



International
Labour
Organization

► **Tackling racial and ethnic discrimination in the world of work**

Report prepared for the Brazilian G20 Presidency by the International Labour Organization (ILO) with contributions from the Institute of Applied Economic Research (IPEA)

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► Introduction

Why a focus on racial and ethnic discrimination?

- 1. Diversity is a reality.** Most countries have diverse populations due to historic processes, including mobility of humans since time immemorial, colonialism, slave trade and the manner in which state borders have been drawn. Labour migration, particularly since the end of World War II, has and continues to contribute to populations becoming more diverse, a process that has been further accelerated by displacement due to conflicts and climate change. Today, ethnic and racial diversity is a reality and also an asset that cannot not be ignored in the design and implementation of public policies that aim to be inclusive and leave no one behind. One way of doing so is combatting racism and discrimination based on race or ethnicity in all its forms.
- 2. Unequal labour market participation of racial or ethnic groups is common.** Where populations are composed of varied ethnic or racial groups, these groups may not participate in the labour market on an equal footing. At an aggregate level, some may have higher or lower employment rates than others; some may have higher incomes than others; certain groups may be concentrated in specific economic sectors or occupations or may be more or less likely to work in the informal economy. To effectively reduce inequalities, policies must address both vertical and horizontal inequalities, including those existing between different ethnic and racial groups.
- 3. Certain groups face a particularly pronounced disadvantage and are at risk of being left behind.** In many ethnically diverse societies, certain groups face persistent and pronounced social disadvantage and exclusion. This inequity is pervasive, impacting various aspects of life, and is particularly apparent in the employment context. These groups include indigenous and tribal peoples, Afro-descendants, ethnic minorities, and persons with migration background, amongst others (ILO 2020; Tesfai 2020; World Bank 2019; CEPAL 2018; Fredericks and Yu 2018; Carter et al. 2015; OECD 2013). While the size of racial and ethnic groups facing labour market exclusion may differ across countries, failing to address this issue will inevitably hinder broader efforts to reduce inequalities.
- 4. Racial discrimination, inequality, and poverty are linked.** The reasons for racial and ethnic disparities in the labour market are complex. Discrimination is one dimension and root cause of such inequality, albeit a persistent and pervasive one (ILC 2021). While much research on racial discrimination has centered on the Americas, Europe and countries with specific historical contexts, it's crucial to acknowledge its presence globally. Analyzing racial discrimination in various parts of the world is important for understanding how it contributes to prevailing socio-economic disadvantage and inequalities faced by certain racial or ethnic groups in the world of work (Ang 2022; Uyen 2022; Weiner 2022; Oppel 2021; Macdonald 2019; Grossman and Honig 2017; Kawai 2015; Banerjee et al. 2009).
- 5. Inclusive and sustainable development for all remains elusive when racial discrimination in the world of work goes unaddressed.** Where the right to equality and non-discrimination is not realized, human dignity and social justice are undermined. Yet, tackling discrimination is not merely a moral imperative – the persistence of discrimination has serious implications for individuals, enterprises, economies and societies as a whole. Discrimination prevents people from developing their potential, skills and talents and being rewarded for their contributions on an equal footing with others, irrespective of what type of employment or occupation they might aspire to pursue.

Discrimination causes a waste of talent and loss of productivity. Beyond economic loss, racial discrimination undermines social cohesion, ultimately peace and stability.

A word on “race” and racial discrimination

6. **Race as a social construct.** While scientists concluded that there are no biologically distinct human races, it considered that the notion of race has social dimensions (Montagu 1942) and it has been relied upon in the framing of the non-discrimination provisions of international labour and human rights instruments (see section 2 below). The International Convention on the Elimination of All Forms of Racial Discrimination states that “any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust”.¹
7. Race theory scholars have been exploring the concept of race as a social construct resulting from processes of “racialization” that shape the organization of political, economic and social power (Obach 1999; Machery and Faucher 2005; Hochman 2019). In this sense, “race” operates as a tool to distinguish between who is “the norm” and who is “the other” and thus outside the norm (Allen, Jones, and Lewis, n.d.). Because categorizations emerging through processes of racialization lead to differences in opportunities it is considered legitimate to preserve and rely on race as concept for tackling racial discrimination and the disadvantage its leads to (James and Burgos 2024).
8. Though race and ethnicity are not identical concepts, they are sometimes used interchangeably in discussions on racial discrimination. This is consistent with discrimination based on ethnic origin falling within the definition of racial discrimination established in international human rights and labour standards (see below, section 2). This report also refers to both concepts, race and ethnicity, taking into account that both concepts are used in international instruments and national laws and policies.
9. **Racial discrimination has individual and systemic dimensions.** Racial discrimination is grounded in prejudice and stereotypes that individuals hold about others who belong to a different ethnic or racial group. It occurs when such attitudes result in less favourable treatment of a group or persons because of their racial or ethnic background or belonging. The spectrum of discriminatory acts ranges from micro-aggressions (Cénat et al. 2022; Quassoli and Colombo 2023; Essed 1991; Elizabeth A. Deitch et al. 2003) to physical violence, including hate crimes (see, e.g., EU-FRA 2023; ENAR 2020; NCSCT 2021).
10. Prejudice and stereotypes held by individuals is shaped by and transmitted through the individual's own “in-group” and environment. Discrimination accordingly is a process shaping social and economic power relations between groups that maintain privilege for some while denying opportunities to others (Fibbi, Midtbøen, and Simon 2021c, 36). Discrimination that exists in society is not merely the sum of discriminatory acts of individuals, but also results from how organizations and institutions, including labour market institutions, function, irrespective of intent or the existence of an identifiable individual to which a discriminatory action can be ascribed. In this respect, the notions of institutional, structural or systemic discrimination have been used to examine how given sets of policies and practices result in disadvantage of certain groups and individuals. Research has also shown that disadvantage in one area, for example housing or education, impacts on opportunities in other areas, for examples, employment or health (Agudelo-Suárez et al. 2009; Firpo, França, and Portella 2021; ILO 2023b; Pager and Shepherd 2008; Kline, Rose, and Walters 2022)

¹ International Convention on the Elimination of All Forms of Racial Discrimination (1965), preamble. See also UNESCO, Declaration on Race and Racial Prejudice (1978).

11. **Historic injustices shape racial discrimination today.** Present-day discrimination and socio-economic disadvantage along racial or ethnic lines, cannot be seen in isolation from historic processes and discriminatory practices such as colonialism, slavery, apartheid and racial segregation which entailed institutionalized policies of racial categorization and unequal treatment of those subject to subjugation. The legacy of past discrimination thus continues to shape social outcomes for those belonging or descending from the very same groups, including indigenous and tribal peoples, Afro-descendants descent and ethnic minorities (Canadian Human Rights Commission 2023). Furthermore, racial discrimination is a factor in the transmission of inter-generational poverty and disadvantage (Duncan, Gootman, and Nalamada 2024).
12. **An intersectional perspective is needed to tackle discrimination effectively.** Groups that experience racial discrimination are not homogenous and individuals belonging to these groups might face discrimination on multiple and intersecting grounds, including sex, religion, age, sexual orientation and gender identity, disability, or health, including HIV/AIDS status (United Nations Network on Racial Discrimination and Protection of Minorities 2023). People affected by multiple and intersecting forms of discrimination, such as migrant women or indigenous and tribal women, are among those most at risk of being left behind, as discrimination affects them in unique and more profound ways. There is thus a need for specific attention to multiple and intersecting forms of discrimination in policy debates and policy making aiming to promote equality of opportunity and treatment, including in the world of work (ILO 2019).

About this report

13. The goals of ending racial discrimination and reducing inequalities, including through equal access to decent work and productive employment, are central to key international and national policy agendas. This report aims to stimulate renewed discussions within and across G20 countries among policy makers and stakeholders, including the social partners, on integrated policy responses to advance these interlinked goals, based on available data and evidence. It aims to identify knowledge and research gaps that should be addressed in moving forward and to draw attention to innovative initiatives such as SDG 10 on racial inequality adopted by Brazil.
14. The report leverages existing international commitments and standards that provide guidance in this regard (section 2), including the recently *2024 Pact for the Future* adopted by world leaders. It then presents evidence on racial disparities in the labour market based on available statistical data which reveal pervasive and persisting racial and ethnic inequalities, while also discussing related data challenges (section 3). Finally, it presents the results of a global review of equality and non-discrimination legislation and discusses the role of employment, public procurement and workplace policies in tackling racial inequalities in the world of work (section 4). The final section suggests areas for future research, discussion and sharing across the G20 to support policy reforms and the putting in place of targeted and integrated national frameworks for reducing racial and ethnic inequalities (section 5). This report draws on a forthcoming ILO report on racial discrimination the world of work.

► Leveraging international standards and commitments as global benchmarks

Global instruments for ending racial and ethnic discrimination in the world of work

The Declaration of Philadelphia (1944)

15. Exactly 80 years ago, the workers', employers' and government delegates to the International Labour Conference, which was held that year in Philadelphia, United States of America, unanimously adopted the Declaration concerning the aims and purposes of the International Labour Organisation. Known as the Declaration of Philadelphia, the instrument proclaims that "[a]ll human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity"; it adds that "the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy" and that "all policies, including those of an economic and financial character, should be judged in this light."²
16. Reinforcing the ILO's mandate in the context of the emerging post-World War II international order, the Declaration of Philadelphia broke new grounds. It is the first ever international instrument expressing the principle of equality as a matter of human rights, anticipating the UN Charter and the Universal Declaration of Human Rights (Sengenberger and Campbell 1994; Lee 1994; Rodgers et al. 2009; Supiot 2012). The Declaration of Philadelphia's recognition of equal rights and dignity of all human beings also marked the beginning of the ILO's concern for horizontal equality which then was further developed through the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and specific Conventions on gender equality, migrant workers, indigenous and tribal peoples and workers with disabilities (Hepple 1994). While societies and economies have evolved over time, the goals of the Declaration of Philadelphia remain as relevant today, as they were when it was adopted.

The Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

17. Convention No. 111 defines discrimination as "any distinction, exclusion, or preference" based on a prohibited ground which has "the effect of nullifying or impairing equality of opportunity or treatment in employment and occupation."³ It lists the prohibited grounds of race, colour, sex, religion, political opinion, national extraction or social origin as prohibited grounds, while enabling States to determine additional grounds.⁴ The term "race" in Convention No. 111 includes discrimination against linguistic communities or minority groups whose identity is based on religious or cultural characteristics or national or ethnic origin (ILO 2019; 2012, para. 762). Racial discrimination may thus concern ethnic minorities, indigenous and tribal peoples, migrants, Afro-descendants, national minorities and Roma people, amongst others.
18. The Convention covers all sectors of employment, both public and private. It addresses discrimination in respect of access to education, vocational guidance and training; access to wage

² Declaration of Philadelphia, II (a), (b), (c).

³ Convention No. 111, Art. 1(1).

⁴ Convention No. 111, Art. 1(1)(a) and (b).

employment, self-employment and specific occupations; access to placement services; career advancement, security of job tenure; remuneration; other conditions of work including working time, leave, occupational safety and health measures, access to social security measures and welfare facilities and benefits provided in connection with employment. It also covers access to land, credit and other productive resources (ILO 2012b).

The International Convention on the Elimination of All Forms of Racial Discrimination (1966)

19. The International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) defines “racial discrimination” as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”.⁵
20. The prohibition of racial discrimination in respect to economic, social and cultural rights under ICERD, specifically includes the right to work, to free choice of employment, to just and favorable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favorable remuneration; the right to form and join trade unions; the right to housing; the right to public health, medical care, social security and social services; and to the right to education and training.⁶

Key principles and concepts underpinning transformative measures towards equality

21. International labour and human rights standards, including Convention No. 111 and ICERD, aim at the achievement of substantive equality. They require States to tackle both direct and indirect discrimination, and to design and implement proactive measures towards equality of opportunity and treatment.

Indirect discrimination and reasonable accommodation

22. Treating everyone in the same manner leads to disproportionate negative impacts or unequal results for certain individuals or groups with characteristics protected under equality and non-discrimination provisions. Such situations may amount to indirect discrimination. In respect to Convention No. 111, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has noted that “[i]ndirect discrimination refers to apparently neutral situations, regulations or practices which in fact result in unequal treatment of persons with certain characteristics. It occurs when the same condition, treatment or criterion is applied to everyone, but results in a disproportionately harsh impact on some persons on the basis of characteristics such as race, colour, sex or religion, and is not closely related to the inherent requirements of the job.” (ILO 2012a, para. 745). Convention No. 111 is thus concerned about outcomes rather intent or even the existence of an identifiable author of a discriminatory act (ILO 1988; Tomei 2003).
23. Where indirect discrimination occurs the norm, policies and practices that are at its origin need to be revised. Reasonable accommodation is another possible response. To enable members of

⁵ ICERD, Art. 1(1). While ICERD provides that it shall not apply to distinctions made by a State party between citizens and non-citizens, the Committee on the Elimination of Racial Discrimination (CERD) has stated that “differential treatment based on citizenship or immigration status will constitute discrimination [under the Convention] if the criteria for such differentiation, judged in the light of the objectives and purposes of the Convention, are not applied pursuant to a legitimate aim, and are not proportional to the achievement of this aim” (CERD 2004, para. 5).

