

LEVELLING THE

PLAYING FIELD

***Caste Discrimination and the
Ambedkar Principles***

Seminar Report on Social Responsibility of Foreign Investors in South Asia
Sponsored by Amicus and Lloyds TSB, July 2006



DALIT SOLIDARITY NETWORK UK

Statement from Amicus

The systematic discrimination of Dalits is a severe human rights violation. The continued caste injustice suffered by millions both in India and the UK remains an unacceptable reality in the lives of people considered 'untouchables'. We are proud to support the Dalit Solidarity Network UK in their campaign to end caste discrimination.

It is with pride that Amicus has sponsored the seminar to launch the Ambedkar Principles. Not only is it important that there is increased awareness of the problems faced by the Dalit community, companies must also address their responsibilities in preventing caste discrimination.

David Fleming, Amicus National Officer

Statement from Lloyds TSB

Dalit Solidarity Network UK is seeking to fight caste discrimination via the adoption of the Ambedkar Principles and I offer congratulations with respect to all the efforts they have made to further the opportunities of those who are deprived and discriminated against.

Richard Stockdale, CEO Lloyds TSB, India

**OUR SPECIAL THANKS TO AMICUS AND LLOYDS TSB
FOR SPONSORING THE SEMINAR**

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OUR SPECIAL THANKS GO TO PROFESSOR JOHN HARRISS & CHRIS LEE FOR HELPING US ORGANISE THE SEMINAR AT THE LONDON SCHOOL OF ECONOMICS

The views and opinions expressed in this report are the authors' own and may not reflect the views and opinions of DSN-UK

INTRODUCTION

**Rodney Bickerstaffe, former General Secretary of UNISON and
Trustee of Dalit Solidarity Network-UK**

The Dalit Solidarity Network (DSN-UK)

The DSN-UK has been highly active in relation with government, companies, INGOs, trade unions and churches since it was set up in 1998 by a number of concerned individuals and organisations. It has grown in strength and is now well known for its advocacy on behalf of Dalit people in India and the other countries of South Asia who suffer from 'untouchability' & caste discrimination, and those discriminated against by work and descent in other countries.

*The name **Dalit**, drawn from the Marathi¹ language, literally means 'crushed' or 'broken', but more generally means 'oppressed people'. It was a name that the Untouchables in India took for themselves after rejecting the name Harijan and was greatly popularised by the Dalit leader Jyotirao Phule and the Dalit Panther Movement in Maharashtra, India.*

*DSN-UK uses the name **Dalit** in an inclusive manner to address all those who suffer from social exclusion based on caste, caste like practices and discrimination based on work and descent. This includes both the **scheduled castes** and **scheduled tribes** who are India's most oppressed communities.*

The scheduled castes are the outcastes and are not part of the caste system. They are assigned to occupations deemed too defiling for other castes such as manual scavenging (cleaning dry toilets), sweeping, disposing of corpses, skinning and tanning of animal hides, making footwear, digging graves etc. They are thought of as polluted and polluting and therefore left out of mainstream society².

*The scheduled tribes or indigenous people are ethnically different from the scheduled castes and also suffer from untouchability. They are known as **Adivasis** and are discriminated against on the basis of work and descent and not because of caste as the scheduled castes are.*

Dalits find upward mobility impossible due to systematic discrimination at all levels³.

Our colleagues particularly in India, but also from other South Asian countries, now send us a constant stream of information, via the internet, which details the ongoing harassment, discrimination and violence against Dalits. This rather makes a mockery of the fact that India received the highest number of votes in the election to the new UN Human Rights Council earlier this year.

India has been negotiating for a seat on the UN Security Council for sometime now. With the continued blatant abuse of Dalit human rights, we would argue that India does not deserve a seat on the UN Security Council until it combats caste discrimination more actively.

Since DSN-UK has brought caste to wider attention, most government ministers and civil servants dealing with India in DFID, the Foreign Office and the Department for Trade and Industry are now

¹ Marathi is the language spoken in the state of Maharashtra in North Western India

² Thorat and Umakant, 2004, *Caste, Race and Discrimination: Discourses in International Context*, IIDS, Delhi

³ *ibid.*

aware of caste discrimination. We are pleased that Baroness Royall presented DFID's views at the seminar. Also, the recent report of the Parliamentary Committee for Trade and Industry recommends that the Government refers companies investing in India to the Ambedkar Principles. This follows the example of the Dutch Ministry of Economic Affairs in an advice booklet published in October 2005.

The International Dalit Solidarity Network (IDSN)

The IDSN was formed in London in 1990 and has grown in strength and influence. It is currently based in Copenhagen, with two full-time staff and one intern. It has been extremely active in relation to the relevant UN bodies and agencies, the EU and other appropriate institutions.

IDSN remains active and effective due to the support and involvement of the Solidarity Networks in the Netherlands, France, Germany, Denmark and Sweden, as well as the UK. Largely through IDSN's campaigning, the UN Commission for Human Rights initiated a three-year study on caste-based discrimination. IDSN will continue campaigning to ensure that this study be completed under the auspices of the new Human Rights Council.

Our Private Sector Focus

There is an existing 'reservation policy' in India, which was introduced in 1947. This is confined to the State and State-supported sectors that provide employment to only about 10% of the working population. Since 90% of the jobs are in the private sector, there has been a demand for a similar reservation policy for the private sector too. Liberalisation has made the private sector a more dynamic source of employment and growth while at the same time large numbers of Dalits are in danger of becoming unemployed⁴.

The debate on reservation in the private sector which entails a quota system is presently raging in India. It is quite plausible that in the near future there will be legislation in place to support this. This legislation might or might not directly address foreign companies in India, but it will surely have an overall effect on the business community one way or the other.

The discourse of merit versus social justice seems to have lost its bite with companies recruiting by normal procedures not being so thrilled with the merit of their non-Dalit candidates⁵. Dalits are beginning to assert that they are as capable to participate in the private sector if only they are given opportunities to demonstrate their abilities. DSN-UK along with IDSN felt that our work should focus on motivating foreign investors to become conscious of caste discrimination and expand the scope of their recruitment to consciously include Dalits.

What DSN-UK is proposing is a policy of positive or affirmative action which is voluntary and which is both economically and socially a healthier option. We feel that it would be prudent for companies not to procrastinate and instead kick-start the transition to more inclusive policies.

Our proposal is not based on a quota system which business feels will hurt meritocracy but on a system of conscious inclusion. The Ambedkar Principles suggest numerous ways in which the Dalit work force can be strengthened to enable them to compete among equals.

⁴ Thorat, Sukhadeo, 2005, *Affirmative action Policy in India – Nature, Dimensions and Emerging Issues*, Concept Paper, Overseas Development Institute, London

⁵ Gail Omvedt, *Beyond Quotas*, Times of India, 12 May 2006

Our work focuses on encouraging the private sector to become conscious of caste discrimination. We have been in dialogue with a number of British and other European companies investing in India. After the first UK Seminar on the private sector in the autumn of 2004, DSN-UK developed the Ambedkar Principles, drawing on race equality principles developed in the UK and USA, international business and human rights initiatives such as the Global Compact and the OECD Guidelines, internationally agreed labour rights of the ILO and the Sullivan Principles which were drawn up during apartheid in South Africa. Comments were sought from the Dalit communities, the private sector, unions and NGO's in order to develop a set of Principles that would not ask of companies more than they could offer, but which would be true to the grim reality of the caste system.

They are named after Dr Ambedkar the Dalit leader who despite being from a very poor background, obtained doctorates in law and economics from Columbia University in the United States and the London School of Economics (LSE). It is for this reason that the LSE graciously accepted to host the seminar.

We hope the launching of the Ambedkar Principles will pave the way for more companies to use them as a guideline in formulating affirmative actions that will address the challenging issue of caste discrimination in a vigorous and effective manner. We also hope that this report will become an important reference for those working against caste discrimination in the private sector.



Rodney Bickerstaffe - Former General Secretary of UNISON and Trustee of Dalit Solidarity Network UK, chairing the seminar as Baroness Royall - DFID representative in the Lords, presents the governments initiatives regarding caste discrimination

THE AMBEDKAR PRINCIPLES AND THEIR DEVELOPMENT

Gerard Oonk, India Committee of the Netherlands (ICN)

As caste discrimination in South Asia is permeating all aspects of life, foreign investors often play a role in reinforcing caste discrimination, even if not consciously. Their employment policies might be biased against Dalits or might have a negative impact on livelihoods of Dalits.

