



Racial Discrimination in the World of Work



International
Labour
Office
Geneva

Programme for the Promotion of the ILO Declaration
on Fundamental Principles and Rights at Work

The ILO Declaration on Fundamental Principles and Rights at Work - at the heart of the fight against racial discrimination

The ILO is committed to fighting all forms of discrimination in the world of work, including racism and related phenomena. Respecting rights, promoting development, aiming to ensure that all women and men can engage in productive activities with dignity, freedom and security, the ILO's decent Work Agenda offers the basis for inclusive processes of change.

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The ILO Declaration on Fundamental Principles and Rights at Work

Adopted in 1998, the ILO Declaration on Fundamental Principles and Rights at Work is an expression of commitment by governments, employers' and workers' organizations to uphold basic human values at the workplace. Freedom from discrimination in the world of work, including discrimination on the grounds of colour and race, is one of the fundamental principles and rights at work.

The 1998 Declaration is followed up by the ILO through the production of global reports, annual reviews and technical cooperation projects:

The Global Reports, published annually, provide a dynamic picture of the regional and global trends in the fundamental principles and rights at work. Two reports related to the fight against discrimination in the world of work have been published with the purpose of assessing progress and guiding future action;

The Annual Reviews provide an opportunity for governments, employers and workers from countries that have not ratified one or more of the relevant international labour Conventions to state what measures they have taken towards achieving equality in the world of work;

Technical Cooperation projects provide governments and social partners with additional means to raise awareness and build national capacity to eliminate racial discrimination.

A valuable instrument for ILO constituents to protect the rights of millions of workers, including 100 million migrant workers and their families, more than 300 million indigenous and tribal peoples around the world and 10 million Roma people in Europe.

Ten years after its adoption, the 1998 ILO Declaration remains at the core of the ILO's Decent Work Agenda.

Mainstreaming non-discrimination in Decent Work Country Programmes (DWCP) and Poverty Reduction Strategies is instrumental in ensuring sustainable development outcomes.





In addition to non-discrimination, the other principles included in the 1998 Declaration deal with the right to organize and the effective recognition of the right to collective bargaining, abolition of forced labour and elimination of child labour.

Our mandate, Our conviction

The ILO objective of decent work for all women and men is founded on the notion of equal opportunities and treatment for all those who work or seek work.

The workplace is a strategic entry point to eliminate racial discrimination in society. People who are denied equal opportunities because of their race often suffer discrimination in other spheres as well. In the workplace, however, discrimination can be tackled more readily and effectively. By bringing together people of different races and treating them fairly, the workplace helps to defuse prejudices and to show that social life and activity free of discrimination is possible, effective and desirable.

It is not only the governments which have a duty to combat discrimination. Enterprises, employers' and workers' organizations, the victims of discrimination and their associations, all have a stake and a role to play in achieving equality at work.



Ten years in perspective, findings from the Global Reports

Over the last decade, the world has further moved from denial of racial discrimination to an international demand for tolerance and action.

The permanent mobilization and organization of people experiencing racial discrimination has been a determinant force to challenge entrenched stereotypes and to elicit public policy responses.

Although indispensable, the legal prohibition of racial discrimination alone may fail to eliminate this practice, and it is recognized now that a mix of policies and instruments is essential to achieve equality in the world of work.

One of the significant challenges is the need to conciliate the protection of personal data and an individual's right to privacy with the importance of monitoring discrimination through statistical means.

Moreover, there is a need to guarantee all victims of racial discrimination access to legal procedures. In many countries, they cannot always bring their case to court, for reasons often related to their disadvantaged social position, lack of access to legal assistance, fear of reprisal or distrust of the judicial system.



Despite high levels of ratification of the ILO fundamental Conventions related to discrimination, a striking feature of these times is that certain ethnic groups, irrespective of the socio-economic development of a country and its economic openness and dynamism, consistently occupy the lowest rungs of the occupation and pay ladder.



Ten years in perspective, findings from the Global Reports

The poor treatment and extreme poverty of Roma people, also commonly known as gypsies and the largest ethnic minority group in Europe at about 10 million people, is one of the most pressing political, social and human rights issues facing an expanding Europe. This has led to the adoption of the Decade of Roma Inclusion (2005-15), the first cooperative transnational effort to change the lives of these people in that region.