⁶ ICERD, Art. 5(e) (i) to (v).

ethnic minority groups to enjoy equality of opportunities in practice, reasonable accommodation consists of making certain adjustments to the work or workplace. In doing so the dignity of and respect for workers' diverse identities is upheld while avoiding disproportionate or undue burden on the employer. Examples include adjustments concerning dress requirements or rule concerning holidays accommodating religious practice (ILO 2014; 2016).

Systemic and structural discrimination

24. The concept of indirect discrimination has been a pathway towards acknowledging the systemic and structural nature of discrimination (Sheppard 2012; ILO 2012, para. 745; ILC 2021, para. 20; ILO 2022). Discrimination has been referred as systemic when it is pervasive and persistent and deeply entrenched in social behaviour and organization. The United Nations Committee on Economic, Social and Cultural Rights has referred to systemic discrimination as consisting of legal rules, policies, practices or predominant cultural attitudes in either the public or private sector, which create relative disadvantages for some groups, and privileges for other groups (CESCR 2009, para. 12).
25. The notions of systemic and structural discrimination are concepts that assist in understanding how discrimination and marginalization caused by it operates and in devising integrated and comprehensive responses.⁷ Structural barriers and discrimination as regards education, health or in the world of work are linked to the fact that norms, procedures, policies, practices and institutions have been historically shaped around the needs and preferences of a dominant ethnic or racial group. Structural racial discrimination is also the inter-generational legacy of tragic historical events such as slavery and the slave trade, including the transatlantic slave trade, conquest, colonialism and apartheid (Naidoo, Standwix, and Yu 2014; Perea 2011). The persisting marginalization and impoverishment of Afro-descendants and indigenous and tribal peoples, including in particular women from these groups, is increasingly being understood as a result of systematic, structural or institutional racism and racial discrimination (United Nations 2023; Comisión Económica para América Latina y el Caribe 2018; ILO 2023b).
26. Structural racial discrimination in the world of work may manifest itself in various ways, including within organizations or institutions. Recruitment procedures concentrating on certain schools or carried out through informal word of mouth selection excludes ethnic minority groups who do not attend those schools or do not belong to those networks. Workplace appearance rules can be discriminatory because they may be built on culturally specific practices and views about what is appropriate. Aptitude testing for selecting employees or assigning them to specific posts can also have a cultural bias, which can intersect with sexist biases. Seniority used to determine redundancy payments, promotions or other benefits can unduly penalize recent immigrants who may not have spent a long time in an enterprise or who are more mobile than non-migrant workers .
27. Systemic racial stereotypes, often intersecting with sexist ones, regarding personality traits of racialized groups have workplace consequences. For example, studies have explained systemic stereotyping concerning the personality of African American women (Motro et al. 2022) and East Asian men and women (Berdahl and Min 2012) judged as unsuited to managerial and leadership roles their underrepresentation in those positions in North America. Even not conforming with the imposed stereotype can be disadvantageous for certain groups since it can lead to greater vulnerability to racial harassment or other forms of backlash as it challenges the existing power

⁷ See for example (Linos et al. 2022), examining opportunities to tackle structural racism and ethnicity-based discrimination in recovering and rebuilding from the COVID-19 pandemic.

structures that benefit from those stereotypes (Berdahl and Min 2012). At the same time the definition of what are the requisites of a good leader are culturally and gender determined.

A substantive conception of equality

28. Under a formal conception of equality, everyone should be treated the same without any distinction based on personal characteristics such as race or ethnicity. This approach is founded on premise that rules, procedures and practices that shape social organization are neutral and that treatment based on merit will suffice to avoid discrimination. Yet, merit is not an absolute nor a static concept, but rather a dynamic and relative one. The value attached to certain competencies or attitudes are indeed socially constructed. The behaviours, skills and competencies that are deemed desirable and crucial to success correspond to those displayed by those who occupy positions of power (Tomei 2003). They can be biased by social values and beliefs, including racial prejudices and stereotypes, and can neglect the value of different experiences and work histories. Relying on merit as if it was an objective concept can also ignore the accumulation of disadvantage resulting from systemic, often inter-generational, racial discrimination (ILO 2003, 22; Fredman 2016b, 719).
29. By contrast, a substantive conception of equality involves being concerned with the outcomes of norms, practices, social patterns and labour market institutions on groups, unveiling the discriminatory nature or impact they may have. A focus on substantive equality addresses both equality in law but also in practice, and seeking an equitable representation of social groups. Under a substantive equality approach, racial equality cannot be achieved by merely prohibiting racial discrimination and making sure that racial considerations are excluded from work-related processes with the support of complaint-based remedial mechanisms. When the objective is to reach better outcomes for those left behind, the focus shifts to identifying and addressing situations of indirect discrimination and removing systemic and structural barriers to equality. From this perspective, equality policies and measures aim to transform existing patterns of social behaviour, organizational structures and institutions to ultimately achieve equality (Biholar 2014; Albertyn 2007; Fredman 2016b).

Proactive measures

30. Addressing the systemic and structural entrenched nature of discrimination and long-standing social-economic inequalities resulting from it requires taking proactive measures (ILO 2019). Such measures may take various shapes or form, taking into account the specific circumstances and contexts, and specific objectives pursued. For example, awareness raising and information campaigns and campaigns, equality and non-discrimination training and education are key for combatting prejudice. Skills development and entrepreneurship support interventions could specifically target disadvantaged ethnic groups to enhance their access to decent and productive employment. National action plans and strategies on racial discrimination can contribute to policy coordination and accountability for implementation. Employers may monitor the composition of their workforce and take action to promote diversity inclusion. Such measures may be encouraged or mandated by equality legislation. In some cases, the legislation simply permits or encourages proactive measures, in others the law establishes certain positive duties, for example the obligation for certain employers to implement an equality plan and report to a public body on its implementation.
31. While proactive measures are permanent features of national equality policies, as required under Convention No. 111, some of them may be temporary in nature. These are often referred to as

“temporary special measures” in international law on equality and non-discrimination.⁸ Such special measures are referred to in some national contexts as affirmative action (Tomei 2005; Dupper and Sankaran 2014; Tekle 2014). They aim to redress the effects of past and present discrimination and realize social, cultural and institutional transformation to achieve equitable inclusion (CERD 2009; CEDAW 2014; ILO 2019). They have a temporal - not to be equated with short-lived - nature, in the sense that they are discontinued when their objective equality of opportunity and treatment have been sustainably achieved. They could include, for example, targeted recruitment, hiring and promotion, numerical goals linked to reviewing rules and practices within timeframes, or quota systems. The quality and effectiveness of such special measures, often a subject of debate, depends on their design and social acceptance. Successful implementation will also depend on inclusive design processes, robust monitoring and evaluation, ongoing social dialogue, and the active participation of the groups concerned (Hodges-Aeberhardt 1999; Tomei 2003; Tekle 2014).

From the 2030 Agenda to the Pact for the Future

32. In adopting the 2030 Agenda for sustainable development world leaders pledged to take bold and transformative steps needed to shift the world on to a sustainable and resilient path and no one will be left behind. The 17 Sustainable Development Goal (SDGs) were seen as path of realize the human rights of all.⁹ When agreeing on the SDGs, world leaders envisaged “a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination; of respect for race, ethnicity and cultural diversity; and of equal opportunity permitting the full realization of human potential and contributing to shared prosperity”.¹⁰
33. Under SDG 10 (reduce inequality within and among countries), countries have pledged, by 2030, to empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status (target 10.2) and under SDG17 to enhance, by 2020, capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts (target. 17.18). One of the principles of the SDG follow-up and review processes is that they were envisaged to be “rigorous and based on evidence, informed by country-led evaluations and data which is high-quality, accessible, timely, reliable and disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts”.¹¹

In the recent Pact for the Future, world leaders went a step further and paid particular attention to the need to take targeted action to address racial discrimination specifically, recognizing that “that our efforts to redress injustice and to reduce inequalities within and between countries to build peaceful, just and inclusive societies cannot succeed unless we step up our efforts to promote tolerance, embrace diversity and combat all forms of discrimination, including racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations.”¹² They decided to “[s]tep up [their] fight against all forms of racism, racial discrimination, xenophobia and all forms of intolerance that impact young people and hinder their

⁸ Convention No. 111, Art. 5(2), ICERD Art. 1(4) and 2(2); Convention on the Elimination of All Forms of Discrimination against Women (1979), Art. 4(1).

⁹ United Nations General Assembly, Transforming our world: the 2030 Agenda for Sustainable Development, Resolution 70/1, 25 September 2015, preamble.

¹⁰ Ibid., Declaration, para. 8.

¹¹ Ibid, para. 47 (g).

¹² United Nations General Assembly, Pact for the Future, preamble.

ability to fulfil their potential, and counter religious hatred that constitutes incitement to discrimination, hostility or violence.”¹³ The accompanying Declaration on Future Generations, establishes, as a guiding principle, that “[t]he elimination of racism, racial discrimination, xenophobia and related intolerance, as well as the achievement of racial equality and the empowerment of all people, are required for a prosperous and sustainable future.”

¹³ Ibid., Action 35(a).

► Racial and ethnic disparities in the labour market

34. Comprehensive data collection and analysis are crucial for understanding the complexities of the labour market. Reliable data on employment trends and demographics allow policymakers to make informed decisions, design effective interventions, and build public trust in these initiatives. Transparency and accessibility of this data are essential, to ensure that policies are grounded in empirical evidence rather than speculation. The importance of data disaggregated by gender, ethnicity and other characteristics is emphasized by the 2030 Agenda and the 2021 Resolution on inequalities in the world of work of the International Labour Conference. The bodies charged with monitoring the implementation of international labour and human rights standards continuously stress the importance of collecting and making available such data as means for advancing the objective of equal opportunity and treatment in employment and occupation.
35. A review of labour force and household surveys from 187 ILO Member States revealed that currently 47 countries collect and disclose ethnicity data, with varying levels of detail and availability. This underscores the need for improved data collection and reporting practices on a global scale. The analysis below focusses on select G20 countries for which appropriate data is available in the ILO microdata repository.

Labour market participation of different racial groups

36. Access to employment is a key indicator of racial disparities in the labour market. The employment-to-population ratio, which measures the proportion of each ethnic group within the working-age population that is employed, provides valuable insights into labour market participation and potential barriers. A high ratio suggests robust labour force participation, while a low ratio indicates a significant portion of the group is unemployed or outside the labor force entirely.
37. The disparities in employment-to-population ratios across various ethnicities and countries is presented in [figure 1](#). The analysis reveals the disproportionate impact of economic downturns on certain groups. Persistent gaps in these ratios across ethnicities suggest enduring barriers to employment for some groups, potentially stemming from discrimination, unequal access to education and resources, or other structural factors.
38. The Great Recession (2008/9), for instance, had a significant but uneven impact on employment across ethnicities in the analyzed countries. In the United States, while all groups experienced declines in employment-to-population ratios, the magnitude of the decline varied, revealing the differential vulnerability of certain groups to economic shocks. This disparity likely reflects the concentration of different ethnicities in sectors that were more severely affected by the recession.
39. South Africa presents a more dynamic picture. Between 2010 and 2019, employment-to-population ratios fluctuated across ethnic groups, with the White population experiencing a gradual decline while the Coloured population saw a slight increase. However, the African/Black, Coloured, and Indian/Asian populations experienced more pronounced declines than the White population. This disparity worsened during the COVID-19 pandemic, which disproportionately impacted vulnerable groups, including women, the African/Black population, youth, and less educated individuals, exacerbating existing inequalities (Ranchhod and Daniels 2021).