The Principles

It was with this in mind that in 2003, DSN-UK began to discuss the idea of providing the private sector with a system by which they could address caste discrimination. They took advice from NGO's, private sector representatives and trades unions and developed the set of Principles which were named after Dr Ambedkar.

In September 2004 the draft Principles were discussed at a seminar with representatives of unions, employers and investors in London. This first version of the Ambedkar Principles dealt with employment related issues, aimed at an active non-discrimination policy and affirmative action to tackle the big gap between Dalits and non-Dalit Indians.

Based on the Ambedkar Principles, the Dalit Solidarity Networks in the United Kingdom, Germany and the Netherlands initiated the first discussions with companies operating in South Asia, to persuade them to seriously examine their own relation to the caste issue. The process was to include making an assessment of their corporate impact on Dalits as well as formulating a policy and implementing practices that would be beneficial rather than detrimental to them.

During the International Consultation on Caste-Based Discrimination in Kathmandu from November 29-1 December 2004, the role of the private sector and the Ambedkar Principles were discussed by a broad range of stakeholders, including caste affected groups, international agencies like the ILO, academics and NGOs. Based on this input, an amended version was then sent around for comments to a range of organizations. Between 18 and 19 October 2005 the new draft was discussed again at an international meeting of IDSN member organizations in the Hague, Netherlands.

Important new input came from Professor Sukhdeo Thorat from the Indian Institute of Dalit studies (IIDS) and the National Campaign for Dalit Human Rights (NCDHR), India. They argued that the impact of companies on Dalits was not limited to employment practices, but also related to land, capital, consumer goods and product markets as well as supply contracts. The misappropriation and exploitation of land and local resources to the detriment of socially excluded local communities was highlighted as something that companies should not in any way be involved in. Measures like Dalit-inclusive charitable support to community programmes and support for the teaching of English to Dalits were also recommended. It was decided in the Hague to introduce additional principles into the Ambedkar Principles to address economic and social exclusion.

By the end of 2005 when the last comments were in, the *'The Ambedkar Principles: Employment and Additional Principles on Economic and Social Exclusion Formulated to Assist All Foreign Investors in South Asia to address caste discrimination'* were finalised and launched formally at a seminar organised by the DSN-UK in London on July 20, 2006. The Dutch government now recommends Dutch companies operative in India to sign up to the Ambedkar Principles as an integral part of their Corporate Social Responsibility (CSR).

The Ambedkar Principles were used as an important basis for the Dalit Discrimination Check (DDC), a self-assessment tool for companies, regarding their impact on Dalits. The DDC was developed by the Danish Institute for Human Rights and the International Dalit Solidarity Network.

While the Ambedkar Principles are voluntary, there is at the moment a big debate in India about the need for compulsory reservation of jobs in the private sector. Most corporate houses and organizations like the Confederation of Indian Industry (CII) and the Federation of Indian Chambers of Commerce and Industry (FICCI) are against mandatory quotas, but Dalit organizations are strongly in favour. The government is still considering its options.

However everybody agrees that Dalits should be getting more opportunities in the labour market of the 'organized sector' of the economy. The Ambedkar Principles are meant to achieve this and more. Forced by law or not, foreign companies operating in India – if they want to be considered as socially responsible - cannot afford to behave in a way that is detrimental to Dalits and other economically and socially excluded or exploited groups. They cannot continue to deny them the opportunities that many other people in India increasingly have.



From Left: Richard Stockdale - CEO Lloyds India, C Gautam - General Secretary of Federation of Ambedkarite and Buddhist Organisations (FABO), Singh Bahal - Backward and Minorities Communities Employees Federation (BAMCEF), Marc Willers - Barrister, Rob Marris MP - Member of Parliamentary Trade and Industry Select Committee and Trustee of DSN-UK

THE CONTEXT FOR THE SEMINAR

Tara Brace-John, Private Sector Project Officer, DSN-UK

Background

The Indian State has been constitutionally empowered⁶ to “*promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes⁷ and the Scheduled Tribes⁸, and shall protect them from social injustice and all forms of exploitation*”. The State has used a two-fold strategy to achieve this aim:

1. By providing legal and constitutional safeguards against discrimination⁹
2. Reservation policy¹⁰ in the State and State-supported sectors

There has been a significant increase in the number of Scheduled Caste (SC) and Scheduled Tribe (ST) government employees since the inception of the reservation policy but this is for a population of over 250 million Dalits (167 million SC and 86 million ST in 2001) who form a quarter of India’s over one billion population.

Government employment under reservation

Year	SC	ST	Others
1956	212,754	22,549	1184748
2003	540,220	211,345	2517780

National Commission for SC and ST and Annual report of Department of Personnel, India

Percentage share in government employment

Year	SC	ST	Others
1956	14.98	1.59	83.43
2003	16.52	6.46	77.01

Thorat 2005, Working paper: “Persistent Poverty – Why SC and ST stay chronically poor”, Department for International Development (DFID), UK

Employment under reservation in public sector undertakings

Year	SC	ST	Others
1970	40640	12309	494680
2003	296388	138504	1198106

Thorat 2005, Working paper: “Persistent Poverty – Why SC and ST stay chronically poor”, Department for International Development (DFID), UK

Percentage share in public sector undertakings

Year	SC	ST	Others
1970	7.42	2.25	90.33
2003	18.15	8.48	73.37

Thorat 2005, Working paper: “Persistent Poverty – Why SC and ST stay chronically poor”, Department for International Development (DFID), UK

⁶ Article 46, A Directive Principle of State Policy

⁷ Formally known as Harijans or Untouchables

⁸ Indigenous people who are ethnically different from the Untouchables

⁹ Even though the institution of caste has not been banned, certain laws have been formulated by the state to protect victims of caste-based abuse and atrocities and to provide compensation

¹⁰ Quota based affirmative action

Percentage share of employees in public sector banks

Posts	1978			2000		
	SC	ST	Others	SC	ST	Others
Officers	2.04	0.34	97.62	12.51	4.22	83.27
Clerks	10.32	1.82	87.86	14.88	4.76	80.36
Sub staff	16.25	2.09	81.67	24.47	6.25	69.28

National Commission for SC and ST, India

Unfortunately the reservation policy does not extend to the private sector, which in relation to the State and State-supported sectors is a big player. According to a recent survey by the Indian Government, 76% of the workforce is engaged in the private sector and only 24% is employed in the State and State-supported sectors¹¹. Set against this fact is the looming danger of the State and State-supported sectors shrinking while the private sector further expands.

Recognising the importance of the private sector job market, the Indian Government has set up a 'Group of Ministers' in 2005 to develop an Affirmative Action Policy¹² for the private sector. Be it in India or the UK, affirmative action is unlikely to take place voluntarily and legislation will be needed to support such a policy. Public awareness and civil society action need to ensure implementation of any affirmative action policy in the private sector. Key civil society actors should also be involved in the monitoring of this policy implementation. All these measures will have to happen both in India and in the companies' countries of origin.

Foreign investment is high and on the increase in India as it is perceived to be a stable country with a high growth rate. Economically, India is a 'happening' country. But it is important to point out that the country is socially so backward that every institution, modern and old, is entrenched in the caste system. India's rigid examination system, systematic limitation of entry, various forms of discrimination linked to caste and limited educational opportunities, has limited the field of recruitment¹³. Even a company or institution which claims to be 'non discriminatory', inadvertently gets co-opted into the morass of caste and class that still forms the bulwark of Modern India.