Proactive measures are essential to create more inclusive and diverse workplaces. Results show that where employers' commitment has been high and law enforcement effective, affirmative action has improved the representation of groups affected by discrimination, even though impact has varied depending on the group and the terms of the legislation itself.

Public procurement policies can have a significant potential for the promotion of racial equality if certain conditions are met, the most important of which are political commitment, clear and transparent rules and broad dissemination of know-how.

Remedial action cannot focus only on country-level interventions; it must also target international and global frameworks in mutually reinforcing ways.

All agree that discrimination at work is a violation of a human right, which entails a waste of human talents, with detrimental effects on productivity and economic growth, and generates socioeconomic inequalities that undermine social cohesion and solidarity and act as a brake on the reduction of poverty.

Ratification and Implementation of Key ILO Conventions

ILO action to bring an end to discrimination is based on its Conventions and Recommendations and guided by the assessments of its supervisory bodies.

The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has been able to note progress made in a considerable number of countries with regard to:

- The adoption of legal provisions on equality and non-discrimination, including on the basis of race or ethnicity;
- The adoption of new anti-discrimination and equality provisions into the existing labour laws;
- The CEACR has also welcomed the adoption, in a number of countries, of initiatives such as codes of practice or guidelines which provide further guidance concerning the prohibition and prevention of discrimination at work, complementing legislation.

The CEACR has consistently stressed that further efforts are required in the following areas:

- Research and publication of information on the nature and outcome of discrimination cases, as a means to raise awareness of the legislation and as a basis for examining its effectiveness;
- Adoption of practical measures at the workplace to ensure that legislative provisions and policies on equality are effectively implemented and enforced;
- Collection and analysis of statistical data with a view to addressing structural inequalities and deeply rooted discrimination;
- Review on a continuing basis of the impact of laws, policies and administrative measures on the different ethnic or racial groups;
- Implementation of positive action as a key element of national policies for promoting equality.

Many of the objectives in the fight against racism can be pursued through the following ILO Conventions:

- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Indigenous and Tribal Peoples Convention, 1989 (No. 169)
- Migration for Employment Convention (Revised), 1949 (No. 97)
- Migrant Workers Convention (supplementary provisions), 1975 (No. 143)
- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)

Failure to deal with racial discrimination in the world of work makes it more difficult to deal with the challenges posed by the current global financial crisis. Racial discrimination perpetuates income inequalities, stifles development, productivity and competitiveness at the enterprise level, and ignites political instability.



The fight against racial discrimination is even more important in times of crisis

The combined effect of the financial crisis and the persistence of poverty and inequalities affecting particularly specific ethnic groups might exacerbate problems of racism and xenophobia.

During times of uncertainty and economic distress, perceptions, rather than objective facts, shape people's opinions about the abilities and attitudes ascribed to individuals belonging to certain groups and can lead to increasing racial discrimination in the world of work.

This pervasive practice will not vanish by itself; neither will the

market, on its own, take care of its elimination. Its elimination requires deliberate, focused and consistent efforts and policies by all parties concerned.

The current crisis response opens a window of opportunity for redressing inequalities and giving the chance to discriminated groups to step out of their socially ascribed roles.

The challenge ahead is to use crisis response as an entry point to embrace the ILO Decent Work Agenda as an essential instrument to achieve equality in the long term.



Forced labour, discrimination and poverty reduction among indigenous peoples in Bolivia, Paraguay and Peru, 2006-2008, funded by the Government of Sweden

This project was implemented in Bolivia, Paraguay and Peru. It succeeded in:

(i) supporting the elaboration of high-quality action plans against forced labour, with the full involvement of representative indigenous organizations and of social partners. The project reinforced the capacity of social partners and indigenous groups to participate in the development of the plans, ensured that the commissions that draft them have access to up-to-date information on forced labour and good practices collected by the ILO from experiences in other countries, and ensured that action plans address the wider issue of discrimination as a root cause of forced labour;

(ii) assessing, in a participatory manner, the extent and manifestations of labour market discrimination against indigenous peoples; the scope and effectiveness of the institutions, means of redress, programmes and policies, including anti-poverty measures, targeting indigenous peoples or relevant to them; and identifying and sequencing priority areas of work, bearing in mind their link with anti-forced labour interventions;

(iii) raising the awareness of government officials, social partners, indigenous organizations, civil society and the public at large of the problems of forced labour and discrimination, and the human rights and fundamental freedom of the groups concerned. The objective was to foster national ownership of action plans against forced labour and of effective measures against broader discrimination, and facilitate their eventual implementation.