► **Figure 1: Employment to population ratio trend in the selected countries with multi-year data availability by ethnicity.**

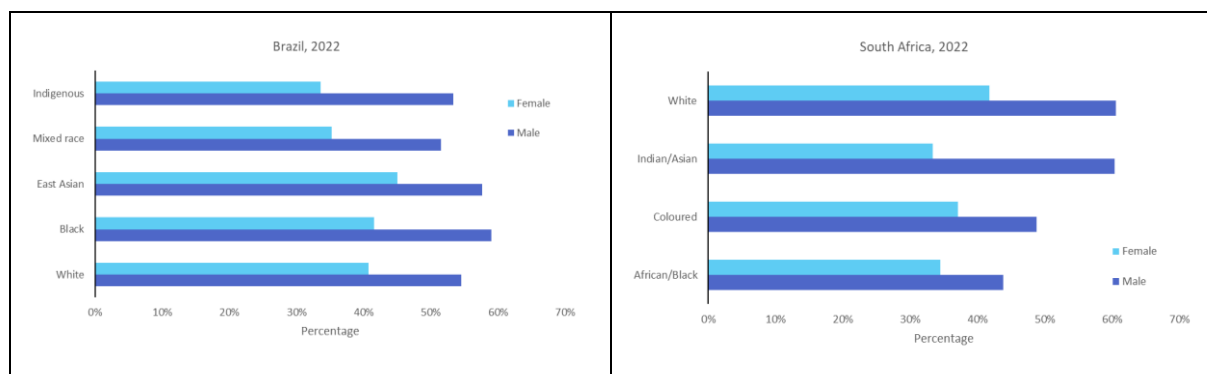


Source: See appendix.

40. There is also significant gender and ethnic disparities in employment rates across all countries with different income levels, highlighting the intersecting influence of these factors on labour market outcomes (**figure 2**). This shows that both gender and ethnicity play a role in shaping employment opportunities and their relative prominence varies by country.

► **Figure 2. Employment to population ratio by ethnicity and gender**





Source: See appendix.

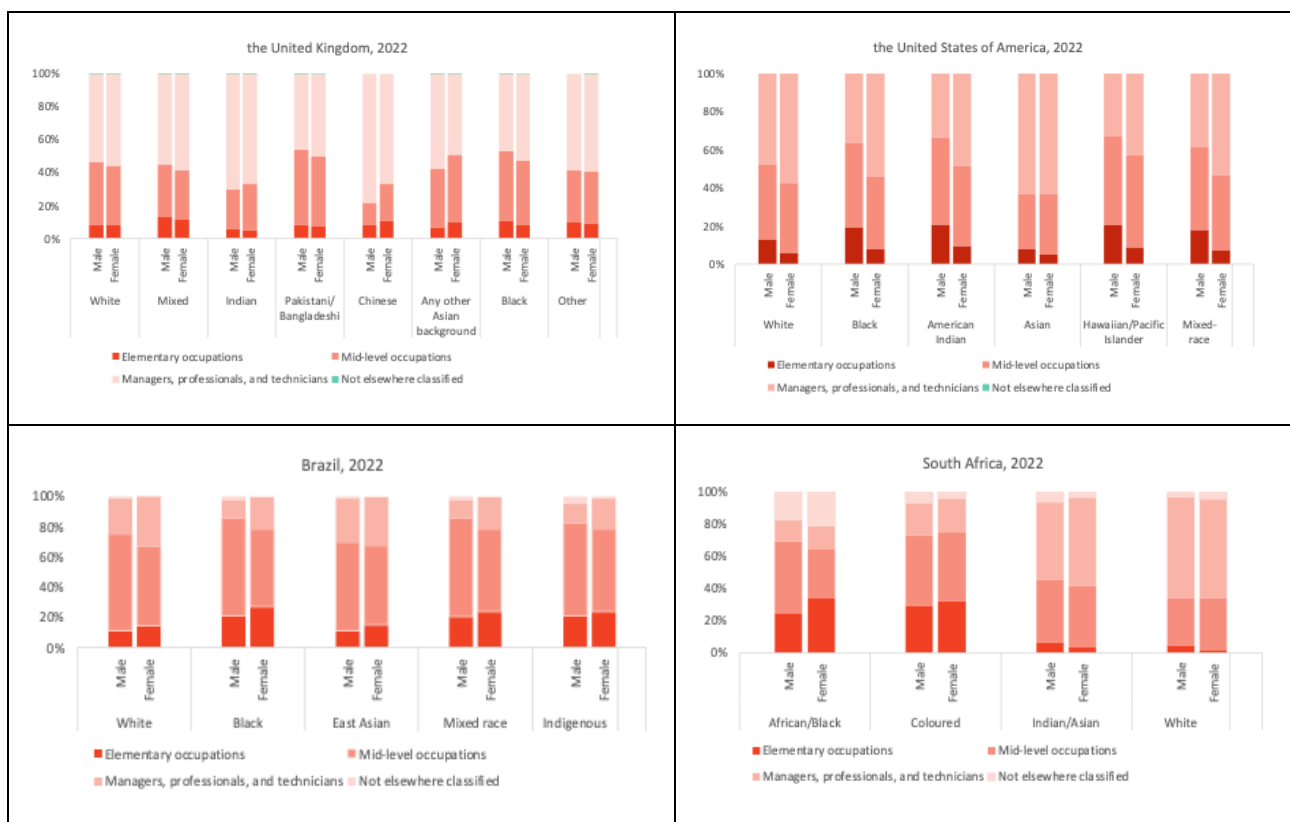
Labour market outcome for different racial groups

41. While access to employment is crucial, racial discrimination extends beyond simply having a job to encompass the quality of that employment. Studies, including Fairlie and Meyer (2000), have shown that racial minorities are often overrepresented in self-employment. Several factors contribute to this disparity, including discriminatory hiring and promotion practices that disadvantage minority groups; restricted access to capital and networks for minority-owned businesses; and cultural factors, such as a preference for self-employment within certain communities.
42. Our analysis of the distribution of workers across employment status categories (employees versus self-employed workers) by ethnicity and gender, reveals a clear pattern based on a country's income level. High-income (the USA and UK) and upper middle-income countries (Brazil and South Africa) generally have a larger share of employees, while low-income countries have a higher proportion of self-employed workers, reflecting the differences in their respective labour force structure. While native Americans in the United States and indigenous peoples in Brazil have lower employment rates than other groups, in middle- and low-income countries in which indigenous peoples live, these groups have generally higher employment rates than other groups but are disproportionately represented among the self-employed with poor working conditions (ILO 2020).
43. Occupational segregation is another manifestation of ethnic disparities in the labour market. Ethnic minorities, indigenous and tribal peoples, and migrants often face barriers to formal employment, leading to their overrepresentation in informal and low-wage jobs globally (Amo-Agyei 2020; Tesfai 2020; ILO 2019). This pattern is evident in various countries. While the informal sector represents a smaller share of employment in high-income countries, ethnic disparities persist. In some cases, individuals from particular backgrounds, especially women, are more likely to engage in informal work. This pattern becomes more pronounced in upper-middle-income countries, where informal employment is significantly more prevalent than in high-income countries. In Brazil and South Africa, there are substantial differences in informal employment rates across racial groups, with certain groups disproportionately concentrated in informal employment. A gender gap is also evident within ethnicities, with women generally experiencing higher rates of informal work.
44. The distribution of employees across three occupational categories - managerial, professional and technical, mid-level, and elementary - by ethnicity and gender reveals a clear pattern of segregation within occupational groups, mirroring the disparities observed in overall access to employment (figure 3). For example, in Brazil, the Black, indigenous and mixed-race populations are more likely to be in elementary occupations, while Asian and White populations have a significantly higher share of managerial, professional and technical positions. This gap is even more pronounced when comparing women from the black, indigenous and mixed-race populations, with women from Asian and White populations. Similar patterns of occupational segregation are evident in South Africa,

with the African/Black and Coloured populations concentrated in elementary occupations, while the White and Indian/Asian populations have a significantly higher share in managerial, professional and technical positions.

45. While disparities in employment access and occupational segregation for disadvantaged groups are not always solely attributable to racial discrimination - factors like limited access to education and differing experience levels also play a role – stark differences persist even when controlling for education. This suggests that race, ethnicity and nationality continue to significantly influence access to labour market opportunities.

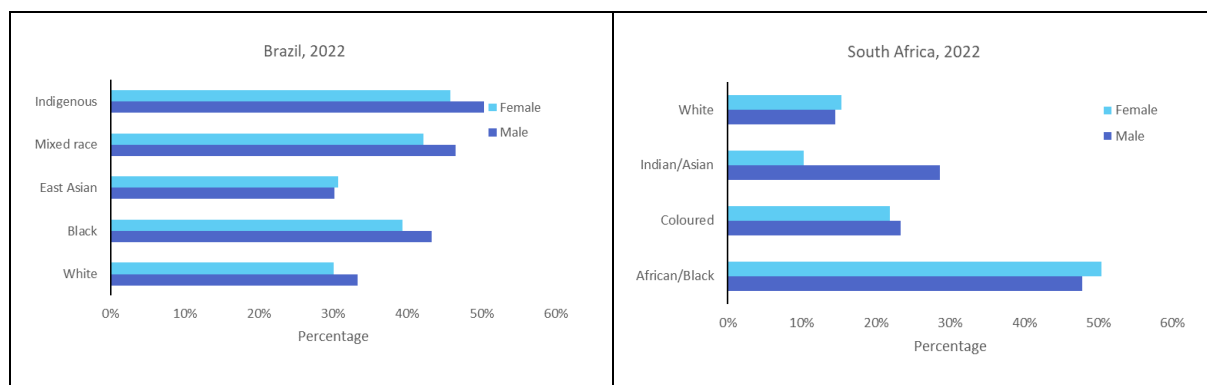
► **Figure 3. Occupation type by ethnicity and gender, latest available year**



Source: See appendix.

Discrimination can manifest in various ways, including through practices deeply ingrained in social structures. For example, hiring based on informal referrals or within-network recruitment common in both formal and informal sectors often reinforces ethnicity-based discrimination, as employers tend to seek recommendations from within their own ethnic networks (Munshi and Rosenzweig 2006).

► **Figure 4. Share of workers in informal employment by ethnicity and gender, latest available year**



Source: See appendix.

46. The high rates of informality among these groups often result in limited or no access to opportunities to pension schemes or retirement savings plans. Compared to employees, own-account workers are more likely to lack social security coverage. However, gender and ethnic or racial disparities in social security access vary significantly across countries (figure 4). In Brazil, among those having access to contributory social security coverage (covers access to benefits, like unemployment insurance, health insurance, and pensions), the data shows no significant gender or racial disparities. However, given their overrepresentation in informal employment,¹⁴ workers from black, mixed-race and indigenous population groups are more likely to rely on non-contributory social protection, thus they will not have the broad risk coverage of social security and will receive lower value benefits such as social assistance. In contrast, South Africa’s indicator encompasses unemployment and health insurance, revealing substantial racial disparities. Additionally, the gender gap in social security access varies across racial groups. The white population has the highest proportion of employees with social security coverage. Interestingly, the Indian/Asian population exhibits the largest gender gap, with a higher proportion of female employees having access to social security compared to their male counterparts.

¹⁴ Informal employment is defined as persons who are engaged as own account workers, employers and members of cooperatives, employed in their own informal sector enterprises; and employees who hold informal jobs whether employed by formal sector enterprises, informal sector enterprises or as paid domestic workers by households. These workers often do not have a written employment contracts and are not covered by social security system, and are not entitled to paid annual or sick leave.

► Policies for closing the racial or ethnic employment gap

47. This section presents an overview of national laws and policies addressing racial discrimination and promoting equality in the ILO's 187 Member States, drawing on a global mapping exercise of some of the key features of national policies for equality under Convention No. 111. This mapping was carried out by the ILO in 2022-2023.

Legislating the prohibition of racial discrimination in employment and occupation

48. Establishing legal rights to equality and providing for legal protection against discrimination signals that discriminatory acts or processes are not acceptable, allows victims to seek remedies and creates the basis for sanctioning those found to have engaged in discrimination. Equality and non-discrimination legislation also defines the responsibilities of the actors expected to provide protection or to promote equality. Legal protection from racial discrimination flows from constitutions, ordinary laws or other regulatory acts, in most cases a combination of different legal instruments, and from the processes and institutions through which the right to equality and non-discrimination is implemented and enforced.
49. While enshrining equality and non-discrimination principles into national constitutions is essential, ensuring effective legal protection from racial and other forms of discrimination requires additional laws and regulations. The ILO Committee of Experts on the Application of Convention and Recommendations (CEACR) stresses the need for comprehensive legislation defining and prohibit discrimination on all grounds covered by Convention No. 111 (ILO 2012a, para. 854), including specifically with regard to racial discrimination (see Box 1).
50. The Violence and Harassment Convention, 2019 (No. 190) requires ratifying countries to “adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation.”¹⁵ Under ICERD, States are required to “prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization.”¹⁶ The Committee on the Elimination of Racial Discrimination and other UN human rights treaty bodies have consistently called for the adoption of comprehensive non-discrimination legislation (Office of the United Nations High Commissioner for Human Rights (OHCHR) and Equal Rights Trust 2023).

