

**Call for input to report on contemporary forms of slavery in the informal economy**

Contribution from the International Dalit Solidarity Network

Despite being prohibited in many countries, slavery is widespread in South Asia. Forced and bonded labour, resulting in a loss of control over labour conditions and terms of work, is often interlinked with the caste system and related types of customary feudal agricultural relationships.

Those who are employed as bonded labourers in South Asia are predominantly Dalits, formerly known as 'untouchables'. According to an Anti Slavery International [report](#), the vast majority of bonded labourers (around 90%) are from scheduled castes and minority groups. Weak economic positions and lack of access to resources increase Dalits' dependence on wage labour. Extreme poverty forces Dalits to take up loans and they hold no other assets to leverage their debt, other than their labour. In addition to poverty, practices of social exclusion push Dalits into bondage.

When Dalits try to exercise their rights or resist abuse and exploitation, they are faced with extremely hostile and sometimes brutal resistance by the dominant caste villagers that uphold the hierarchy. Consequently, when Dalits resist their oppression, they risk complete boycott, cutting them off from land use, access to markets and employment. Other retaliations against Dalit assertion include killings, gang rapes, looting and arson. The types of discrimination facing Dalits or communities affected by descent-based discrimination push them to the margins of society, excluding them from the formal sector, such as formal work contracts, pension, social security and other social protection schemes. Dalit women disproportionately suffer the effects of such violations, and often work in modern slavery and are key targets for trafficking. They are often used as debt slaves in brick kilns, garment industries, and agriculture.

Dalits are particularly vulnerable to bonded labour because of their socio-economic status, but bonded labour is linked with caste in the form of hereditary caste-based occupations. Two well-known forms of caste-based and bonded occupations in India are 'manual scavenging' and the systems of forced prostitution. The percentage of Dalit women in the informal sector is the highest among all social groups i.e. 41.8%. This is three times more than the employment ratio for dominant caste women in casual wage labour i.e. 13.4%.<sup>1</sup>

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<sup>1</sup> PLFS 75<sup>th</sup> round, 2017

## Forced Prostitution

In addition to being forced into the most demeaning jobs, Dalit women are extremely vulnerable to sexual exploitation and are often victims of trafficking and forced sexual labour. Amongst the Dalit communities themselves, the women of the Badi group in Nepal are largely looked down upon as sex workers.

Dalit girls in Nepal are often trafficked to Indian brothels in increasing numbers and forced to work as prostitutes. Many of the girls believe that they will obtain jobs as domestic helpers and willingly follow brokers in the hope of earning money to support their families. In the Pune area there are an estimated 12.000 Nepali prostitutes and in Mumbai the number is approximately 40.000.<sup>2</sup>

Sex work is caste-based in India and assumes many modalities, e.g. among members of the Banchhada Tribe, the Bhedia community, also known as the *devadasi* system. In areas of Bengal, there is the occurrence of the *Chukri* system, by which women are forced into sex in order to pay the family's and their debts, a form of bonded and forced labour. Moreover, in times of extreme financial precarity, for example, when they are deceived by family members or abandoned by their husbands, Dalit women are frequently forced into prostitution.<sup>3</sup>

The debate pertaining to sex workers is interwoven with several taboos and morality, including in some academic spaces. Here too, the extremely harsh conditions sustaining sex workers intersects with caste. "Brothels, as spaces are extremely hierarchized, including positions such as the pimp and the sex worker, followed by that of an independent sex worker who stays on rent at the brothel or the *tawaiifs* and the musicians. As explained by one of the respondents, the pricing of sex work is dependent on not just the set-up you are a part of but also based on the women's age, skin colour and the region she comes from."<sup>4</sup> Dalit sex workers, living at the bottom of the societal hierarchy, are more prone to lower payment, violence and other forms of exploitation than other sex workers.

## Manual Scavenging/Sanitation workers

Manual scavenging, the removing of human excreta from dry latrines, railroad tracks and sewers by hand, is a caste-based and hereditary form of slavery reserved exclusively for Dalits. It is estimated that around 1.3 million Dalits in [India](#), mostly [women](#), make their living through manual scavenging. They remove human excrement from dry toilets and sewers using basic tools such as thin boards, buckets and baskets, lined with sacking, carried on the head. Dalits trapped in manual scavenging can earn as little as one rupee a day. They are rarely able to take up another occupation due to [discrimination](#) stemming from their caste and occupational status. They are paid less than minimum wage and are often forced to borrow money from dominant-caste neighbours in order to survive, which perpetuates the relationship of bondage.