ILO Technical Cooperation

Development of a strategy for trade unions in the fight against racism, xenophobia and discrimination.

In December 2007, within the framework of a Norwegian-funded Technical Cooperation Project on Eliminating Discrimination, a meeting entitled "Towards a strategy for trade unions in the fight against racial discrimination and xenophobia" was jointly organized in Geneva by the ILO and the International Trade Union Confederation (ITUC).

Brazil, where a national 3-day residential awareness-raising workshop was organized jointly with the National Commission against Racial Discrimination.

Nepal, where awareness-raising materials such as pamphlets and posters were published for distribution at the main departure points for migrant and potential migrant labour.

Romania, where a national study on the situation of the Roma population with the aim of developing a database to monitor it was undertaken, as well as research regarding the inclusion of Romanian emigrants in the Italian and Spanish labour

South Africa, where two national workshops were held on national and international instruments that promote equality of treatment and opportunity. The workshops tested the validity of workplace practices and procedures in both national and international contexts.

Projects across the World

"Say no to discrimination at work": a French media campaign

In 2007, the ILO, with the support of the French Government, launched a very successful media campaign against discrimination in the workplace: posters could be seen throughout Paris, in the subway, the commuter trains, on ferries to Great Britain and Ireland, and in seven other major French cities: Amiens, Bordeaux, Lille, Lyon, Nantes and Strasbourg.

The campaign received important support from local administrations and the main transport companies of these cities; it was also widely relayed through local media, the social partners and numerous organizations and schools. It allowed the work of the ILO in this field to be widely disseminated and created an opportunity for debates and dialogue between the social partners, the French administration and the local communities.

This campaign was followed by a seminar, co-hosted by the High Authority for the Fight Against Discrimination (HALDE), entitled "Norms and social dialogue: let's act against discrimination at the enterprise level".

This seminar was attended by 197 persons, including representatives from private companies - most of whom

were Human Resources Managers – the social partners, the French public services, universities and NGOs. 17 journalists were also present. The event was covered by the major national newspapers (Les Echos, Libération, l'Expansion) and by local radio stations.

Since this seminar, there has been a major increase in the number of hits received by the website of the ILO Office in Paris (www.ilo.org/paris).

A partnership agreement was signed between the ILO and the "HALDE" with a view to developing research, studies and exchanges to evaluate and compare the practices of French companies in the field of non-discrimination and promotion of equality.



International Labour Standards and Equality in Employment and Occupation: focus on gender issues and racial discrimination

Equality of opportunity and treatment is also promoted through training offered by the International Training Centre of the ILO (ITC-ILO) in Turin (Italy). One example was a training course for some 30 participants held in April 2008.

The participants were representatives of ministries of labour, employers' and workers' organizations, organizations involved in promoting equality in employment, as well as heads of human resources services, magistrates, lawyers and jurists.

This training focused on ILO Convention No. 111 concerning discrimination in respect of employment and occupation, Convention No. 100 concerning equal remuneration, Convention No. 156 concerning equal opportunities and equal treatment for men and women workers with family responsibilities. It gave participants the information and tools needed to take action and implement policies in order to promote and encourage equality in employment at the workplace and at the national level.

The international labour standards system, the concepts of gender equality and discrimination at work, the notion of racism in employment and racial discrimination in the workplace, as well as strategies to fight against racism, good practices, and a set of projects, actions and policies were considered.

At the end of the workshop, participants elaborated action plans. Having gained a broader picture of different national situations, they were able to build their own vision of the national machinery required to promote and apply the instruments concerning racial discrimination.



Projects across the World

ITUC's Plan of Action: Getting rid of discrimination and xenophobia, July 2008

On the occasion of the ILO-ITUC seminar held in December 2007 in Geneva, the Action Programme on "Trade Union Strategies for combating racial discrimination and xenophobia" was launched.