Box 1. Legislation prohibiting racial discrimination in employment and occupation: Guidance from the ILO's CEACR

“[G]iven the persisting patterns of discrimination on the grounds of race, colour and national extraction, in most cases there is a need for comprehensive legislation containing explicit provisions defining and prohibiting discrimination in all aspects of employment and occupation, in order to ensure full application of [Convention No. 111]. These definitions should include direct and indirect discrimination, and discrimination-based harassment as a serious form of discrimination, in particular racial harassment.”

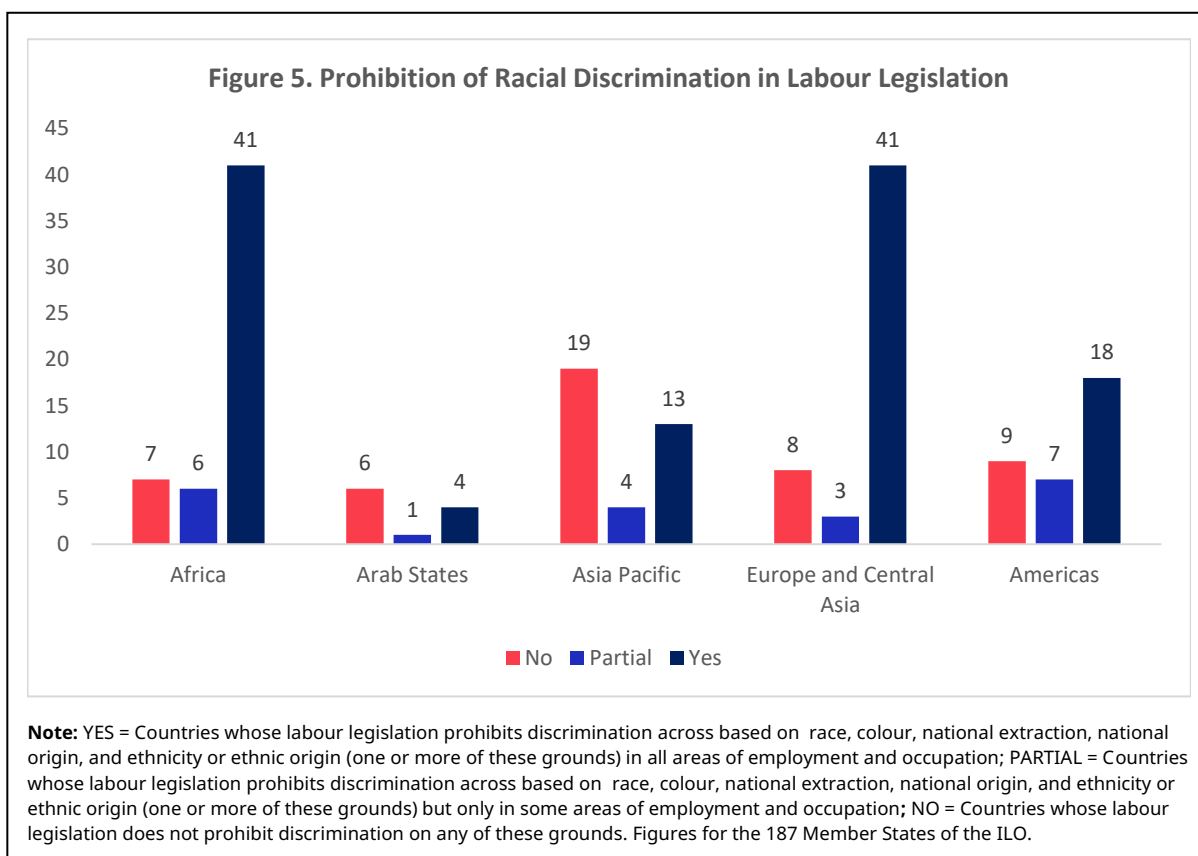
CEACR, General Observation on racial discrimination, 2019.

¹⁵ Convention No. 190, Art. 6. Under Article 7 of the Inter-American Convention against All Forms of Discrimination and Intolerance (2013) which came into force in February 2020, “States Parties undertake to adopt legislation that clearly defines and prohibits discrimination and intolerance, applicable to all public authorities as well as to all individuals or natural and legal persons, both in the public and in the private sectors.”

¹⁶ Convention No. 190, Art. 2(d).

The prohibition of racial discrimination in labour legislation

51. In 139 out of the 187 ILO Member States the labour legislation prohibits racial discrimination based on one or more of the following grounds: race, colour, national extraction, national origin, and ethnicity or ethnic origin. The labour legislation of 118 of these 139 countries prohibits racial discrimination broadly in all areas of employment and occupation, including access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.¹⁷ Among these 118 countries prohibiting racial discrimination in employment and occupation in their labour laws, 41 countries are in Africa, 4 in the Arab States, 13 in Asia Pacific, 41 in Europe and Central Asia, while 19 of them are countries in Latin America and the Caribbeans.
52. In 21 countries, the labour legislation only partially prohibits racial discrimination in the sense that they do not prohibit discrimination regarding all aspects of employment and occupation. For instance, some of these countries lack protection against racial discrimination during the



recruitment stage. Others only forbid discrimination, including racial discrimination, concerning termination of employment or specific aspects of working conditions, such as remuneration. In some cases, such protection gaps under the labour legislation are filled by other laws. For example, the Labour Code of *Türkiye*, 2003 does not prohibit racial or other discrimination at the recruitment stage.¹⁸ However, the Law on the Human Rights and Equality Institution (Law No. 6701) adopted in 2016 includes provisions prohibiting discrimination, including on the grounds of race, colour,

¹⁷ Convention No. 111, Art. 1(2), and Recommendation No. 111, Para. 2.

¹⁸ CEACR, Observation, Convention No. 111, *Türkiye*, published 2016.

language, ethnic origin in employment and occupation more broadly, including in respect of “application, recruitment and selection processes”.¹⁹

53. Protection from racial discrimination may also be partial because the labour legislation which otherwise offers such protection may exclude certain categories of workers from their scope of application, such as domestic or agricultural workers which are, in fact, particularly in need of such

Box 2. Exclusions from labour legislation as indirect and intersectional discrimination

“[The exclusion of specific categories of workers from the scope of application of general labour law may lead to indirect discrimination. For instance, the exclusion of domestic workers – a sector primarily made up of women workers – from the coverage of general labour law, in the absence of any equivalent specific legal coverage, could constitute indirect discrimination based on sex or race, colour or national extraction, as this apparently “neutral” treatment (the exclusion of domestic workers from the scope of labour law) may disproportionately affect women, including those of a particular race, colour or national extraction.”

ILO Committee on the Application of Conventions and Recommendations, General Survey, 2023, para. 62.

protection. More than half the employed indigenous population globally work in agriculture (ILO 2020, 19). Similarly, women from disadvantaged racial or ethnic groups, communities are highly represented in domestic work and many of them are internal or internal migrants which is adding an additional level of vulnerability to discrimination. While intersecting discrimination based on race and gender may take many forms, it includes violence and harassment. It is also a factor underpinning low pay among women domestic workers who belong to ethnic minorities (EQUINET 2021, ILO 2020, 82; 22; Oelz and Rani 2015). A ILO review of legislation shows that 36.1 per cent of all domestic workers globally, three quarters of whom constitute women remain entirely excluded from labour law coverage and the protections that comes with it (ILO 2023c, 6, 11, 21). The exclusion of domestic workers and

agriculture workers from labour laws has been construed and understood, by courts,²⁰ the ILO supervisory bodies (see Box 2) and in the empirical literature, as a form of indirect or structural discrimination based on gender and race, with some highlighting such discrimination to be rooted in historic and persisting forms of servitude and oppression (Perea 2011; Blackett 2011, 14–15).

54. Frequently, public sector workers, particularly civil servants, are not covered by general labour laws; instead, their employment is regulated by separate laws. The legal mapping shows that among the 138 countries that prohibit racial discrimination in their labour legislation, 46 countries explicitly stipulate some extent of non-coverage of public sector workers within this legislation. Among these countries, 25 have provisions regarding racial discrimination within their civil service laws, although the protection provided in these laws is only partial. For example, in seven countries, non-discrimination clauses covering racial discrimination provide protection only against discrimination in recruitment.
55. In some countries, gaps in general labour legislation or civil service laws that leave certain categories of workers vulnerable to racial discrimination, may be addressed through separate equality and non-discrimination legislation, human rights acts, or other relevant legal frameworks, which are discussed in the following sections.

¹⁹ Türkiye, Law on the Human Rights and Equality Institution, 2016 (Law No. 6701), section 6.

²⁰ Constitutional Court of South Africa, *Mahlangu and Another v Minister of Labour and Others*, CCT306/19, 2020; European Court of Justice, *Tesorería General de la Seguridad Social (TGSS)*, [C-389/20](#), 2022.

Equality legislation and human rights acts

56. Over recent years, countries have adopted laws to address comprehensively discrimination based on a range of ground, include grounds such as race, colour or ethnicity, in respect of various spheres of life, including employment. In some cases, these laws do not cover all aspects of employment and occupation. In yet another group of 14 countries, equality and non-discrimination legislation does not explicitly refer to employment as an area in which discrimination is prohibited but may implicitly cover workplace discrimination.
57. Some countries have stand-alone laws on racial discrimination that also prohibit it with respect to employment, or at least certain aspect of it, to varying degrees. For instance, while some laws cover all areas of employment and occupation, some only refer to a generalized area of economic rights, and others highlight a general prohibition of racial discrimination, which implicitly covers employment and occupation-related discrimination.
58. Others have adopted laws seeking to protect specific groups vulnerable to racial discrimination, for example, indigenous and tribal peoples or ethnic minorities, which include protections from discrimination in the world of work. Furthermore, some countries prohibit racial discrimination at work under national human rights acts. Although these types of laws are often less detailed regarding discrimination in employment and occupation, they offer an additional layer of protection against discrimination and broaden the scope of access to justice and remedies. Concurrently, they also exemplify the need for coherence in legal pathways to combatting racial discrimination in the world of work.

Defining both direct and indirect discrimination

59. International instruments calling for the elimination of discrimination in the world of work such as Convention No. 111 and ICERD require the elimination of both direct and indirect racial discrimination.
60. Direct racial discrimination occurs when “less favourable treatment is explicitly or implicitly based on”²¹ race, colour, national origin alone or in combination with other factors. Indirect discrimination takes place when “apparently neutral situations, regulations or practices [...] in fact results in unequal treatment of persons with certain characteristics [...] and is not closely related to the inherent requirement of the job”.²² Indirect discrimination requires the revision of discriminatory norms, policies and practices, hence identifying and redressing it is crucial for tackling institutional and structural forms of discrimination.
61. As mentioned above, the exclusion of entire groups of workers, such as domestic workers, from labour law and the protections provided under it has been considered to amount to indirect racial and intersecting discrimination, taking into account that domestic workers are predominately women from disadvantaged racial or ethnic groups. Language requirements, as a policy or in individual cases are another practice that may amount to indirect discrimination where they are not objectively justified. This may affect certain racial or ethnic groups or migrant workers.²³ Dress codes imposed by laws or practices in education and employment can have disproportionately exclusionary effects on women following religious dress codes and belonging to ethnic minorities.²⁴

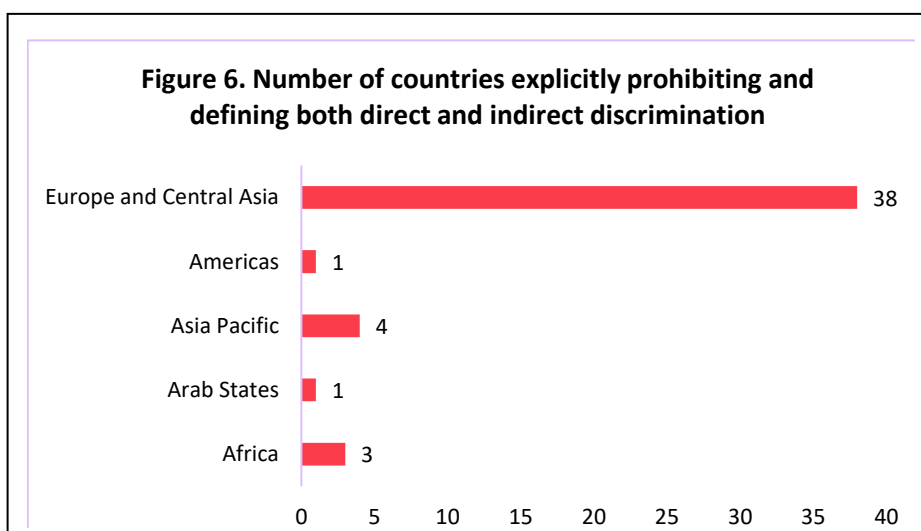
²¹ ILO, 2012, para. 307.

²² ILO, 2012, para. 307.