DSN-UK's Advocacy

DSN-UK believes that it is crucial to continue highlighting this danger internationally. We hope that in the future, institutions will become culturally sensitive to the ramifications of caste in peoples lives and adapt their policies to suit a plan of affirmative action that can successfully and efficiently deal with the issue of caste discrimination. In view of this, we organised a seminar for the purpose of:

- a) Further raising the issue of caste discrimination among companies, banks, government departments, unions, NGO's and academic institutions and
- b) To launch and promote the Ambedkar Principles for employment, economic and social rights

Expected Outcomes of the Seminar

1. Increased awareness of caste discrimination among companies, banks, government departments, unions, NGO's and academic institutions

¹¹ Government of India Economic Survey 2005-06, Economic Division, Ministry of Finance, New Delhi. India

¹² Some of the affirmative actions taken by the Government of India in the public sector so far include *relaxation of minimum age for entry into the service *relaxation in minimum standard of suitability within reasonable limit (subject to minimum qualification) *relaxation in fees *pre-examination training *separate interviews for Dalits and Adivasis *provision of experts from Dalit or Adivasi backgrounds in selection committees etc.

¹³ Gail Omvedt, *Beyond Quotas*, Times of India, 12 May 2006

2. The Ambedkar Principle will begin to be used by companies, banks, government departments, unions, NGO's and academic institutions to develop affirmative action policies that will address the issue of caste discrimination
3. The Ambedkar Principles might contribute to future supportive legislation in the UK and in other countries

Seminar Proceedings

Participants at the seminar were from the business and NGO sectors, government, unions, community representatives, academics, and research scholars. All the presentations and discussions were lively and from a wide spectrum of thought and experience. The experience of viewing the film *I am Dalit, How are you?* which was produced by the International Dalit Solidarity Network, helped participants to understand the harsh realities of being a Dalit in India today.

The business perspective was presented by Richard Stockdale, CEO Lloyds TSB India, and stressed on the importance of education for Dalits as a way out of poverty and discrimination. He also proposed emotional intelligence as a part of the curriculum and championed the development of new educational plans along these lines.

The Government view which was presented by Baroness Royall, DFID spokesperson in the House of Lords, further reiterated the importance of education. She emphasised the UK Government's commitment to this cause and drew our attention to the large amount of funds that the UK government had directed towards the Sarv Shiksha Abhiyan (SSA)¹⁴ educational plan in India which is a bid by both governments to increase educational opportunities for Dalit children and to counter the economic reasons for the high drop-out rate among them.

In his presentation, Professor John Harriss, London School of Economics, felt that it was crucial to go beyond "just education". He was basing this opinion on a very personal and first-hand experience of Dalit rural realities that spanned over 20 years. His example of a Dalit village which had a school earlier than another caste village, but still had very few educated Dalits, was a stark reminder to all of us that caste discrimination needs to be combated at various levels. Professor Harriss was of the strong opinion that educational interventions need to be supported by investment in non-agricultural rural activities which will bolster and simultaneously strengthen the local economy, thereby encouraging and enabling parents to send children to school instead of out to work.

David Haslam, Chair of Trustees DSN-UK, Walter Hahn from the German Dalit Solidarity Platform and Rob Marris MP, Wolverhampton South West and Trustee of DSN-UK all spoke of the importance of networking and the need for lobbying on Dalit issues in Europe and in the UK. They gave us an update of the achievements and developments in Parliament and the Solidarity Networks and the progress they had made in awareness raising on caste discrimination. David also briefly spoke about future plans and suggested numerous venues of cooperation between the private sector and NGOs.

¹⁴ Shubhajit Roy's article in the Indian Express on August 19, 2006, reported on the Auditor General of India declaring that a large part of the SSA funds meant for education programmes was actually spent on Hindu ceremonies, air conditioners, mobile phones, repairing bungalows, school grants to 2,369 "non-existent" schools in Jharkhand alone, text books for "ineligible" students and many such "un-budgeted" activities. States like Bihar still have a teacher-student ratio of 1:130. Also 75,884 schools have only a single teacher, 6,647 schools have no teacher at all, and a shocking 40% of 6-14 year olds still drop out of school.

Marie Busck, Danish Institute for Human Rights introduced the group to the Dalit Discrimination Check (DDC) that has been developed by her organisation and urged the companies which were represented to participate in testing it. The companies also had an opportunity to interact with her after the seminar in a specially organised meeting. Here they were able to further clarify their thoughts about the DDC and develop a better understanding of the required procedures.

Conclusion

The seminar is just a small step forward in the struggle against caste discrimination. Governments, companies, unions and institutions are becoming aware of the enormity of the manifestations of the caste system and this in itself is already progress. However, there is still a very long way to go in terms of policy.



The Ambedkar statue today is a symbol of Dalit political mobilization. It is very often one of the first outward symbols that will appear in a Dalit village which believes itself to be a political entity. It remains a symbol of Dalit Power. It is no wonder that it is also the first target in inter-caste discord and is very often desecrated with human excreta, cow dung or even a garland of old slippers! Therefore the necessity for Ambedkar to be under lock and key, almost 60 years after Indian independence! (Photo: James Smith)

HUMAN RIGHTS AND THE RESPONSIBILITY OF COMPANIES

Marie Busck, Danish Institute for Human Rights

Few companies today question their responsibilities regarding the environment or health and safety at the workplace. Human rights on the other hand, have traditionally been seen as a political issue with governments as the greatest potential violators of rights, but also as the entities with the responsibility to protect and promote the same rights. For that reason, human rights have, until recently, been downplayed in the debate on corporate social responsibility (CSR).

This perspective change forever with a number of high-profile cases during the 1990s, in which companies suddenly became embroiled in complex human rights issues. Oil companies, for example, have been accused of complicity in human rights violations in Africa and Latin America, and companies in the clothing industry which have outsourced their production to Asia, have been criticised for the poor working conditions of their suppliers. Companies responded to activists' pressure and the media coverage and started to include a reference to human rights in their codes of conduct or general business principles. However, while there may be a dawning recognition of the importance of human rights, companies are still confused about what their responsibilities actually are, and how they should go about implementing a systematic policy in this area.

The Human Rights and Business Project (HR&B Project)

The HR&B Project was established in 1999 as cooperation between the Danish Institute for Human Rights (DIHR), the Danish Confederation of Industries (DI)¹⁵ and the Danish Industrialization Fund for Developing Countries (IFU)¹⁶, to address the challenge of making human rights operational in a company context. The project represents a rather unique example of the business and human rights communities working together. The main research is carried out by DIHR, while DI and IFU offer the business perspective to the research.

All three founding organisations meet once every 3 months to discuss project activities, examine ongoing activities and to plan for the future. This coalition helps DIHR secure regular updated information from the companies even on a daily basis and ensures that the work of the HR&B Project remains dynamic and relevant to the needs of business. Lately the Danish Confederation of Trade Unions¹⁷ and Danish International Development Assistance (Danida) have also joined the Board.

The HR&B Project strives to combine the expertise of the human rights research community with the experience of business in order to develop concrete achievable human rights standards for companies, and to help companies live up to those standards in practice through training and advisory services. One of the main activities of the HR&B Project is the development of practical and operational tools for the implementation of human rights in a business context. This includes country risk assessments, decision maps, issue papers, and the Human Rights Compliance Assessment (HRCA).

Human Rights Compliance Assessment (HRCA)

The HRCA is the key tool produced by the HR&B Project and has been developed over a period of 6 years, involving more than 100 human rights experts, NGOs and companies. It is a diagnostic tool

¹⁵ DI is Denmark's national employers' confederation representing more than 6000 companies.

¹⁶ IFU is Denmark's Industrialization Fund for Developing Countries.

¹⁷ Landsorganisationen Danmark (LO)

designed to help companies detect potential human rights violations caused by the effect of their operations on employees, local residents and other stakeholders. The HRCA is intended to help companies systematically address human rights and avoid violations.

The entire tool runs a database containing more than 350 questions and 1400 corresponding indicators, developed from the Universal Declaration of Human Rights, the 1966 Dual Covenants, and over 80 other major human rights treaties and conventions. The HRCA is designed as an interactive computer programme that allows the company to select the relevant questions and tailor the HRCA to their needs.

The HRCA furthermore constitutes a database on which more specialised checks can be developed, focusing on a specific issue or country. This specialisation will often take place through the development of a Country Risk Assessment (CRA) with the cooperation of NGOs that specialise in certain human rights issues.

The Dalit Discrimination Check (DDC)

In 2005 the HR&B Project conducted a country risk assessment on India. The objective of the India country risk assessment was to identify the main human rights risk areas from a corporate perspective. The risk assessment showed that caste-based discrimination constitutes a wide-ranging human rights problem, which affects the lives of over 250 million people in India and that companies are at great risk of violating the human rights of Dalits when operating in or sourcing from India. Even though the Indian government has introduced formal protections by law, caste discrimination remains endemic and is accompanied by strong patterns of impunity.

