end of 2012.

**Major strategies and methods are follows:**

Mapping understanding through "Review and Gap Analysis Paper of Government Schemes and Legislation".

Drafting UN position paper on elimination of manual scavenging practice.

Organizing meetings, regional consultations at State level and national seminar for engaging and motivating all relevant actors as well as building pressure and momentum for eradication of scavenging practice

For instance, ILO is planning to organize national seminar on manual scavenging at Institute Management Institute in Ahmedabad, Gujarat to send indirect message to Gujarat government that it can no longer deny the existence of manual scavenging practice in Gujarat state (in line with an Order of the Gujarat High Court).

### **Successes and challenges:**

**Please describe the successes and challenges to implementing the practice, if needed with inspiration from the following guiding questions:**

Regional meetings at State level provided platform for scavenger community to share their discrimination related experiences directly with an international organization.

National Advisory Council acknowledged the ILO project intervention on manual scavenging and invited suggestions and recommendations on NAC resolution of elimination of manual scavenging practice.

ILO and other UN agencies are developing UN wide position paper on elimination of scavenging practice and rehabilitation of manual scavengers.

**Challenges:**

1. Exploring Corporate Social Responsibility funds for providing decent work employment opportunity for women scavengers and to break caste stigma once alternative employment has been created;

2. Government accountability for recognition of manual scavengers, and effectiveness of rehabilitation measures: on the one hand the central government urges total eradication of manual scavenging by 2012, while paradoxically at State level a large number of governments flatly deny the existence of manual scavenging practice despite considerable proof of its existence. To counter these practices of denial, the project envisages engagement with the judiciary. At the same time, a new definition of scavenging is currently proposed in a recently proposed manual scavenging Bill, which will also include sewer and septic tank workers;

3. No reliable numbers of scavengers exist and this hampers effective rehabilitation efforts. A new nation-wide survey has been announced, to held by civil servants and community based organizations jointly. Additionally, practices of nepotism, corruption and ‘conspiracy’ like practices in government rehabilitation and enforcement machinery will hinder effective rehabilitation if no drastic and educational measures are being taken to increase their efficiency and effectiveness.

**Publicity:**

**Can IDSN use this case publicly, e.g. on an open conference website or in a conference report?**

Yes, upon finalization of main project findings