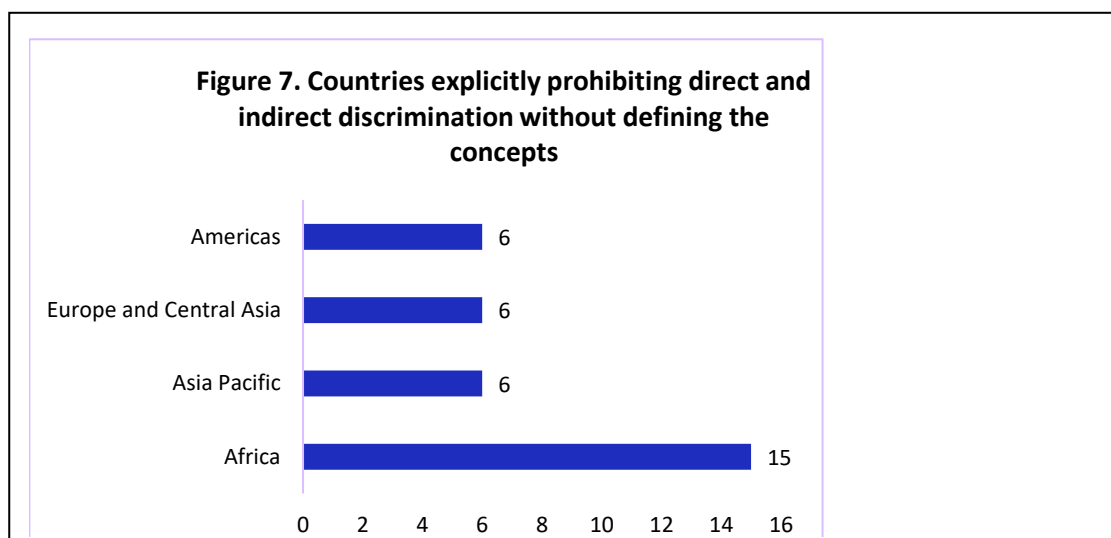
²³ ILO, 2012, para. 764.

²⁴ ILO, 2012, paras. 800-801.

- 62. The CEACR stresses that the legislation should explicitly prohibit and define both direct and indirect discrimination. Providing a legal definition of the two concepts improves clarity and effectiveness of the legislation. The mapping for this report shows that a group of 45 countries define direct discrimination in their legislation, while 33 others prohibit such discrimination but without further defining it. By contrast, 47 countries define indirect discrimination, while an additional 32 countries mention indirect discrimination and prohibit without defining it.
- 63. The legislation of 46 countries includes definitions of both direct and indirect discrimination, although with an uneven global spread. Of the 47 countries that define both direct and indirect discrimination, 38 of those are in Europe and Central Asia, 4 in Asia Pacific, 3 in Africa and 1 in the Americas and Arab States, respectively (Figure 6).



- 64. In addition, the legislation of 33 other countries prohibits both direct and indirect discrimination without providing a legal definition for these concepts. The majority of countries whose legislation adopts this model are African countries (15). Asia Pacific, Europe and Central Asia, and Latin America and the Caribbean each have six countries in the region whose legislation also adopts this model (Figure 7).



Multiple and intersecting discrimination: emerging as a legal concept

65. Discrimination on the basis of multiple or intersecting grounds has emerged as a legal concept in national legislation. The legal mapping for this report identified 11 countries which have included and defined multiple or intersectional discrimination in either comprehensive equality and non-discrimination, stand-alone racial discrimination legislation or human rights legislation. An additional 10 countries have included the concepts of discrimination based on multiple or intersecting grounds in such laws, but have not further defined them. In addition, provisions on multiple and intersecting discrimination, including on racial grounds, can be found in gender equality legislation, for example in the 2019 Law on Equality and Non-Discrimination between Women and Men in *Uruguay*, or stand-alone legislation on equal treatment for persons with disabilities.²⁵ The *European Union* Pay Transparency Directive of 2023 acknowledges that women experience intersectional pay discrimination based on sex and or other grounds, including racial or ethnic origin, and requires such intersectionality to be taken into consideration in the application of the principle of equal pay.²⁶
66. The operationalization of intersectionality in legislation, at present, tends to focus on recognition of the concept and proscribing multiple or intersectional discrimination as a severe or aggravated form of discrimination to be taken into consideration in the setting of compensation and sanctions in individual complaints and labour law enforcement (ILO 2023a, para. 70). However, intersectionality as a perspective for analysis and as a legal concept can also play a role in the design and implementation of policy measures, including positive or temporary special measures (ILO 2023a, para. 71; Fredman 2016a).

Preventing discrimination and promoting equality as a legal duty

67. A range of countries have put in place policies that intervene to promote more inclusive and diverse workplaces by requiring certain actions to be taken by employers in this regard. The underpinning rationale behind such policies is that action should be taken not only when individuals file discrimination complaints but also proactively to prevent, identify and address discriminatory practices to overcome disadvantage and barriers faced by individuals with protected characteristics. Such efforts are especially relevant to detect situations of indirect discrimination that is of systemic or structural nature but often goes unnoticed. Enterprises or organizations that implement such policies promote equality by proactively reviewing and adjusting their institutional practices.

Removing barriers, promoting equitable representation

68. Under the Employment Equity Act in *Canada*, initially adopted in 1986 and revised in 1995, federally regulated employers are to prepare and implement an employment equity plan that “specifies the positive policies and practices” that the employer will take “in the short term for the hiring, training, promotion and retention of persons in designated groups and for the making of reasonable accommodations for those persons [...]”²⁷ Among the designated groups as defined by the Act are women, aboriginal peoples, persons with disabilities and members of visible minorities.²⁸ The Act

²⁵ See, e.g., *Austria*, Federal Disability Equality Act, sections 9 and 11.

²⁶ *European Union*, Directive 2023/970 of the European Parliament and the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, see preambular paragraph 25 and 32, Art. 3(2)8c), Art. 16(3), Art. 23(3) and Art. 29(3)(a).

²⁷ *Canada*, [Employment Equity Act](#), section 10(1)(a).

²⁸ *Canada*, [Employment Equity Act](#), section 3.

covers federally regulated private employers with more than 100 employees. The policies and practices to be designed and implemented by the employer are to be informed by a workforce analysis that is required under the Act in order to determine the degree of underrepresentation of persons in designated groups in each occupational group of the workforce. A government-appointed Employment Equity Act Review Task Force submitted its report in April 2023 putting forward an in-depth assessment of the Act's functioning and related reform proposals (EEART 2023).

69. In *South Africa*, the Employment Equity Act (1998)²⁹ seeks to address inequalities and discrimination exclusion faced by three designated groups: black people, women and persons with disabilities. The category of black peoples is defined under the Act as including Africans, Coloured and Indians.³⁰ The Act applies to all employers, but the duty to take measure to achieve employment equity only applies to “designated employers”, namely public entities as well as other employers with more than 50 employees. The Act's requirements extended to companies with fewer than 50 employees above a certain financial turnover threshold but was repealed by 2023 amendments to the Act with the aim to reduce administrative burden for smaller companies.³¹ Designated employers are required to consult with their employees, through the trade union if there exists one, to undertake workplace analysis. Based on this analysis, they are required to develop, and implement an employment equality plan, and submit the progress updates of its implementation to the Department of Labour.³²
70. In the *United Kingdom*, the Equality Act (2010) which prohibits discrimination based on race among a range of other characteristics,³³ establishes a so-called public sector equality duty which requires specified public authorities to exercise their functions having due regard to the need to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and to foster good relations between such persons.³⁴ The law clarifies that private sector employers may choose to take positive measures to address disadvantages in relation of prohibited grounds under the Equality Act, if deemed relevant. The Equality and Human Rights Commission's Statutory Code of Practice (Employment) provides detailed guidance on appropriate actions that can be taken by employers.³⁵
71. While the *European Union* Equal Treatment Directive frames positive action as measures that can be taken rather than those that must be taken,³⁶ the European Network of Equality Bodies (EQUINET) identifies three distinct types of statutory equality duties that exist across EU countries: duties to prevent discrimination including harassment and pay discrimination (in the private and public sector); institutional duties to actively promote equality and combat discrimination for employees (both private and public sector); and mainstreaming equality, that is ensuring to promote equality in implementing institutional functions (public sector) (Crowley 2017; EQUINET 2021b).

²⁹ *South Africa*, [Employment Equity Act \(1998\)](#), as amended up to 2013. Further amendments were introduced through the [Employment Equity Amendment Act \(2023\)](#).

³⁰ *South Africa*, Employment Equity Act, section 1

³¹ *South Africa*, Employment Equity Amendment Act 2022, section 1(a).

³² *South Africa*, Employment Equity Act, sections 12 and 16.

³³ The Act prohibits discrimination based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race; religion or belief, sex, sexual orientation (see section 4).

³⁴ *United Kingdom*, [Equality Act \(2010\)](#), section 149(1). The concerned public authorities are listed in [Schedule 19](#) to the Act.

³⁵ Equality and Human Rights Commission, [Statutory Code of Practice \(Employment\) 2011](#), chapter 12.

³⁶ EU [Council Directive 2000/43/EC](#) of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, Art. 5.

72. In *Finland*, for example, public sector entities with more than 30 employees have to take proactive steps to promote equality, as provided for under the Non-Discrimination Act (2015) which, inter alia, prohibits racial discrimination. Measure to promote equality must be discussed with the personnel; when such measures are being taken. Shop stewards, staff representatives involved in developing these measures, and occupational health delegates all have the right to be informed throughout the process.³⁷
73. In *Spain*, the Equal Treatment and Non-Discrimination Act (2022) requires public authorities to adopt positive action measures based on the grounds of discrimination covered by the Act, which include racial or ethnic origin. The Act emphasizes indirect discrimination in respect of access to and conditions of employment, and encourages collective bargaining by public and private sector employers on equality and non-discrimination, including on positive action to be taken. In addition, the Act stresses action by companies in the context of their social responsibilities, with a need for engaging with workers organizations as well as organizations specialized in promoting equality. The Act enables the issuances of regulations that require companies with more than 250 workers to publish information of salaries. This data transparency facilitates the analysis of pay differentials, taking into account the grounds covered by the Act. At the same time, the Act strengthens legal protection from discrimination, inter alia, establishing a legal obligation - and corresponding administrative, civil and criminal responsibility - to apply appropriate methods for the detection and prevention of discrimination and measures to end discriminatory situations.³⁸
74. In *Norway*, the Equality and Anti-Discrimination Act (2017) requires public undertakings and private employers to make “active targeted and systematic efforts to promote equality and prevent discrimination” based on a set of specific prohibited grounds, which include ethnicity, or combinations of these grounds.³⁹ All public undertakings, and private employers if they have more than 50 employees, have additional, more specific duties, including: (a) investigating risks of discrimination and barriers for equality, including reviewing pay conditions by gender; (b) analyse the cause for identified risks; (c) implement measures to counteract discrimination, promote equality and diversity; and (d) evaluate results of the efforts made. The same shall apply to private undertakings that ordinarily employ between 20 and 50 persons if requested by the employees or employee representatives.⁴⁰
75. In *Brazil*, new equal legislation adopted in 2023, requires employers with more than 100 employees to submit half-years pay transparency reports which must contain data on remuneration of women and men, disaggregated by race, ethnicity, nationality and age, allowing for intersectional analysis of gender pay gaps.⁴¹ If gender pay gaps exist, employers must prepare action plan to closing it, specifying goals and deadlines.

Numerical targets

76. At a next level of the spectrum of possible proactive measures, a range of countries have included into their policies specifically the objective of achieving a more equitable representation of

³⁷ *Finland*, [Non-Discrimination Act \(2014\)](#), sections 4 and 7. On 1 June 2023 several amendments entered into force which are not yet reflected in this English version. For the nature of the amendments see, [The Non-Discrimination Act is changing on 1 June 2023 – amendments improve the legal protection of discrimination victims | Non-Discrimination Ombudsman \(yhdenvertaisuusvaltuutettu.fi\)](#).

³⁸ *Spain*, [Equal Treatment and Non-Discrimination Act \(2022\)](#), sections 2, 9, 10, 11 and 33.

³⁹ *Norway*, [Equality and Anti-Discrimination Act 2017](#), as amended up to 2022, section 26(1).

⁴⁰ *Norway*, [Equality and Anti-Discrimination Act 2017](#), as amended up to 2022, Section 26(2) and (3). As per section 24, public authorities – as compared to public undertakings - have a duty in all their activities to make active, targeted and systematic efforts to promote equality and prevent discrimination based on all prohibited grounds listed in section 6 of the Act, as compared to public undertakings and private sector employers the equality duty of which relates to a sub-set of these grounds as listed in section 26(1) of the Act.