The International Dalit Solidarity Network (IDSN) commented on the India country risk assessment and subsequently DIHR and IDSN decided to engage in a partnership with the aim of developing a specialised version of the HRCA that specifically addresses the issue of caste discrimination. The purpose is to provide a practical caste discrimination tool that will help companies which operate in India or source from India to avoid engaging in discriminatory and abusive acts against Dalits, directly or indirectly. The specialised Dalit Discrimination Check (DDC) will be accompanied by a set of explanatory guidelines on how to confront caste discrimination and how to use the DDC. Finally, the process will include the organising of a workshop where the DDC will be formally launched.

The DDC will be designed to serve as a support tool for companies that have signed up to the Ambedkar Principles or in other ways obliged themselves to conduct business in a responsible manner. The DDC will deal with Dalit discrimination in the company's own practices as well as in the supply chain. It contains approximately 25 questions in the following categories:

1. Employment Practices: deals with the rights of the individuals employed by the company or seeking employment within the company
2. Operational Practices: deals with the rights of the individuals employed by the company or seeking employment within the company
3. Utilities and Services: deals with the rights of individuals using essential goods and services which are provided by the company, such as educational, housing, and medical facilities
4. Supply Chain: deals with supply chain issues

The draft DDC is now ready for testing. The consultation and testing process will be carried out in the autumn of 2006 and will involve a number of European companies which operate in India. The final DDC will be launched by the end of 2006.

Procedure for Participation

Companies that have accepted the invitation to participate in the consultation and testing process will be asked to register as users to the DDC and thereby will be provided with a password that gives them access to the programme. The tool comprises of the following:

1. **The Dalit Discrimination Check (DDC)** This is the heart of the tool and it contains approximately 25 questions. Each question is supported by an explanatory paragraph specifying why it is an area that the company should pay attention to. A list of ‘suggested indicators’ is provided to help guide the user in determining whether or not the company is in compliance and how to answer the overall question. The section is divided into two parts; one that specifically focuses on the discrimination issue and one that more broadly focuses on supply chain management and deals with issues such as child, forced and bonded labour – all being areas that particularly affect Dalits.
2. **Briefing note on caste discrimination** This section provides an introduction to the DDC and the complexities embedded in caste discrimination. It also addresses the reasons and importance for companies operating in India to tackle caste discrimination.
3. **User’s Guide** This section provides a practical instruction on how to use the computerized version of the DDC.
4. **Suggestions for promotional activities** This section does not directly form a part of the DDC. It has suggestions for how the company can promote and support the human rights of Dalits within their sphere of influence.

When testing the DDC, companies are asked to make a general review of the information provided in the sections above, focusing in particular on the following:

- Are the questions and indicators in the Dalit Discrimination Check clear, concise and comprehensible?
- Do you find the questions and indicators reasonable and relevant?
- Where do you think the greatest challenges are for following the standards in the DDC?
- Are there any issues that need to be covered more substantially?
- Is the briefing note on caste discrimination clear, concise and comprehensible?
- Does the briefing note provide you with a good understanding of the complexities involving caste discrimination and how a company should approach the issue?
- Does the user’s guide provide you with adequate instruction on how to use the DDC?

While running the DDC in the computerized version, companies are also asked to consider the functionality and the features of the computer programme such as:

- Do you find the structure and features of the computer programme clear and useful?
- Should additional functionalities/features be added?

Our aim is to develop a practical, effective and user-friendly tool for companies, and any input and suggestions for improvement will be highly appreciated.

Future plans

Subsequent to the consultation and testing process, a meeting will be scheduled where the participants will meet with a representative from the Human Rights & Business Project and the International Dalit Solidarity Network or a relevant national Dalit Solidarity Network. The purpose of this meeting is to discuss the testing process and the feedback from the company.

When we have met with all companies and received all the feedback from the company testing and consultation, the input will be incorporated into the DDC and it will then be finalised. The DDC will be launched at a workshop by the end of 2006. Companies that have participated in the consultation and testing process are invited to participate in the workshop and present their experiences from using the DDC.

Upon completion the DDC will be freely available for companies and others to use. Further information about the DDC and HR&B Project can be found at: <http://www.humanrightsbusiness.org>



From right: Walter Hahn - Dalit Solidarity in Germany, Professor John Harriss - London School of Economics, Savio Mahimaidass - National Campaign for Dalit Human Rights and Marie Busck - Danish Institute for Human Rights

AFFIRMATIVE ACTION IN GERMAN BUSINESS ENTERPRISES IN INDIA

Walter Hahn, Dalit Solidarity in Germany (DSiD)

Introduction

India is now experiencing an economic boom and for Dalits to benefit, the existing public sector quota-system should be extended to the private sector, thus securing at least some of the jobs, which are now at risk. By doing so, Trans National Corporations (TNCs) and medium & small companies will send out a message that they too believe in equality and equal opportunities for all.

A reservation policy for employment as affirmative action in the private sector could become an important instrument to enable the participation of Dalits in the Indian economy and thereby help them integrate into society. Private companies should have social responsibility and help Dalits to overcome both their poverty and the stigma of not being full members of society.

It is insufficient to just set up and fulfil quotas based on the percentage of Dalits in the general population. It becomes necessary to initiate additional measures to integrate Dalits and improve their chances to compete in the private sector, e.g. to train and promote them to higher positions so they can fulfil their roles with full competency and efficiency.

Advocacy with German companies operating in India

In view of this Dalit Solidarity in Germany (DSiD) wrote to 33 large and medium sized German, Austrian and Swiss (German speaking) companies in December 2004. All these companies had already signed the Global Compact and have growing investments in India (subsidiaries, branches, joint ventures).

The letter described the problem of caste-based discrimination of Dalits in Indian society and how present economic trends threaten any role that they might play in the private sector. DSiD asked the business enterprises their views and enquired if they would be prepared to voluntarily adopt reservation in their employment policies. The letter also asked for suggestions and ideas for alternative affirmative actions that would tackle the issue of caste discrimination e.g. scholarship programmes for children of staff, support of schools, establishing nurseries within the company etc.

The purpose of this inquiry was to get a sense of what companies think about caste discrimination, their willingness to adopt affirmative action, and any ideas they might have for increasing the number of Dalit employees.

General responses to the letter:

- Very few companies responded immediately but after 4 reminders, 32 of the 33 had responded, showing that most companies tried to avoid the issue for as long as possible.
- The responses in all cases were from senior management, e.g. Personnel manager or CEO.
- None of the companies could provide disaggregated data on the caste composition of their employees. They claimed that caste was not an issue in recruitment. They also said that caste was not recorded during any stage of the recruitment process.

The responses of the companies can be divided into four categories:

Rejection

- 5 companies rejected the suggestion of affirmative action for reasons of cost, or/and lack of interest. Unaxis, a Swiss company, indicated that they already support some downtrodden groups and marginalized schools. However the company is presently financially unstable and has had to cut costs.
- All five can be characterised as middle or smaller business enterprises (Hako, Faber-Castell, Lappgroup, Suessen and Unaxis).

Open attitude but holding Indian partners responsible

- 16 companies indicated agreement with the idea of affirmative action in principle. Amongst them were Allianz, Bosch, DaimlerChrysler, Deutsche Bank, Lufthansa, Henkel, Novartis and some smaller companies.
- Most explained that they do not have the competence or authority regarding the employment policies of their partners in India. It is the Indian company that is responsible for the recruitment of employees.
- Another additional reason given for non-interference in employment policies is that Indian partners are more familiar with local and cultural conditions. They felt this task should be handled by their Indian colleagues.
- Five companies (Allianz, Bosch, DaimlerChrysler, Henkel and Otto) stated they had an anti-discriminatory policy and that they do not discriminate by nationality, race, sex or religion and *therefore* caste. This is their worldwide policy. They maintain recruitment only on the basis of qualification and performance. They were hesitant about “positive discrimination”. DSiD is still pursuing the dialogue with these companies.
- 7 companies (Allianz, Deutsche Bank, DaimlerChrysler, Bosch, Henkel, Klüber, and Würth) gave DSiD the contact details of their Indian colleagues. The Coordinator of DSiD visited 4 of them at the beginning of 2006. He met with the CEO and/or Chief personnel officer of Bajaj Allianz, Daimler Chrysler, Bosch and Klüber. Below is the outcome of the discussions.
 - They remained sceptical about reservation in employment from their own experience, though they expressed sympathy and concern for the situation of the Dalits and recognised the need to help them.
 - They wanted to support schools or vocational training institutions and wanted DSiD to be involved in these efforts.
 - The idea of special ‘coaching’ and promotion schemes to enable more Dalits to be employed was rejected on the basis that trade unions will not allow such a form of “positive discrimination”.
 - The companies were open to the suggestion that a small study on the caste composition of the staff should be carried out. DSiD is organising this. Discussions will resume based on its findings.