People who have left manual scavenging, even those who had the support of community-based civil society initiatives, report significant barriers to accessing housing, employment and support from existing government programmes. Notably, under the 2013 Act, rehabilitation provisions are left to be

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<sup>2</sup> <https://idsn.org/key-issues/dalit-women/dalit-women-in-nepal-2/>

<sup>3</sup>Nanda, S., Seth , K., Suri , M., Uppal , R., Sengupta , N., & Sharma1, S. (2022). Caste, Gender, Labor and COVID-19 in the Urban Informal Economy: A review of experiences in three selected sectors. International Center for Research on Women, pp. 12-17.

<sup>4</sup> Ibid.

implemented under existing central and state government schemes – the same set of programmes that have thus far not succeeded in ending manual scavenging. In March 2012, a National Public Hearing on “Rehabilitation of Manual Scavengers and their Children in India” was held to increase the political will to address the issues and sensitize other sections of the society and involve them rehabilitation efforts.<sup>5</sup>

The impact of the COVID-19 on Dalits has been devastating, particularly because this community lacks social support schemes in the informal sector. For example, in 2021, more than half of deaths of staff of three Municipal Corporations of Delhi - MCDs (North, South and East) of COVID-19 were of safai karamcharis, a Dalit subcaste. These deaths have too often resulted from the inhalation of toxic fumes and/or drowning in the sewers as these men were used to unblock the pipes in cities by lowering them in to do so. Around 50,000 sanitation workers, including both permanent and temporary workers, are engaged in the three MCDs doing jobs such as collecting garbage. They have also been involved in sanitisation work since the COVID-19 pandemic broke out. The data shows that 16 of 29 deaths in South MCD, 25 of 49 in North MCD and 8 of 16 deaths in East MCD were from those engaged in sanitation activities.<sup>6</sup> Undertaking this sanitation work without the appropriate protection equipment exposed Dalits to the virus. They were called “the sanitation heroes” during the pandemic, as they were also forced to carry the bodies of people who died from the coronavirus.

In **Pakistan**, hiring staff for low grade jobs in sanitation work such as sweepers, *Jamandars*, *Khakroob* or *Sewer men* is based purely on religion. Government advertisements specifically mention that the role is “only for non-Muslims” when announcing such vacancies. The result is that sanitation work is largely carried out by Hindu Scheduled Castes and Christians, who are descendants of Dalit Hindus. After the huge outcry from minority right activists and written complaints sent to concerned departments regarding these biased job advertisements, some State institutions issued a ‘correction’ by removing the words ‘non-Muslim’, ‘Christian’, or ‘Hindus’ for these positions. Although the specific language has been removed, in practice only Dalit Hindus and Christians were being hired. Several government departments continue to advertise for such low grade posts.

In addition to discriminatory job advertisements, the condition of sanitation workers on the ground is already vulnerable. They work in dangerous and unsafe conditions every day. Several sewer men have lost their lives due to the absence of safety gear in several cities in Pakistan. Sanitation workers are rarely offered occupational health and safety, job regularizations, pension, paid sick leaves, health insurance and promotions.

## **Agricultural Sector**

The *haliya* or “tiller” system is an agricultural bonded labour practice in the Western hills of **Nepal**. According to the ILO, it affects an estimated 20,000 people in far western Nepal. *Haliya* bonded labourers are indebted to their landlords and receive little or no pay in return for their agricultural work and

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<sup>5</sup>[https://idsn.org/fileadmin/user\\_folder/pdf/New\\_files/Key\\_Issues/Manual\\_scavenging/NationalPublicHearing\\_ManScavenging\\_2012.pdf](https://idsn.org/fileadmin/user_folder/pdf/New_files/Key_Issues/Manual_scavenging/NationalPublicHearing_ManScavenging_2012.pdf)

<sup>6</sup> <https://indianexpress.com/article/cities/delhi/delhi-half-of-covid-dead-under-municipal-corporations-are-safai-karamcharis-7333365/?tqid=3eKhYSoiGRQBwsVVmZ.ISAAAAQixaTRw3fMcYDrrUg>

domestic work. Generally, *haliya* bonded labourers are from a oppressed caste or minority ethnic group. The National Dalit Welfare Organisation estimates that one fifth of *haliya* bonded labourers are Dalits.