⁴¹ *Brazil*, [Law No. 14.611\(2023\)](#), section 5.

individuals from disadvantaged groups in the workforce of enterprises or organizations through numerical targets, and sometimes in the form of quotas.

77. Numerical targets are goals against which progress is expected to be achieved. In this sense, accountability tends to arise in relation to whether certain actions have been taken by employing entities, such as collection of data, adoption of plan of action or reporting about measures taken to a public authority, which could be a specialized equality or non-discrimination body or government ministry. In *Canada*, employers covered by the Employment Equity Act (1995) are required to develop an employment equity plan with numerical goals for the hiring and promotion of individuals from designated groups. Under the Act, the employer must ensure that “the equity plan, if implemented, constitute reasonable progress toward implementing employment equity [...]”.⁴² Preparation, implementation and revision of the equity plan is subject to consultation with employee representatives including bargaining agents.⁴³ Private sector employers are required to file annual report with the Minister of Labour and Employment providing information of the composition of their workforce by location and occupational group, along with pay data.⁴⁴
78. Also in *South Africa*, employers’ employment equity plans under the country’s Employment Equity Act are to include employment equity targets, as well as timelines. Following concerns expressed by the Commission for Employment Equity about slow progress in achieving employment equity, the amendments to the South Africa’s Employment Equity Act in 2022 created a basis for the Ministry of Labour to determine sectoral numerical targets “of ensuring the equitable representation of suitably qualified people from designated groups at all occupational levels in the workforce”.⁴⁵ In February 2024, the Minister published revised Draft regulations on proposed numerical targets for public comment for comments from the public, and is expected to be finalized and issued in 2024.
79. The South Africa Draft regulation on sector targets proposes a set of targets for 18 economic sectors to be reached within five years. They are described as minimum targets and key milestone towards equitable representation of designated groups. In setting workplace targets, designated employers for their workforce will have to take into account the relevant sectoral targets. In other words, the target they set for themselves should lead to achievement of the government’s sector targets over a period of five years. The sectoral targets are set for four upper occupational groups as follows, hence aim at more specifically addressing under-representation at the upper levels: skilled technical; professionally qualified and middle management; senior Management; and top management.⁴⁶ The targets are set for black people as defined under the Act, disaggregated by gender, a separate target for persons with disabilities, based on the structure of the applicable economically active population. The draft regulations stipulate that an employer will not face penalties if in the compliance analysis of action at the workplace, there are justifiable grounds for not complying with the targets.⁴⁷ The amendments to the Employment Equity Act in 2022 are expected to enter into force once the process of setting sectoral targets is completed.

⁴² *Canada*, Employment Equity Act 1998, section 11.

⁴³ *Canada*, Employment Equity Act 1998, section 15.

⁴⁴ *Canada*, Employment Equity Act 1998, section 18.

⁴⁵ *South Africa*, [Employment Equity Amendment Act \(2022\)](#), section 4, inserting new section 15(a) into the Employment Equality Act.

⁴⁶ *South Africa*, Employment Equity Act (55/1998) as amended: [Draft Regulations on proposed Sectoral Numerical Targets](#), [Government Gazette](#), Regulation Gazette No. 11662, Vol. 704, 1 February 2023, No. 50058.

⁴⁷ *South Africa*, Draft Regulations on proposed Sectoral Numerical Targets, section 4.5.

Reservations and quotas

- 80.** Perhaps the most stringent and debated type of proactive measures are quotas or reservations to set aside opportunities in employment and related fields, such as education, for members of disadvantaged groups. Tackling unequal access to education is indeed critical, as lack of access to education impedes social mobility translates into unequal opportunities in the labour market (Firpo, França, and Portella 2021).
- 81.** *India* is implementing largest and oldest system of public service jobs, grounded in the equality and non-discrimination provisions of the 1949 Constitution which enables the government to operate a system of reservations regarding central civil service positions for persons from Scheduled Castes and Tribes, amongst other groups.⁴⁸ According to latest available data, Scheduled Caste and Tribes represent some 19.7 and 8.4 per cent, respectively, of the national population.⁴⁹ Reservation is made for members of Schedule Castes at 15 per cent and Schedule Tribes at 7.5 per cent in recruitment through open competitions. Recruitments not made through open competitions, the reservation for Scheduled castes and Scheduled Tribes are at the same level (16.7 per cent) (Government of India 2024). If the reserved vacancies cannot be filled through exams or other means using the general standard of suitability, candidates belonging to these communities may be considered applying a relaxed standard, subject to the fitness of these candidates for appointment to the post/posts in question (Government of India 2022). The reservations policy contributed over time the share underrepresented groups in the central civil, members of Schedules Castes and Tribes remain persistently concentrated at the lower grades and under representation in the upper tiers (Doner 2022; NCSCT 2021).
- 82.** Access of disadvantaged groups experiencing racial discrimination to civil service position through a quota system is also implemented in *Brazil*, where legislation was introduced in 2014 to reserve, over period of ten years, 20 per cent of vacancies in the public sector to black people.⁵⁰ Since its passing, this policy of reservation has been extended to the judiciary, and similar quotas have been implemented in internship programs offered by various public institutions. Although the law has expired in 2024, the Supreme Court extended its effects until new legislation is passed. A legislative proposal has already been approved by the Senate's Constitution, Justice and Citizenship Commission, increasing the quotas to 30 per cent for another decade and should be voted soon. In the meantime, the President has signed a decree establishing that at least 30 percent of senior advisers and managers classified as positions of trust – which are not covered under the 2014 legislation's quota system, in federal public administration are to be occupied by black and brown people by end of 2025 (Government of Brazil 2023). A collection of studies about the effects of the law in public selection processes noticed that during the law's period of application there were fewer selections, thus there was no substantive change in the composition of the government workforce. Furthermore, many selections, such as those for teaching positions in public universities, frequently offer only one position, whereas quotas are applicable for selections with at least three vacancies. Therefore, distinct mechanisms should be devised to promote equal opportunities when there are few vacancies at stake (IPEA 2021).
- 83.** With regard to access to education, legislation has been in place in Brazil since 2012 reserving 50 per cent of the study places in federal public universities for students coming from public secondary schools, and within that share half of the places were reserved for low-income families.

⁴⁸ *India*, [Constitution](#), section 16(4A).

⁴⁹ Government of India/National Sample Service Office, National Sample Survey, [61st Round](#), 2004-2005.

⁵⁰ *Brazil*, [Law 12.990 \(2014\)](#). The Act makes reservation for people self-identifying themselves as black or brown in the federal public administration, municipalities, public foundations, public companies and mixed-capital companies controlled by the Union.

Furthermore, within the 50 per cent reservation, places were reserved for self-declared black, brown or indigenous students proportional to their representation in the state population.⁵¹ Studies into the effectiveness of affirmative action policies of Brazilian universities prior to 2012 have shown that quota policies for economically disadvantaged that did not factor in race were less successful than quotas that specifically designate black people as a beneficiary group (Vieira and Arends-Kuenning 2019).

84. According to the National Institute for Educational Studies and Research Anísio Teixeira (INEP), in 2012, 40,661 students entered federal higher education through quota system. In 2022, this figure was 108,616 students (Araújo 2023). In 2022, beneficiaries of affirmative action were more likely than prior to 2012 to perceive affirmative action as a right, and were less concerned about possible effects of stigmatization (Giraut 2023). While the laws positive effects are recognized, it was also pointed that the building up of supportive environments in high educational institutions can be strengthened (Heringer 2024). In 2016, the university quota system was reformed to include persons with disabilities; and in 2023, the Quilombola communities. The 2023 reform also introduced that students from the beneficiary groups first compete in the broader entry exams, and only if they do not succeed, they compete for reserved seats.⁵²
85. Experiences regarding quotas for achieving equality are not limited to education and the public sector, though recent example concern gender equality rather than addressing racial discrimination. In 2022, the *European Union* adopted a Directive for achieving a more balanced representation of women and men among the directors of listed companies in 2022 (European Union 2022), while not applying to micro, small and medium-sized enterprises. Under the EU Directive, EU Member States are to ensure by 30 June 2026 that in listed companies members of the underrepresented sex hold at least 40 per cent of non-executive director positions, or at least 33 per cent of all director positions, including both executive and non-executive directors.⁵³ Similarly, *Norway* recently adopted legislation establishing a 40 per cent quota for women on boards of private sector companies with a total operating and financial income exceeding 50 million NOK or a workforce with more than 30 employees (Løvås Sagerup 2024). Legislation applying such a quota to public sector companies existed in Norway since 2003. The policy contributed to greater gender equality on company boards though with negligible spillover effects on women below the level of senior management (Teigen 2022).

Access to justice and effective enforcement

86. No norm or policy is sufficient if not sustained by effective implementation and enforcement. In the case of laws and policies on equality and non-discrimination, a fundamental principle and right at work, access to justice and remedies for victims of discrimination and the possibility to challenge discriminatory policies is essential, indeed a right in itself. Various institutions play an important role in this context: the courts, labour inspection and specialized equality or human rights institutions.
87. Bringing work-related discrimination complaints is challenging, and more so for many belonging to groups vulnerable to racial discrimination including, e.g. migrant workers or indigenous and tribal peoples. Members of such groups may face constraints in bringing such complaints due to lack of information and linguistic challenges, lack of financial resources to procure legal assistance and representation. Bringing a complaint is often not seen as a feasible course of action by victims because they fear retaliation, particularly those in insecure jobs. Workers in the informal economy

⁵¹ Brazil, [Law on Quotas](#) (Law No. 12.771), as amended by Law No. 14.723, sections 1 and 3.

⁵² Brazil, Law on Quotas (No. 12.771), as amended by Law No. 14.723, section 3(2)

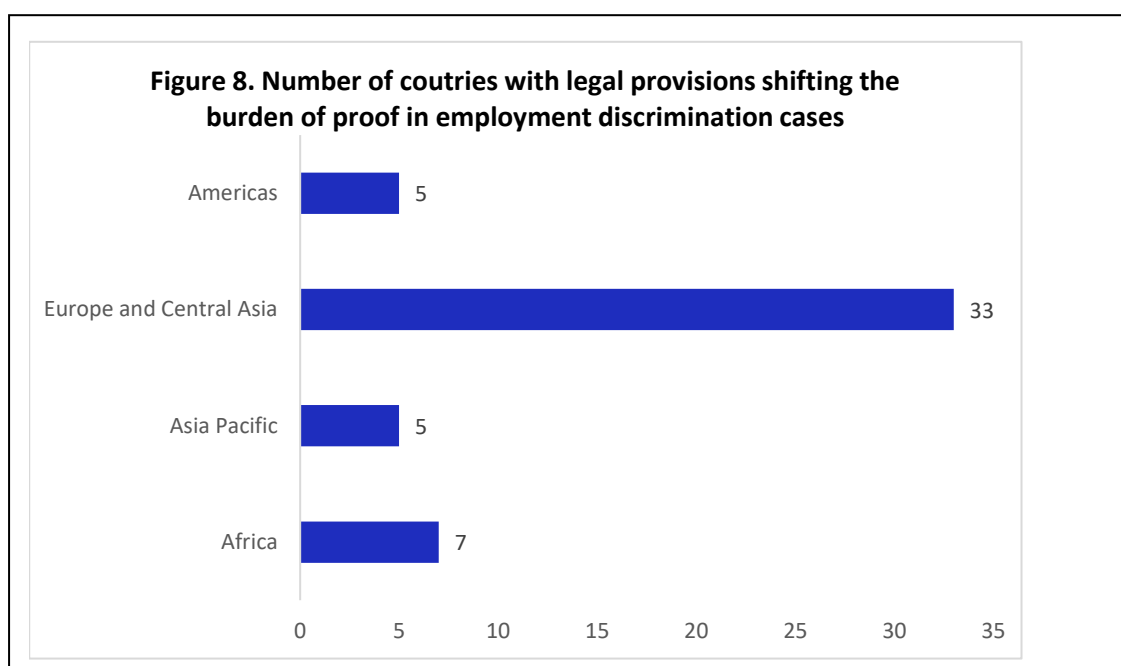
⁵³ Art. 5(1).

and undocumented migrant workers will often be de facto excluded from bringing discrimination complaints which reinforces their vulnerability to discrimination. When constituting a criminal offence, discrimination has to be proven “beyond reasonable doubt”, which is the highest standard of proof in virtually all legal systems.

- 88. Both guidance from ILO supervisory bodies and international best practice suggest that criminal proceedings alone do not provide effective legal protection from discrimination but that civil or administrative proceedings are often better suited. In addition, enforcement and compliance should not be limited to the possibility for victims to bring cases before the courts, but also involve investigation, including ex officio, by competent administrative bodies such as labour inspectorates or equality and non-discrimination bodies. Measures to assist and support victims of racial discrimination in claiming their rights safely include giving legal standing to trade unions and civil society organizations, providing legal and financial support, as well as protection from retaliation (ILO 2019).