Endorsement

- Klüber (specialist in high-performance lubricants – a small company with a staff of around 200 persons) explained that they have had a policy of reservation in employment for some time.
- TÜV Rheinland (around 50 staff) is open to the idea and would like to implement a reservation policy.

Adhering to legal regulations

- 7 companies indicated that they don't want to endorse a policy of reservation in employment at present, as there is a heated debate going on in India. They support the Confederation of Indian Industry (CII) and the Federation of Indian Chambers of Commerce and Industry (FICCI) and if reservation becomes a legal requirement, they will willingly adopt it.

FUTURE PLANS

- We are now sending the Ambedkar Principles to many more companies in an effort to initiate a dialogue with a wider section of private sector enterprises.
- We are also trying to get 2 or 3 of the more willing companies to undergo the Dalit Discrimination Check.



Multi-storey buildings tower over shanty slums in India's capital city Delhi (Photo: Nidhi Sadana)

A BUSINESS PERSPECTIVE THOUGHTS FROM A WESTERN CEO, RAISED IN INDIA

Richard Stockdale, CEO Lloyds TSB , India

This seminar seeks to improve the conditions of the outcastes and ethnic groups within India, collectively called as Dalits. In that respect the aims of the seminar are in particular to influence private sector investors and employers in India to adopt policies which give Dalits more opportunities to raise themselves and enhance their future prospects.

Caste Discrimination – its nature and its challenge

India is a major sovereign and nuclear power, with the largest active democracy in the world, populated by many millions of educated and astute citizens. The dichotomy is however that whilst India's main institutions are well developed, there are still large areas of underdeveloped backwaters, particularly within rural communities, where notable progress has not been felt and where caste discrimination is particularly high.

Caste discrimination is certainly not an issue lost on the Indian nation itself, with clauses included in the Indian constitution regarding the 'abolition of untouchability'. Whilst the overall issue of educational and private sector reservations in India is a hot and divisive topic, with sides well defined and for the most part vociferous, this recognition of caste injustice is well repeated across India and indeed in July 2006, in connection with a ruling on inter-caste marriages, a Justice of the Supreme Court of India, stated "inter-caste marriages were in fact in the national interest as they could be a potent weapon to destroy the caste system, which is a curse of the nation."

Whilst there are few in India in positions of real authority who would wish to actively defend the institution of the caste system, the system exists, entrenched in whole segments of Indian society, particularly in rural areas, where it has been embedded since the advent of Hindu mythology and religion.

At its mythological and religious inception the caste system was meant to be a community team effort, with different castes complimenting each others efforts, rather than a discriminatory DDC, which sadly, and perhaps not surprisingly given human psychology, it has subsequently developed into.

A particularly sobering fact is that the Dalit segment of Indian society equals some 25% of the population. Given the Indian population represents approximately 20% of world population, then the Dalit population of India equals 5% of the total population of the planet. Hence it is important to always have a long term perspective.

Recognition of the ills that the caste system produces has only existed for a tiny fraction of the period that the caste system itself has existed, and the technological progress of India over the past few decades has made this focus ever more imperative. This major time mismatch, combined with the fact that India is a federation of many essentially conservative cultures, serves to impress upon us the necessary delicacy of touch and action that must be applied in any strategies to dissolve the impact of the caste system, without risking the shredding of Indian societal values and upsetting the sensitive balance of Indian politics.

The complexity of the task is further exemplified by the fact that within any grouping as huge in number as the Dalit community, there has inevitably developed cases of active discrimination within Dalit sub-groups, quite apart from the scattered cases of Dalit discriminations against non-Dalits. However isolated these cases are, they need to be recognised. This realism should not stall or sour efforts to tackle Dalit issues, but it should compel us to ensure that we understand the full spectrum of the issues and not be surprised by any eventuality.

Suggestions

Generally, if Dalit Solidarity Network UK (DSN-UK), its friends and its supporters are to make the necessary headway in achieving their goals, then in my view they must incorporate but also look well beyond the central stream approach of the Ambedkar Principles and into a range of multi-strategic solutions, integrated and executed well over a two or three generation timescale.

We should not allow ourselves to almost exclusively focus in any one area of mitigating action. But rather we must develop programmes that reach holistically into the heart of the Dalit community and engage Dalit and society issues, separately and in combination, across their broad spectrum.

A holistic strategy around creation of sustainable self-generating opportunity has to be the key. The need is to be able to place in the hands of the Dalit community this key which they then use to develop themselves, to unlock their potential and thus to enhance their position on an ongoing basis.

Real lasting change must be driven by more than top-down Supreme Court judgements. It must emanate from a cross societal acknowledgement of the issue and the need for correction, vibrantly driving change both from top-down and bottom-up, until there is a confluence of both.

Education: To create this twin dynamism, the imperative is to focus on the empowerment of Dalits through quality education. The essence of the Ambedkar Principles acknowledges this, but can a relative handful of educational institute and private sector reservations alter the fundamental balance of opportunity for 5% of the planet's population?

The right of access for all Indian citizens to educational institutions maintained by the State is enshrined within the Indian constitution. However, given the levels of illiteracy in certain areas of India almost 60 years into independence, there has to be a question over the ability of families in deprived areas to commit the resource of their children to an educational process which is often not of a type which they discern will add value for them in their daily lives.

That issue has to be addressed through ever more robust education, delivered in a consistently reliable manner, with specific focus on the teaching of English reading and writing skills. English, given the nature of its international gateway, is a sound conduit to commercial advantage in India. Plus, computer skills and literacy software programmes, transmitted in a mix of English and regional languages and dialect.

There are a range of Indian-owned companies doing excellent work in the child and adult literacy field, some using traditional teaching routes and some focusing on bespoke software tools. It is possible that some of these companies may be willing to act as 'Indian Champions' and as action conduits for the Dalit Movement, as it expands its efforts at school level.

To support these Indian Champions, it could be appropriate for the International Dalit Solidarity Network to look at promoting the twinning of schools in the base countries from which Dalit

Solidarity Networks operate, with Indian State schools in Dalit or deprived areas, to seek to generate partnership, support, funding and inspiration to maintain the issues of Dalit and deprived sector education among public priorities.

Emotional Intelligence: Additionally, given that Dalit minds and IQ represent 25% of India's total IQ resource and that we know that IQ is set at birth and is unchangeable, there has to be a case for a focus in Dalit and deprived area State schools on the systematic and committed teaching of a powerful personal development DDC, known as Emotional Intelligence (EI).

EI unlike IQ can be entirely taught and positively and actively develops the individual personality for self good and the good of society. This tool, only really developed within the past 15 years, is already well entrenched with many Trans National Corporations' human resource development programmes and is starting to be recognised in India, where two seminars have already been held on the subject in Bangalore and Mumbai during June 2006 and a further seminar is to take place in Delhi in September 2006.

EI teaches how to understand the agenda of others, engage with people, assign priorities and seek routes to achievement. It can enthuse a person to understand how to succeed and encourage the desire to do so. To no longer unquestionably accept the vagaries of existence, but to understand how to motivate and to strive competitively to better oneself.

The additional benefit is that EI has as a central core, the appreciation and inclusion of the agendas of others. This in itself is a powerful tool in the lowering of corrupt tendencies and discrimination. EI is entirely teachable and in illustrative terms, if the IQ is the car engine, the body is the person and wheels are the progress through life, EI would represent the drive shaft, optimising the transition of energy into progress.