The *kamaiya* system, also in Nepal, under which thousands of agricultural labourers were bonded was abolished by law in 2002 and thousands of *kamaiya* bonded labourers were released. Under this system, which mainly affected Tharu indigenous people of Western Nepal, an agricultural labourer became bonded by a loan (*saunki*) given to them by their landlord at the beginning of their working relationship. Usurious interest rates and low-income levels made certain that a worker would almost never be able to escape this bond. Despite its prohibition in law, there may be some traces of the *kamaiya* system remaining, particularly in interior parts of the country where Government action to identify, release and rehabilitate *kamaiya* bonded labourers has not reached those affected.<sup>7</sup>

The report [Sowing Hope](#), examining child labour and wages in cotton and vegetable seed production in **India**, demonstrates that children under 14 years old account for over 18% of the workforce in the cottonseed farms surveyed. Over 50% of the child labourers in the sector are Dalits or Adivasis. The majority of the child labourers do not attend school. While still too high, the total amount of child labourers has, in fact, declined since 2015, due to initiatives by companies and NGOs.<sup>8</sup> The report, however, does find that wages across the sector are still far from the minimum wage, a figure which has not significantly improved. The prevailing wage rates were found to be 24-41% below minimum wage in some Indian states. The researchers also found differential treatment of Dalits in the workplace with reports of Dalit workers being treated differently to dominant castes. Dalits were not given the same privileges in relation to taking breaks during work hours or being treated with respect and dignity. 613 sample farms were surveyed, showing a direct correlation between the decline of child labour in companies who have implemented special programmes to address this issue in relation to those who have not yet tackled the problem.

Bonded labour is also widespread in tea plantations in **Sri Lanka**. Dalits constitute 83% of the total of 3.6 million workers that live in the plantation communities. Most of them are Tamil-speaking Hindus and descendants of plantation workers from South [India](#) brought to the country in the 19th century by British colonizers. The estimated number of Indian-origin Tamils in Sri Lanka is 1.3 million. The majority of these initial Indian immigrants to Sri Lanka were Tamils from the most impoverished regions in South India, where they were predominantly landless and poverty-stricken agricultural workers occupying the lowest position in the existing caste hierarchy. Studies have revealed that the prevailing caste system of the Tamil plantation community in Sri Lanka is more or less a continuation of the South Indian caste system adapted to suit the situation in the plantations. It is usually dominant caste people who supervise the oppressed caste workers in the estates.<sup>9</sup>

Though debt bondage is prohibited in **Pakistan** it remains a form of modern, prevalent in various sectors. According to the Global Slavery Index 2018, there are over 3 million people subjected to bonded labour in Pakistan. The majority of families who work as bonded labourers belong to Dalit communities with particularly in agriculture and brick making work. Due to unsafe and unprotected environment at work,

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<sup>7</sup> <https://idsn.org/key-issues/caste-based-slavery/dalit-women-in-nepal/>

<sup>8</sup> ARISA: [Child labour and non-payment of minimum wages in hybrid cottonseed and vegetable seed production in India](#) (2020)

<sup>9</sup> <https://idsn.org/key-issues/caste-based-slavery/caste-based-slavery-in-sri-lanka/>

young women and girls become an easy target of gender-based violence and sexual harassment/ as well as of forced conversion and forced early marriage.

**Recommendations:**

In view of the above, IDSN makes the following recommendations to the Special Rapporteur:

- Address in his upcoming report to the UNGA the several forms of slave-labour that Dalits face in their daily lives and make recommendations on the means to address them;
- Pay special attention to intersecting forms of slavery facing women and girls, such as sex slavery, forced prostitution and manual scavenging/sanitation workers;
- Engage with States affected by caste-base discrimination on concrete actions to eradicate slavery in the informal sector, particularly to bringing caste-affected communities to the formal sector through social security schemes, pensions, formal work agreements and minimum labour standards;
- Engage with civil society organizations, in specific Dalit and Dalit women organizations on practical means to overcome their own plight, in view of envisaging solution that are realistic, bottom-up and empowering.