Shifting the burden of proof

- 89. A particular difficulty for victims is producing evidence that discrimination has actually taken place because such evidence may be held by others. For example, evidence determining the reasons behind an alleged discriminatory act often lies in the employer’s control. Proving discrimination is even more challenging when the discrimination is systemic and arises indirectly, as a result of the disproportionate impact of a seemingly neutral action, policy or practice. All this is particularly pertinent in the context of racial discrimination which could occur under veiled circumstances. However, in most legal system, generally, the party making an allegation also has to prove it in order to succeed with their claim.
- 90. In order to make redressal mechanisms more effective for victims to plaintiffs and limiting barriers to access to justice for harms suffered from discrimination, the burden of proof in discrimination cases should not solely lie with the complainant, as stressed by the CEACR including in its recent



general observation on racial discrimination (ILO 2012a, 855; 2019). Within this context, a claimant only needs to establish the facts and circumstances that indicate the plausibility of discrimination in employment and occupation on prohibited race-related grounds. In this light, it becomes the

employer's responsibility to prove that the alleged actions or policies were based on any prohibited grounds of discrimination (ILO 2019; 2022a). Shifting the burden of proof in cases involving claims of discrimination is also specifically provided for in several ILO instruments.⁵⁴ The legal mapping carried out identified that 50 countries have indeed included legal provisions on the burden of proof in their labour laws or specialized equality and non-discrimination legislation (Figure 8).⁵⁵ The majority of such instances are found in Europe and Central Asia, but others also Africa, and Asia and Pacific and Latin America and the Caribbean.

Leveraging labour inspectorates

91. Given that the labour legislation in 139 countries includes legal provisions prohibiting racial and other forms of discrimination, the work of labour inspectorates in monitoring compliance with these provisions is of fundamental importance, particularly where labour inspectorates have a broad mandate that comprehensively cover all aspects of labour law. The labour inspectorate's interventions in the field of discrimination and inequality can be carried out in different ways: prevention and advice, collection and processing and investigation of complaints, and monitoring in the workplace. The prevention of discrimination can also be carried out in the context of inspectors' examinations of internal regulations and procedures (ILO 2022a). Even where the mandate of labour inspectorates is limited to occupational safety and health, discrimination issues may be addressed by them, for example in connection with their interventions related to psychosocial risks. Racial and other discrimination, including discriminatory harassment and violence, are a factor giving rise to such risks.⁵⁶

The role of specialized equality bodies

92. Specialized equality bodies established in a considerable number of countries play a range of different roles in promoting and overseeing the respect for and implementation of specialized equality and non-discrimination legislation.⁵⁷ Their mandated responsibilities range from awareness raising, monitoring, providing guidance, researching and reporting, making recommendations to the executive and the legislature, helping employers develop equality plans, investigating complaints and correcting discriminatory practices through conciliation or by rendering opinions or decisions to initiating legal proceedings and assisting victims of discrimination before courts. Independence and accessibility to all are important features for the effectiveness of their mandate.⁵⁸

93. The roles and functions of an equality body are sometimes entrusted to the national human rights institution, commissions established under a ministry or constitutional bodies. A mapping exercise identified that equality bodies have the mandate which includes addressing racial discrimination in 73 countries. The vast majority of these institutions are responsible for monitoring equality and non-discrimination legislation or policies (68), and are competent to receive complaints (61) from victims of racial discrimination and/or racially motivated harassment, including in the field of employment. Some equality bodies are also explicitly tasked to cooperate with other institutions and organizations (10). Cooperation with labour inspectorates and workers and employers'

⁵⁴ Article 9 of the Termination of Employment Convention, 1982 (No. 158); Article 8 of the Maternity Protection Convention, 2000 (No. 183); Workers' Representatives Recommendation, 1971 (No. 143), Para 6(e); and Violence and Harassment Recommendation, 2019 (No. 206), Para 16(e).

⁵⁵ It should be noted that rules shifting the burden of proof may be available in other countries under other types of legislation or jurisprudence.

⁵⁶ Violence and Harassment Recommendation, 2019 (No. 206), Para. 8(c).

⁵⁷ The establishment of such bodies is provided for under Paragraph 4 of the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111).

⁵⁸ See also European Commission against Racism and Intolerance, 2017.

organizations can create important synergies. Such cooperation is specifically called for in a proposed EU Directive setting standards for equality bodies to address the EU countries.⁵⁹

Employment, procurement and workplace policies

94. Legislation to prohibit racial and other forms of discrimination and promoting equality in the world of work, as reviewed in the earlier section, is a key means for realizing this fundamental principle and right at work. Yet, it is equally essential that this objective is pursued through broader set of proactive policies and measures that tackle root causes of discrimination and exclusion, including economic vulnerability, and proactively advance inclusion and promote respect for diversity as a means for preventing discrimination. The role of employment, procurement and workplace policies in connecting the dots towards comprehensive national policies for equality of opportunity and treatment is specifically important.

A review of national employment policies

95. Consolidating both social and economic objectives, a National Employment Policy (NEP) offers policy makers and other stakeholders with an important framework for promoting inclusive and sustainable development of the labour market. NEPs often include a variety of actions, from legislative measures at policy-level, to efforts directly targeting jobseekers through, for example, training and counselling. While every NEP should be developed based on the unique context of each country, it should also aim to strengthen inclusivity and sustainability of labour market outcomes.
96. The ILO Employment Policy Gateway currently comprises 75 active employment policies from around the world.⁶⁰ National employment policies from African countries constitute the largest number, with a total of 37 documents. For the Asia & Pacific region, there are 12 countries represented, followed by Americas and Europe at 11 countries respectively. For the Arab States, the analysis includes policies from four countries.
97. By addressing the unique challenges faced by disadvantaged racial or ethnic groups, including indigenous and tribal peoples, NEPs can help dismantle systemic barriers to employment. These policies, when designed in a culturally appropriate manner and taking into account the perspectives of groups concerned, can have critical impact on workers' access to freely chosen and productive employment. With this in mind, the 75 NEPs featured in the Employment Policy Gateway were analyzed for the purpose of this report to explore to what extent they explicitly address barriers faced by groups vulnerable to racial discrimination. The NEPs were screened for the following three concepts: (1) racial discrimination, (2) ethnic minority, and (3) indigenous peoples, relying on a combination of AI-based and manual searching.⁶¹
98. In total, 34 out of 75 NEPs include references to the selected concepts, some of them include more than one of them. The concepts are most frequently identified in introductory or general statements related to a fair labour market, employment, and decent jobs for all along other

⁵⁹ Such cooperation is specifically called for in the EU's 2023 Proposal for a COUNCIL DIRECTIVE on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in the field of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and deleting Article 13 of Directive 2000/43/EC and Article 12 of Directive 2004/113/EC, available at [pdf \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32023P0010).

⁶⁰ See [Employment Policy Gateway](#).

⁶¹ NEPs also include general reference to non-discrimination, without singling out specific types of discrimination. While such wording may encompass race and ethnicity, these references were not included in the analysis given that the focus is on explicit and targeted measures for groups vulnerable to racial discrimination.

grounds of discrimination such as age, gender, religion, and disability. This is aligned with the non-discrimination principle of the Employment Policy Convention. By including a reference to non-discrimination, these employment policies emphasize the importance of free and equal employment opportunities for all workers. Going a step further, some NEPs, for example the Suriname Mid-term Labour Market Policy 2022-2025 pays specific attention to the countries' indigenous peoples when analyzing demographic and labour market trends.

► **Figure 9. Number of analysed NEPs with references to racial discrimination, ethnic minorities or indigenous peoples**

Concepts	Yes	No
Racial discrimination	12 (16%)	63 (84%)
Ethnic minority	13 (17%)	62 (83%)
Indigenous peoples	17 (23%)	58 (77%)

Source: Own elaboration based on data from ILO Employment Policy Gateway, extracted May 20, 2024.

99. Fewer NEPs mention the concepts in direct relation to specific objectives or targeted interventions. For example, ethnic minority workers in Viet Nam are given specific attention in several areas, in line with the country's NEP. Similarly, the analysis found that in some cases, NEPs which incorporate one or more of the concepts in specific activities or targets tend to more frequently specify certain groups which are vulnerable to discrimination based on race, ethnicity or other grounds. One such example is Nepal, where the NEP which specifically targets indigenous peoples, along with other disadvantaged groups.⁶²

► **Figure 10. References to racial discrimination, ethnic minorities or indigenous peoples in NEP: Regional comparison**

Concepts	Racial discrimination		Ethnic minorities		Indigenous peoples	
	Yes	No	Yes	No	Yes	No
<i>Africa</i>	1 (3%)	36 (97%)	1 (3%)	36 (97%)	2 (6%)	35 (95%)
<i>Americas</i>	3 (27%)	8 (73%)	1 (9%)	10 (91%)	6 (55%)	5 (45%)
<i>Arab States</i>	0	0	1 (25%)	3 (75%)	0	0
<i>Asia & Pacific</i>	6 (50%)	6 (50%)	4 (33%)	8 (67%)	4 (33%)	8 (67%)
<i>Europe</i>	1 (9%)	10 (91%)	4 (36%)	7 (64%)	3 (27%)	8 (73%)

⁶² [Nepal National Employment Policy \(2071/2015\)](#), para. 6.2.

Source: Own elaboration based on data from ILO Employment Policy Gateway, extracted May 20, 2024.

- 100.** As shown in Figure 10, there are some clear differences between regions. African countries rarely mention any of the concepts. The Americas and Asia and Pacific have some of the highest prevalence of the studied concepts, both in number and in percentage. Taking a closer look at some of the NEPs, this is also reflected in the way the NEPs include the concepts in relation to specific interventions. The Americas stands out as the region in which indigenous peoples referred to in NEPs, with such references being found in a majority of the analyzed NEPs. In the Arab States, one out of the four countries analyzed made reference to racial discrimination, and none to the other two concepts search for ethnic minorities and indigenous peoples. It should, however, be noted that it is the region with the smallest number of NEPs in the study overall. For the European countries, ethnic minorities and indigenous peoples were mentioned in 36 per cent and 25 per cent of the NEPs respectively, constituting the two most frequent concepts as racial discrimination was mentioned only in one of the NEPs, equivalent to 9 per cent.
- 101.** Access to education, training, skills development and lifelong learning are essential aspects in ensuring freely chosen employment, and important factor in enabling each worker to utilize their full set of skills effectively. Similarly, they constitute an integral part of strategies aimed at reducing social and economic disparities among different ethnic groups.⁶³ The NEP in Nepal, for example, refers to special programmes to support access to education for children from indigenous peoples and other disadvantaged communities, including those who dropped out of formal education.⁶⁴
- 102.** Apart from targeting groups experiencing racial or ethnic discrimination in skills development and training programmes, some of the NEPs include support to business-establishment for persons belonging to indigenous or ethnic minorities. One such example is Suriname, where improved support to and training for entrepreneurs is listed as one of the NEPs outputs, specifically mentioning persons of indigenous origin.⁶⁵ Similarly, in Nepal, the NEP envisages entrepreneurial and self-employment-related training for indigenous peoples and other disadvantaged groups in the agricultural sector and, more generally, the improving access to credit, information and business development services to facilitate transitions to the informal economy.⁶⁶
- 103.** The above analysis shows that national employment policies are being used to address racial or ethnic disparities in the labour market and to overcome past and persisting discrimination. However, there is room for further strengthening of NEPs in this regard. While the practical all countries prohibit racial discrimination in employment and occupation, so far only a relatively small number of countries have used their national employment policies to advance the objectives of these strategies. NEPs should go beyond generally mentioning the principle of non-discrimination and formulating general aims of labour market inclusion of groups vulnerable to racial or ethnic discrimination. Labour market analysis which forms the basis for the NEPs, should include a comprehensive assessment of groups experiencing discrimination. Therefore, it is crucial to have access to labour market statistics disaggregated by ethnicity, gender, disability and other relevant characteristics.
- 104.** People from vulnerable groups concerned should have effective access to active labour market measures on an equal footing with others, and the level to which they benefit should be monitored through the NEP's results framework. To this end, NEPs, may need to include target measures for disadvantaged racial or ethnic groups so as to specifically address the barriers they face. Social

⁶³ International Labour Conference, [Resolution concerning skills and lifelong learning](#), 2021, para. 5. See also, the Human Resources Development Recommendation, 2004 (No. 195), Para. 5(h).

⁶⁴ Nepal National Employment Policy (2071/2015), paras 12.3 and 12.4.

⁶⁵ [Suriname Mid-term Labour Market Policy 2022-2025](#) (2022), p. 39.