So one suggestion I would make is that DSN-UK should be encouraged to reinforce its Ambedkar Principles with a concentrated effort to engage Federal and State Governments to implement a structure of teaching EI to Dalit and deprived children across junior schools. This could take place first at the age of 7 when children are increasingly cognisant, but still absorbing ideas and influences fast, again at 10 when their life principles are solidifying and again at 14, as most leave school and make life choices, however limited these may be at present.

Given the Dalit and deprived focus of the exercise, these schools will be almost exclusively State schools and within the remit of State Governments, who generally exercise tight control of their syllabi. These Authorities will need to buy into the concept. For this, realistically, DSN-UK would require the efforts of senior and respected Champions within India. Also, most international companies operating in India and most top-flight Indian companies have vibrant corporate social responsibility (CSR) schemes and a willingness to assist with funds, time and organisation.

Better funding will produce training resources, for teachers themselves to be soundly taught the principles of EI, in order for them to pass on this knowledge to their students and also allow for proper checks & balances and inspections to ensure governance around the EI teaching programme.

Meritocracy: We must avoid the temptation to focus on a quick-fix solution or to stifle the meritocratically driven efforts of corporate India, as it seeks to compete in a global market. It would be counter productive for the overall Indian proposition and would be likely to be rejected by most mainstream international Indian business houses. MNCs must be good corporate citizens, but it is

hardly realistic to expect them as commercial concerns answerable to shareholders, to disregard meritocratic standards.

Instead the Dalit community should expect to receive the kind of assistance that will enable it to grow into a self-sustaining and widely participating bloc of wealth and value creation, within the greater Indian society.

There is already an economic and demographic trend in India where large numbers are progressively being elevated into a more affluent grouping. The question is how many of these are Dalits; the realistic answer is probably as yet, few.

I am no economist, but intuitively and in addition morally, I know that this should concern us. Again admitting my non-economic background it seems to me that in a cyclical manner, if this phenomenon continues it will eventually include the Dalit bloc. But when and how many?

Raising Morale - Sport: Sport is one possible way of achieving the raising of morale and demonstrating oneness within India. The Dalit community, by and large, is physically tough, used to rigorous physical labour as is necessary in, say the world of athletics. A sobering thought is that, with a population of 25% of the planet's humanity, in the last Olympics India achieved only one silver medal.

- Is this adequate focus on the use of available human resources?
- Did anyone focus on training Dalit athletes, or has this been thought a natural preserve of the higher castes?
- It is worth reflecting on the experiences of Kenya and the manner in which some in the farming community have raised Kenya's international prestige, with stunning middle and long-distance running abilities

Conclusion

My wish is not to prescriptively focus on any short comings in the Ambedkar Principles, which would be unworthy, self-defeatingly negative and entirely inappropriate, or to focus on just one or two big ideas, but rather to present my view that empowerment and advantage of Dalits is best achieved by a medium to long-term holistic approach, engaging all available resources, internationally and within India.

DSN-UK has a real role to play in assisting India to engage in a programme which India, from its constitutional base and demonstrated by its recent Supreme Court judgement is already fully aware that it has to execute,.

As I see it, the greatest gift that DSN-UK can give to the Scheduled Castes, Scheduled Tribes and Other Backward Castes of India is to act as a lightning rod for change. But this will require DSN-UK to engage in a complex programme requiring time, organisation, government co-operation, tenacity, inspiration, patience, forbearance and finding.

But if there is no appetite for such an endeavour, why are we here at all? I believe that Dalit Solidarity Network UK given their determination to date, is fully up for such a challenge and I wish them well as the task is faced.

A PARLIAMENTARY PERSPECTIVE

WORK ON CASTE DISCRIMINATION IN THE UK HOUSE OF COMMONS 2005/6

Rob Marris MP, Wolverhampton South West, Member of Parliamentary Trade and Industry Select Committee and Trustee of DSN-UK

Jeremy Corbyn, the energetic MP for Islington North, London, and now the Chair of DSN-UK, despite the many other demands on his time, has been doing a large amount of work on the issue of casteism. As a new Trustee of DSN-UK, I have tried to assist.

We continue to be inspired both by the courageous resistance of Dalits themselves and by the hard work done in the UK and other countries to try to abolish this unacceptable oppression.

Both of us are the only two UK Members of Parliament who consistently devote time to the issue – so far. Nevertheless, we remain optimistic that we shall attract a few more MPs, as word gets out.

Early Day Motions are a way for backbench MPs to show the government their feelings on issues of importance. On 20 July 2005, Jeremy tabled EDM 648, which stated:

“That this House welcomes the three-year study on caste discrimination agreed by the UN Human Rights Commission in April 2005; notes the concerns expressed in recent International Development Committee and Department for International Development (DFID) Reports about the continuing threats and violence against Dalits resisting caste discrimination; urges the Foreign Office and DFID actively to support the UN study, including financially if necessary, and to work vigorously in the EU and beyond to end discrimination by work and descent; and further urges the Department of Trade and Industry to encourage all UK companies operating in India to adopt the Ambedkar Employment Principles aimed at overcoming such discrimination in India and elsewhere.”

We are grateful to those MPs who have signed – but there are only 27, which show just how far we have to go to explain, and to build support.

Then, on 22 November 2006, Jeremy led a 90 minute debate in Parliament, on *Caste Discrimination Overseas: the UK Government’s Policy*. Several MPs participated in this debate, to which the then Foreign Office Minister Douglas Alexander responded with a number of commitments.

I am on the Parliamentary Select Committee responsible for scrutinising the Department of Trade & Industry (DTI). On 22 June 2006 we published our report on *Trade and Investment Opportunities with India*. Part of our research for that report involved a visit to India. When there, I questioned business leaders about casteism. Disappointingly, but not surprisingly, they were tight-lipped. However, the questions did have two benefits: firstly, asking the questions shows that outsiders are watching what is going on in that vast country. Secondly, the other UK MPs on the Select Committee had their eyes opened to the scale of the problem.

I was delighted that the Committee agreed to include the following in our report:

“97. A particular difficulty of the market in India is the issue of caste. This is an age-old system built on discrimination based on work or descent. It persists widely in India today.

Historically, there have been four main castes in India, plus the Harijans (formerly known as 'untouchables'). Pursuant to the Constitution of India, they are formally referred to as 'Scheduled Castes'. They are about 17 per cent of the population of India. In addition, there are 'Adivasis': that is, individuals who are ethnically distinct, as indigenous peoples. They are formally referred to as 'Scheduled Tribes'. They are about eight per cent of the population of India. Together, these two groups are often today called both 'SCs and STs', or 'Dalits' (literally, the oppressed). Despite legislation, and provisions in the constitution of India, outlawing caste discrimination, both groups still face tremendous discrimination”.

“98. We recommend that UK companies operating in India should be careful not to break the letter or spirit of these laws and preferably, they should take note of the 'Ambedkar Principles', launched by the International Dalit Solidarity Network, and look carefully at their recruitment and employment policies in India.”

The UK government must, by tradition, reply to this report – including the recommendations – within 3 months. I await their reply with great interest.

On 27 June 2006, when the issue of events in Nepal came up in the Commons, I put a Question to Foreign Office Minister Ian McCartney MP:

“Rob Marris (Wolverhampton, South-West) (Lab): One of the factors driving the demand for political change in Nepal is the widespread existence in the country of casteism — discrimination based on work or descent. What recent representations has my right hon. Friend made to the government of Nepal on the abolition of that pernicious and unacceptable form of discrimination?”

“Mr. Ian McCartney: I have not been involved in any detailed discussion of that subject, but it is an issue of human rights and their abuse that has to be dealt with, not only in Nepal but in other countries. It will probably form part of the work programme that we will agree over the next two meetings of the UN Human Rights Council in Geneva. It is one of the matters about which serious reservations have been expressed. I assure my hon. Friend that the matter is one that the Foreign Office will be involved, with the international community, in efforts to deal with it.”

Ian did not know I was going to ask this Question, and his reply demonstrated that he has a knowledge and sympathy for those suffering from casteism. I congratulated him and aim to arrange a formal meeting with him soon.

