

Discrimination at Work: Africa

OVERVIEW

Over the past quarter of a century, some African countries have made significant progress in the struggle against discrimination, as the structures that once supported racially segregated societies have collapsed or have been dismantled.

Today, new legislative and policy frameworks are being constructed that aim to give real meaning to equality of opportunity. And although important steps have been taken to reduce the dramatic disparities that existed, for example, at the time that apartheid ended in South Africa and Namibia, significant inequalities remain.

These challenges have been joined by new ones including, of course, combating discrimination against people living with HIV/AIDS. The pandemic's effect on the continent has been enormous. An estimated 28 million Africans are living with HIV/AIDS, increasingly women and girls. Women also feel other effects, often shouldering the burden of caring for ill family members and orphaned children. Older women workers, already facing disadvantages, often struggle to provide for orphaned grandchildren.

Gender inequality is widespread. Women generally earn less than men, and are more likely to be trapped in low-paid, low-skilled jobs with little or no hope of advancement. Women are also more likely to work in the informal economy. In many countries, women are put at a disadvantage by laws that restrict their rights to own land and therefore to earn an income.

Other forms of discrimination that are of concern affect people with disabilities, and young people. Religious discrimination occurs, as does racial discrimination. Ethnic minorities and indigenous peoples are also often victims of discrimination.

KEY FACTS

- In South Africa, affirmative action policies have helped contribute to a rise in the number of black households earning as much or more than the average white household, from an original figure of less than 1000, to 1.2 million.
- Although racial differentials have diminished in South Africa, they remain extremely high. In 2001, unemployment rates for whites stood at 6% - in comparison to those for Africans, 36%; coloureds, 22%; and Indians, 18%.
- Affirmative action programmes were designed and implemented in the 1980s in Kenya and Uganda, combatting the allocation of public service jobs along ethnic lines.
- Women lack the right to own land in Lesotho and many other African countries - and this affects their ability to earn an income. Because land ownership is often a prerequisite for

membership of credit and cooperative bodies these restrictions also act to prevent their voices being heard in these important local forums.

- In the United Republic of Tanzania, employers' and workers' representatives identified indirect discrimination based on gender and race as a serious and widespread problem in the workplace that needs to be tackled in poverty elimination strategies.

ADDRESSING DISCRIMINATION

Microfinance project targets low income women

The ILO project, Action to Assist Rural Women in Guinea, Niger, the United Republic of Tanzania and Zimbabwe is an example of a holistic approach to promoting women's empowerment using microfinance programmes. The project focused on creating jobs for low-income rural women through organization and leadership building and providing credit and training. Microfinance programmes can be an effective way to empower women and to alleviate poverty.

Code of Practice on HIV/AIDS

The ILO code of practice on HIV/AIDS and the world of work adopted in 2001 offers guidance on eliminating stigma and discrimination, managing and mitigating the impact of HIV/AIDS, care and support of workers living with HIV/AIDS or affected by it and prevention. The ILO AIDS project has activities in Cameroon, Cote d'Ivoire, Ethiopia, Guinea, Kenya, Senegal, South Africa, Tanzania and Zambia. Work included developing policies with employers' and workers' organizations, training, and building women's income-earning abilities to make them less vulnerable to HIV/AIDS.

Other activities

In common law countries, the judiciary can play an important role in the development of anti-discrimination law. In Zimbabwe, for example, a Labour Court handed down a ruling in support of a sexual harassment claim, despite a lack of specific legal provisions. Public service statutes can also provide an avenue for tackling discrimination. In Botswana, for example, these offer some protection against sexual harassment.

WHAT IS THE ILO'S ROLE?

The ILO works with governments, employers' and workers' organizations to promote this basic principle and right. Eliminating discrimination is also a vital step towards achieving social justice and reducing poverty, both at the heart of the ILO's concerns. The ILO has developed legal frameworks in the form of two Conventions dealing with discrimination [*Equal Remuneration Convention, 1951 (No. 100)*, and the *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)*]. In terms of the ILO's promotional and awareness-raising work, the elimination of discrimination is one of the four priority areas covered by the Declaration on Fundamental Principles and Rights at Work.