The objective of this programme is the elimination of racism and xenophobia and the promotion of respect for diversity, particularly in the labour market, at the workplace and within the trade unions.

This objective can be achieved if there is huge-scale mobilization. Therefore, the programme has five operational objectives, at regional, national and international levels:

- To raise awareness and mobilize the trade union movement worldwide through campaigns and training;
- To increase the involvement of workers from ethnic minorities or majorities discriminated in trade union activities;
- To ensure better representation of the interests of workers from ethnic minorities or majorities discriminated;
- To include this issue in social dialogue;
- To conduct broad action through a worldwide network.

Excerpts from ITUC Statement on Racial Discrimination and Xenophobia, 2008

The tensions that exist around the world and in our societies have nothing to do with a potential incompatibility between cultures but are rather the product of poverty, unemployment, injustice and lack of freedom.

Racism and xenophobia constitute a major threat, not just to social stability and peace but also to the sound operation of the economy, and the only effective remedy against racism and discriminatory practices are comprehensive, dynamic and courageous policies (covering employment, education, living conditions, the public services, and other areas).



This toolkit contains a package of materials and practical guides intended to support social partners in preventing discrimination and facilitating integration in workplaces. It aims to help employers refocus on the issues of equality in diversity and give them some ideas of possible actions or strategies for their organizations.

www.ilo.org/migrant

A Sample of ILO Publications

- Affirmative Action for Racial Equality: Features, impact and challenges, 2005
- La discriminación en los procesos de selección de personal, 2005
Programme for the Promotion of the Declaration on Fundamental Principles and Rights at Work - www.ilo.org/declaration
- Global Employment Trends for Women Report, 2009
- A Manual for Gender Audit Facilitators, 2007
Bureau for Gender Equality
www.ilo.org/gender
- Decent work for Domestic Workers, Report IV(1), ILC, 99th Session, 2010
Conditions of Work and Employment Programme
www.ilo.org/travail
- Eliminating Discrimination Against Indigenous and Tribal Peoples in Employment and Occupation - A Guide to ILO Convention No.111, 2007
Project to Promote ILO Convention N°169
www.ilo.org/indigenous

Further information can be found on the ILO's new website on Equality and Discrimination

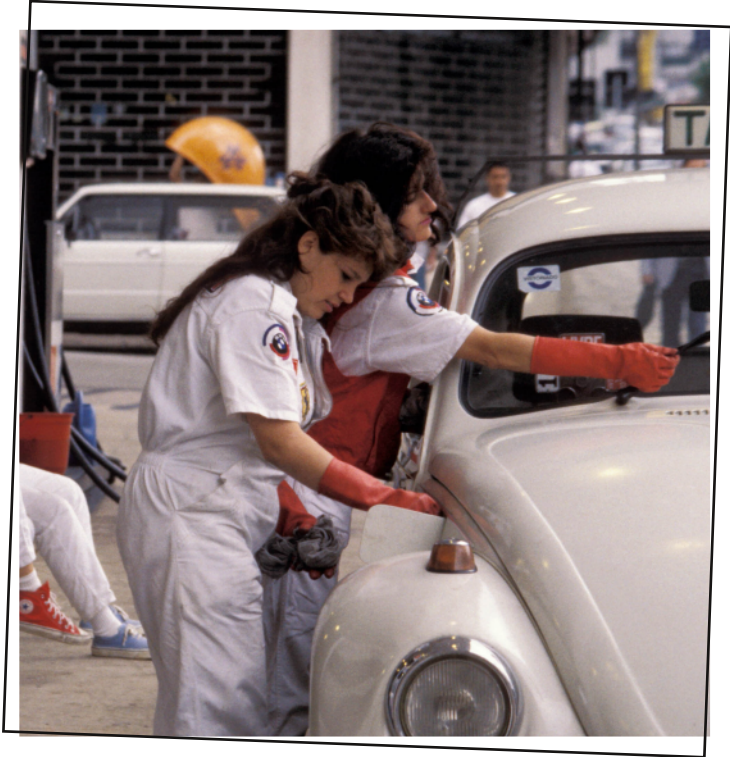
www.ilo.org/global/Themes/Equality_and_Discrimination



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