ADDRESSING CASTE DISCRIMINATION IN AN INTERNATIONAL CONTEXT

Baroness Royall, DFID representative in the Lords

Caste Discrimination in India

Caste discrimination is not just experienced in South Asia; it affects communities across the world. But just taking some head line statistics from India alone, I have been particularly struck by the practical implications of identity based discrimination on people's lives today. So-called 'untouchable' or Scheduled Castes, as they are classified by the Indian constitution, constitute 20% of the rural population, but 38% of the rural poor. They also constitute 14% of the urban population, but 37% of the urban poor.

Discrimination on the basis of caste identity constrains the human rights, livelihoods and life chances of millions of men, women and children. Dalit children are more likely to die before their fifth birthday; they are less likely to go to school, to benefit from clean water or to receive free school meals. Once they grow up, they earn less, and are less likely to get a decent job or to own land.

These are not isolated incidents. They represent a systematic injustice and routine violation of the most basic human rights of millions of individuals. This is why I am particularly pleased to be participating in the seminar and to talk about the international implications of caste discrimination, and how each and everyone of us has an important role to play in addressing this issue.

This seminar marks an important follow up to the Adjournment Debate on caste in the House of Commons last December. My colleague Jeremy Corbyn MP, Chair of Dalit Solidarity Network UK, has been actively involved in activities to raise awareness about the experiences of Dalits for some time. We believe that the framework of international covenants and national legislation outlawing discrimination based on descent is an important step towards its elimination.

Government and the Private sector

The British government is committed to ensuring that businesses takes account of the social and environmental impacts of their activities worldwide, and follow the principles outlined in the international instruments on Human Rights. We and the European Union are committed to ensuring that human rights are respected, and believe that the best ways to do this are to share our concerns with other governments, and to raise awareness of responsible business behaviour world wide.

This is also sound in practice. The Department for International Development's new publication 'DFID and the Private Sector', for instance points out that socially responsible practice have a direct and positive impact on a company's productivity.

I am sure you are aware that the UK government endorses a range of international activities designed to encourage responsible business behaviour. As a sign of its commitment, we have had a Minister for corporate social responsibility for many years. In addition to promoting best practice in the UK, the Government is involved with a number of international initiatives pushing for responsible business practices. .

Through the Department for Trade and Industry (DTI) and the Foreign and Commonwealth Office (FCO), the Government supports and promotes the OECD Guidelines for Multi National Enterprises.

These are a baseline for corporate behaviour to help such companies design their own corporate codes of conduct. Later this month, the Government will publish its response to a stakeholder consultation on enhancing our arrangements for upholding the Guidelines.

The Government, through the FCO, also strongly supports the UN Global Compact. Kofi Annan's initiative is an agreement with business to uphold and promulgate a set of ten principles, including the promotion and observance of human rights, as well as environmental protection and anti-corruption. Principle 6 is particularly relevant here, as the Ambedkar Principles outline, in that it requires supporting companies to eliminate discrimination in employment.

Government to Government Initiatives

Through our work with the International Labour Organisation (ILO), we are encouraging India to comply with those ILO Core Conventions it has already ratified, including on forced labour and discrimination.

In addition to our support for international conventions, we encourage open debate internationally about discrimination. During the UK EU Presidency for instance, the Prime Minister led the EU/India Summit in Delhi last September, an EU-India Joint Action Plan was agreed which identifies key areas where the EU and India agree to work together. One area was human rights. The first meeting took place in December 2005. It will be for the Finnish Presidency to follow up this dialogue in 2006.

But I am also aware that international commitments, and legislation outlawing caste, as experience in India has shown, while necessary, are not sufficient to eliminate discrimination. It is not easy to implement actions to counter it, as our experience in the UK of tackling race and gender based discrimination has shown.

Caste Discrimination in the UK

We have however learnt a great deal from that work, and many of the lessons may be relevant in a different context. In the UK for instance, we are now familiar with the concept of institutionalised racism. Our experience has taught us that even when there is political commitment; it is not easy for governments alone to tackle entrenched behaviours and forms of discrimination.

Action has to take place on a number of fronts. In the UK, legislation to outlaw discrimination, has been combined with strong legal safeguards, in the home, on the street, and in the workplace, awareness raising within society in general, and proactive policies and initiatives to level the playing field for disadvantaged groups at work and at play. The Dalit Solidarity Network UK's recent report on the situation of Dalit communities in the UK has produced some important information which may need to be looked into further.

DFID and Caste Discrimination in Nepal

Although we are less familiar with the idea of institutionalised caste discrimination, we do know quite a lot about what might work to reduce entrenched prejudices and to change behaviour.

My Right Honourable colleague, Gareth Thomas MP, in the Department for International Development has met representatives from the Dalit Solidarity Network UK on a number of occasions to discuss how DFID takes account of discrimination against Dalits in its programmes in Asia. They also address the issue in their policies and programmes.

The Department considers the challenges facing Dalits as just one of the many faces of social exclusion confronting poor people across many parts of Asia. The experiences of just one office, Nepal, will give you some interesting insights about how the British Government overseas is supporting efforts to tackle caste discrimination through a range of different approaches. You will see there are some similarities with the way in which we are tackling discrimination and institutionalised racism and sexism in the UK.

In Nepal, Dalits remain at the bottom of the caste hierarchy, and comprise about 13% of the population. Although a National Dalit Commission was formed in 2002, this had no legal basis. The present new Government in Nepal declared Nepal a country free of untouchability only a few weeks ago. This is a major step forward.

DFID Nepal places emphasis on supporting government and civil society actions to reduce all forms of discrimination and exclusion. Exclusion on the basis of identity in Nepal has become an increasingly important political issue. Many now understand that it is at the root of the problems that have beset the country in recent years.

An increasing number of people in government, as well as among the general public, now realise that social exclusion can't be solved merely by targeting welfare efforts to particular excluded groups. Additional action is required to enable government and other institutions to be aware of their discriminatory practices and change them. Some people in Nepal also now recognise that it is important to support disadvantaged groups to organise and mobilise to fight for their rights. As you will know, effective and confident advocacy requires new skills and knowledge.

To this end, DFID Nepal has supported the 'High Level Committee on Reservations' in developing recommendations for affirmative action and reservations for women and Dalits in the civil service, political bodies and key sectors such as health and education.

It is also working closely with UNDP and other donors to support the design and implementation of the national poverty and analysis framework, which will disaggregate data on the basis of gender, caste and other forms of discrimination. This will enable the government, civil society and donors to assess progress against agreed targets to improve social inclusion.

Alongside this, the office supports the development and strengthening of national level excluded groups' organisations to improve their voice and influence with government and public opinion. To this end, they have been supporting the 'Dalit Empowerment and Inclusion Project', which is implemented through the Dalit NGO Federation, and which aims to build the capacity of Dalit organisations to engage in political and public debate. The office part funded the International Dalit Solidarity Network Conference in Kathmandu in 2004.

As you can see, today's seminar is just one part of a multi-layered, international effort to reduce and ultimately eliminate discrimination and exclusion on the basis of caste. I hope the discussions in the seminar are helpful in pointing the way forward in addressing this complex and important issue.

THE WAY FORWARD

David Haslam, Chair of Trustees, Dalit Solidarity Network UK

Neither Government policy nor legislation in India and the other countries of South Asia has seriously affected the deep-seated system of caste discrimination. Those Dalits who challenge the system are vigorously and sometimes brutally put down. The relevant legal, political, judicial and educational authorities in India seem neither to have the will nor authority to address the depths of the problem.

Outside bodies - governments, NGOs, companies and trade unions have a particular opportunity, with one foot inside and one foot outside the country, to raise searching questions, probe more deeply into social and economic structures and in their own practices make absolutely clear that they oppose caste discrimination. They have both a moral and practical responsibility to do this. All of them together would certainly 'punch above their weight' in producing a long-term effect in the sub-continent of South Asia.

The South African experience has shown us that discrimination can be destructive both morally and commercially. The commercial argument is two-fold.

- Firstly, if a quarter of a billion potential consumers are excluded from a decent education and employment opportunities, it results in substantial lost possibilities.
- Secondly, tension to the point of low-intensity conflict and political instability in many areas of India is clearly bad for economic growth.

When earlier this year the new DSN-UK Chair, Jeremy Corbyn MP, asked the Foreign and Commonwealth Office (FCO) whether they monitored the caste composition of their staff, the Minister, Dr Kim Howells, responded that they did not. But he went on to add:

“Our posts in India are equal opportunities employers and have a recruitment policy that is open to all, regardless of caste, ethnicity and religion”.

That is a highly disingenuous answer. Companies and INGOs have, however, told us the same thing. It is absolutely crucial to take on board that one cannot engage in a non-discriminatory manner where there is systemic discrimination and offer 'equal opportunities', without taking positive action to level the playing field.

We believe the Ambedkar Principles offer the correct direction in this process. We recognise they place demands on a company, but how could it be otherwise? This is the responsibility of global business in a global economy. Good morality - as was shown in the anti-apartheid campaign and is now being demonstrated in relation to climate change - is good business.

Our first priority is for companies to endorse the Ambedkar Principles. If it is not possible to do this immediately, companies can do the following:

1. Carry out the Dalit Discrimination Check to make an evaluation of where they stand on Dalit issues
2. Initiate a study on the caste composition of their staff
3. Undertake awareness raising and training for company personnel

Other suggestions

1. Support Dalit communities either through Dalit-led NGOs or their own Trusts or Foundations
2. Involve Dalit representatives in the kind of monitoring suggested in the Ambedkar Principles
3. Target Dalit communities for investment or charitable assistance
4. Set up Dalit-targeted recruiting schemes in universities
5. Share best practice regarding tackling caste discrimination

If companies find it difficult to be caste-specific in such initiatives they must at least be 'caste-aware' recognising that, unless they are genuinely engaged in such projects, Dalits may again be marginalised. Investors need, as DFID is doing in the 'Education for All' initiative, to disaggregate data along caste lines and monitor activities in a manner that it is apparent to all that caste discrimination is being tackled.

Specific suggestions for banks

Banks have a particular opportunity in relation to the legal requirement in India called 'Priority Sector Lending' (PSL). They could decide to focus PSL towards Dalit communities in numerous different ways. For example:

1. Make loans available at very low interest rates to Dalit entrepreneurs
2. Set targets for Dalit loans, even agricultural ones
3. Small Scale Industries (SSI) advances can specifically target Dalit entrepreneurs
4. Create scholarships for Dalit students and contribute to strengthening schools which target Dalit children
5. Set targets for 'Advances to Weaker Sections' (domestic banks have a target of 10% of Net Bank Credit) which again can also specifically target Dalit communities
6. Help Dalit communities set up food and agro-processing units
7. Micro credit activities through Dalit organisations or directly to Dalit communities
8. Support State and Non-State organisations which work with Dalit communities

The challenge

Although this will be something of a learning process to start with, in the long run, companies and banks only stand to gain. Companies and banks need a clear action plan (as the Ambedkar Principles suggest) if they are to progress in the area of caste discrimination. DSN-UK and IDSN are willing to be involved in the awareness raising and training for staff that will form an important part of this process.

To have endorsed the EEC Code of Conduct, or the Sullivan Principles, in the context of 1970s South Africa - before everyone climbed on to the anti-apartheid bandwagon - would have been both a prophetic act and one which would have labelled an agency or company as a real leader. Our question therefore is - and this goes for Government Departments and INGOs too, *'Who wants to be the real leaders in the context of South Asia?'* *Who will be among the first to endorse the Ambedkar Principles?* The Principles are named after one of the most remarkable men of the last century, Dr Babasaheb Ambedkar, a man who, with his four doctorates and twenty volumes of writing - like Martin Luther King and Nelson Mandela - pointed the way towards creating true human community. Are we prepared to follow?

PARTICIPANTS LIST

BANKS

- | | | |
|----|---------------------|-------------------------|
| 1. | Richard Stockdale | Lloyds TSB |
| 2. | Kirtan Patel | Lloyds TSB |
| 3. | Ivor Godfrey-Davies | HSBC Holdings plc |
| 4. | Chris Smith | Standard Chartered Bank |
| 5. | Bettina Khan | Standard Chartered Bank |
| 6. | Philippa Birtwell | Barclays Bank plc |

UNIONS

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| 7. | Rodney Bickerstaffe | Unison / War On Want |
| 8. | Saba Mozakka | AMICUS |
| 9. | Joni McDougall | GMB |

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| 10. | John Harriss | London School of Economics |
| 11. | Omar Khan | Oxford University |
| 12. | Nidhi Sadana | Jawaharlal Nehru Institute, India |
| 13. | Gyan Pandey | Emory University, USA |

NGO'S

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| 14. | Aidan McQuade | Anti-Slavery International |
| 15. | David Griffiths | Christian Solidarity Worldwide |
| 16. | Kathryn Ramsay | Minority Rights Group |
| 17. | Paola Uccellan | Amnesty International UK |
| 18. | Rosemary Morris | Friends of India |

INTERNATIONAL REPRESENTATIVES

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| 19. | Walter Hahn | Dalit Solidarity Platform, Germany |
| 20. | Marie Busck | The Danish Institute for Human Rights |

COMMUNITY REPRESENTATIVES

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| 21. | Singh Bahal | Backward And Minority Communities Employees Federation |
| 22. | Vinod Joseph | Solicitor, Lawrence Graham LLP |
| 23. | Ravi Kumar | CasteWatchUK |
| 24. | Sher Sunar | Nawa Jagriti |
| 25. | C Gautam | Federation of Ambedkarite and Buddhist Organisations |
| 26. | Savio Mahimaidass | National Campaign for Dalit Human Rights |
| 27. | Marc Willers | Barrister |

INVESTMENT AND RESEARCH INSTITUTIONS

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| 28. | Neville White | Church of England Ethical Investment Advisory Group |
| 29. | Dawn McLaren | Ethical Investment Research Service |

PARLIAMENTARIANS

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| 30. | Rob Marris MP | Member of Trade and Industry Select Committee |
| 31. | Baroness Royall | Government spokesperson for DFID in the House of Lords |

MEDIA

- | | | |
|-----|---------------|--------------------------------|
| 32. | Ann McFerran | Independent Journalist |
| 33. | Anjali Kwatra | Christian Aid, Asia Journalist |

DSN-UK

- | | | |
|-----|-----------------|--------------------------------|
| 34. | David Haslam | Chair of Trustees |
| 35. | Gina Borbas | Coordinator |
| 36. | Tara Brace-John | Private sector Project Officer |
| 37. | Balram Sampla | Member |

PUBLICATIONS OF INTEREST

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4. Thorat, Sukhadeo, *Reservation Policy for the Private sector – Why and How?*, Occasional Paper Series I, Department of Sociology, UGC Special Assistance Programme, University of Mumbai (2005)
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14. *The Nature and Forms of Affirmative Action in Selected Countries*, Ministry of Social Justice and Empowerment and the Indian Institute of Dalit Studies (2005-2006)
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19. Grey, Mary – *The Unheard Scream: The Struggles of Dalit Women in India*, Centre for Dalit Studies, New Delhi (2004)
20. Haslam, David - *Caste Out: The Liberation Struggle for the Dalits in India*, CTBI (1999)

“I have seen the effects of caste discrimination first hand and talked to those who suffer from it. Caste discrimination is India's elephant in the room. Foreign investors need to be willing to ask what the elephant is doing there, and when is it going to be dealt with”

Jeremy Corbyn MP, Chair of DSN-UK

“I am grateful to Jeremy Corbyn MP, Chair of DSN-UK, and others for raising awareness within the government of the insidious nature of caste discrimination, and for identifying areas where we might work together to reduce potential abuses of basic Dalit human rights”

Baroness Royall, DFID Spokesperson in House of Lords

IMPORTANT LINKS

International Dalit Solidarity Network: www.idsn.org

National Campaign for Dalit Human Rights: www.dalits.org

Danish Institute for Human Rights: www.humanrightsbusiness.org

Dalit Panchayat Movement: www.dalitreeds.in

**WE APPEAL TO COMPANIES TO
ENDORSE THE AMBEDKAR
PRINCIPLES AND TO ACT AGAINST
CASTE DISCRIMINATION**

*Please write to the Private Sector Project Officer expressing
your interest, psg.dalitsnuk@yahoo.co.uk*

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