⁶⁶ Nepal National Employment Policy (2071/2015), para. 11.2.

dialogue and participation of the disadvantaged groups concerned is essential for designing inclusive employment policies that effectively reduce racial inequalities in the labour market.⁶⁷

Public procurement as a tool for promoting equal employment opportunities

105. Making eligibility for public contracts dependent on the contractor's respect the principles of non-discrimination is provided for under the ILO Recommendations accompanying, respectively, Conventions No. 100 and 111.⁶⁸ The CEACR considered that labour clauses in public contracts could include specific measures to be taken to address systemic discrimination (ILC 2008, para. 46). Promoting equality of opportunity and treatment in employment and occupation through public procurement has indeed been one of the first government actions to combat discrimination in the labour market including against persons with disabilities, women and workers from disadvantaged racial groups. In the United States and Canada, regulations have existed since the 1940s and 1950s, respectively, that required government contractors not to discriminate against their works and job applicants on the basis of race, colour, national origin, religion and progressively other grounds (ILC 1957, 24–25; McCrudden 2007, 131ff).

Equality and non-discrimination clauses

106. Current regulations in the United States mandate that federal public contractors supplying goods or services and having more than 50 employees and contracts exceeding a certain value are required to proactively promote equality within their establishment. This includes developing and implementing affirmative action programs.⁶⁹ These programs are conceived as management tools to ensure equal employment opportunity and aim to achieve a workforce reflecting the gender, racial and ethnic profile of the pools from which the contractor recruits and selects.⁷⁰ As described in the applicable regulations, an affirmative action program includes “those policies, practices, and procedures that the contractor implements to ensure that all qualified applicants and employees are receiving an equal opportunity for recruitment, selection, advancement, and every other term and privilege associated with employment”.⁷¹ It must include the establishment of an organizational profile depicting staffing patterns, workforce analysis, the identification of barriers to equal opportunities, problem areas, placement goals and action-oriented programs.⁷²

107. In Canada, the Federal Contractors Program, organizations doing business with the Government implement employment equity in their workplace, by ensuring that the work force is representative of the country's labour force in respect to the four designated groups under the Employment Equity Act. The Program covers organizations with 100 or more permanent employees that receive a

⁶⁷ See Convention No. 169, Art. 6; Recommendation No. 2005, Para. 15(g).

⁶⁸ See the Equal Remuneration Recommendation, 1951 (No. 90), Para. 2(c), and the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111), Para. 3(b)(ii). These provisions completed the standards on labour clauses in public contracts laid down in the Labour Clauses (Public Contracts) Convention, 1949 (No. 94).

⁶⁹ *United States*, Executive Order, 11246, as amended. Section 202(1) provides that “during the performance of the contractor agrees as follows: the contractor will not discriminate against any employee or applicant for employment because of race, colour, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this non-discrimination clause”.

⁷⁰ *United States*, [Federal Code of Regulations](#), Title 41, §60-2-10(a)(1).

⁷¹ *United States*, [Federal Code of Regulations](#), Title 41, §60-2-10(a)(3).

⁷² *United States*, [Federal Code of Regulations](#), Title 41, §60-2-10(b).

federal government contract for goods or services of at 1 million CAN or more (E. and S. D. Canada 2020).⁷³

Set aside contract and price preferences

- 108.** In addition to requiring contractors to respect and promote equality and non-discrimination, the United States, Canada, Australia, South Africa and Malaysia have developed public procurement policies and programmes that promote access to public contracts specifically for businesses owned by members of disadvantaged groups, including racial or ethnic groups.
- 109.** In the United States, five per cent of the funds spent through federal contracting are allocated to contracts with socially and economically disadvantaged small business owners. To be eligible for these contracts, businesses must demonstrate social disadvantage. Social disadvantage is defined as the individual business owner who has been subjected to racial, ethnic, or cultural bias within American society because of their identities as members of groups and without regard to their individual qualities. Businesses certified to participate in the programme, either compete with other certified businesses or, below a certain threshold of contract value, are directly selected (U.S. Small Business Administration n.d.).
- 110.** In *Canada*, obligations concerning public contracting with indigenous business arises under most of the 25 treaties that the Government has entered into with indigenous peoples since 1975 (“Modern Treaties”). These provisions aim at enhancing economic opportunities of the indigenous groups concerned, “usually created possibilities of competing successfully for contracts in their settlement areas, or of participating in employment, training or subcontracting opportunities related to the procurement” (CanadaBuys, n.d., sec. 9.35.1(e)). Furthermore, under the Procurement Strategy for Indigenous Business, contracts are set aside mandatorily for competition among certified indigenous businesses if an indigenous population is the primary recipient or end user of the goods or services being procured and the value exceeds 5000 CAN. Additional voluntary set-asides are possible at the discretion of the awarding government department (CanadaBuys, n.d., chap. 9.40).
- 111.** In *Australia*, the purpose of the Indigenous Procurement Policy is to stimulate indigenous entrepreneurship, business and economic development. Indigenous businesses are targeted for contracts to be delivered in areas considered remote between 80,000 and 200,000 AUS\$. Furthermore, requirements regarding indigenous peoples’ employment and business participation apply to contracts wholly delivered in Australia valued at \$7.5 million or more in 19 industries. (Government of Australia 2020). The National Indigenous Australians Agency has initiated a process of consultations with a view to a reform and strengthening of the Indigenous Procurement Policy and issued a discussion paper outlining areas of possible reforms (Australian Government 2023).
- 112.** In *Malaysia*, public procurement to be used since 1970 as one of the avenues to address long-standing economic disempowerment of the majority Bumiputera population rooted in colonial past. Malaysia’s policy stands out compared to other as the government reserves all of its smallest contracts for goods, services and construction for Bumiputera-owned businesses, while these businesses compete for higher value contracts and receive a price preference. For construction contracts, 30 percent reservation is applied for Bumiputera businesses (Lee 2022; 2021).
- 113.** In *South Africa*, the Preferential Procurement Policy Framework Act (2000) requires public entities to establish a preferential procurement policy. It requires them to operate a preference point system and enables them to allocate additional points in the context of specific goals set for

⁷³ The Program does not cover private sector employers under federal jurisdiction (E. and S. D. Canada 2020). which have however, similar obligations under the Employment Equity Act.

awarding contracts to persons historically disadvantaged by unfair discrimination based on race, gender or disability.⁷⁴ Since 2003, this requirement has been implemented in conjunction with South Africa's Broad-Based Black Economic Empowerment (BBBEE) policies.⁷⁵ A Public Procurement Bill currently under consideration by Parliament aims to reform the preferential recruitment within a broader public procurement reform.⁷⁶

Emerging opportunities

- 114.** There has been an upsurge in interest in the social dimension of public procurement to particularly promote gender equality and disability inclusion (Wright et al., n.d.; UNWOMEN 2021; Mendoza Lopez and Hersch 2021; OECD 2015). In several countries using procurement policies in favour of disadvantaged racial or ethnic groups, namely *Canada, Australia and South Africa*, reforms are being discussed. Yet, a review undertaken for these policies, it appears that the number of countries that targeted procurement policies and schemes for disadvantaged vulnerable groups has overall not been increasing more recently.
- 115.** Nevertheless, in Europe, *European Union* law on public procurement has carved out a space for procurement policies in favour of disadvantaged ethnic groups, which has a potential for applying such approach in relation to the Roma minority. For example, the Western Balkans Investment Framework is promoting socially responsible public procurement to create new opportunities for vulnerable communities, including Roma communities.⁷⁷ The Handbook on sustainable public procurement in Latin America and the Caribbean developed for the Inter-American Network on Government Procurement (INGP) highlights to *Chile* as an example of taking into account the indigenous identity of bidders in the evaluation of bids (Casier et al., n.d.). This is provided for under Chile's Public Procurement Directive No. 17 (2022) setting out recommendations for inclusive public procurement and promotion of equal opportunities in the public market.⁷⁸ In *Brazil*, 30 per cent of public funds allocated to the National School Feeding Programme are to be allocated to the procurement of food sourced from family-based farms, prioritizing indigenous and Quilombola communities.⁷⁹
- 116.** While overall there is an elaborated focus on gender equality and disability inclusion in context of efforts to secure social, inclusion and sustainable public procurement, such efforts could further be strengthened by developing targeted approaches for disadvantaged ethnic groups, including indigenous and tribal peoples.

Employers' initiatives and policies to promote equality, diversity and inclusion

- 117.** Measures to combat discrimination and promote equality can be taken at various levels, including at the enterprise or workplace level. Indeed, employers both in the private and public do play an important role in the elimination of discrimination and promotion of equality in the world of work. While it is for the State to put in place and enforce appropriate legislative frameworks designed to promote equality of opportunity and treatment in employment, employers' have a responsibility to ensure compliance with legal obligations arising under such frameworks. The Tripartite Declaration

⁷⁴ *South Africa*, [Preferential Procurement Policy Framework Act \(2000\)](#), section 2. See also the [Preferential Procurement Regulations \(2022\)](#) issued under the Act.

⁷⁵ See *South Africa*, [Broad-Based Black Economic Empowerment Act \(2003\)](#), amended by the road-Based Black [Economic Empowerment Amendment Act \(2013\)](#).

⁷⁶ *South Africa*, [Public Procurement Bill \(B18-2023\)](#), chapter 4.

⁷⁷ [New opportunities for vulnerable communities through the socially responsible public procurement \(wbif.eu\)](#)

⁷⁸ *Chile*, [Public Procurement Directive No. 17 \(2022\)](#), p.5.

⁷⁹ *Brazil*, [Law No. 11.947 \(2009\)](#), sec. 2 (V).

of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) states that multinational enterprises should be guided by the principle of non-discrimination throughout their operations.

- 118.** The origin of enterprise efforts and initiatives for equality, diversity and inclusion can be traced back to the emergence of non-discrimination legislation. Diversity management appeared as an approach beginning in the 1970s in the United States, and then later in companies around the world. This approach embraces the principle of non-discrimination by articulating it from a perspective of the companies' interest in advancing it, stressing the business case for equality and non-discrimination. Indeed, large numbers of companies are recognizing that promoting diverse and inclusive workplace contributes to innovation, well-being of their employees which is linked to motivation, performance and productivity, and enhanced ability to serve client base that are increasingly diverse, amongst other factors. (Bereni 2009; Gottardello 2016; Katarzyna Hanula-Bobbitt 2021; Dibabo, Ngonyama-Ndou, and Mncwabe 2022). While the notion of diversity highlights the effort to attract a diverse workforce, it is inclusion that "influences the extent to which diverse employees are retained and able to thrive" (ILO 2022b, 29).
- 119.** Another rationale for companies to take initiatives related to equality, diversity and inclusion has been to exercise and demonstrate corporate social responsibility. This approach tends to be associated with a view according to which companies can enhance and have their legitimacy by contributing to the well-being of the community, beyond what is required under the law. Corporate social responsibility is also understood as a responsibility for impacts that companies have on their environment. Going one step further, the UNGP is a framework for action grounded in the principle that business have a responsibility to respect human rights. Hence, workplace level policies on equality, diversity and inclusion are thus also underpinned by human rights considerations. A more recent trend is to link the equality, diversity and inclusion to sustainability. Environmental, social and governance (ESG) initiatives that guide company reporting, increasingly integrate equality, diversity and inclusion considerations, which is seen as a dimension valued by investors (Katarzyna Hanula-Bobbitt 2021).
- 120.** Drawing on the results on a global survey among employees including supervisors and managers in 75 countries across all regions of the world, including in small and medium size enterprise, a recent ILO report provides new understanding and insights to better support enterprises in creating powerful and comprehensive change in eliminating all forms of discrimination within the workplace and promoting equality, diversity and inclusion, including for minority racial or ethnic groups (ILO 2022b). While the study found that there is no one size fits all approach for diversity and inclusion, four features make such initiatives transformational: (1) diversity and inclusion is a stated priority and part of the enterprise strategy and culture; (2) their representation of minoritized groups in top management; senior leaders and all managers and staff are held accountable as role models for diversity and inclusion; (4) actions are applied across the employee life cycle from recruitment through development and retention and targeted at creating both a strong sense of belonging and enabling everyone to be themselves at work with their individual needs seen, understood, cared about and, wherever possible, met. The report concludes that at present only a relatively small portion of the workplaces who responded to the survey are pursuing such a transformational approach to diversity and inclusion (ILO 2022b, 22,27). This suggests room for further reflections on how to enhance workplace initiatives and policies, including through social dialogue and support to the actors involved.

► Conclusions and proposals for action

- 121. Improving data availability.** To strengthen anti-discrimination measures and promote racial and ethnic equality in labour markets, it will be necessary to enhance the visibility of inequalities stemming from both direct and indirect discrimination through comprehensive data collection and analysis. This requires not only the expansion of labour force and household surveys to include racial and ethnic identifiers but also the careful design of probabilistic samples to ensure that meaningful inferences can be drawn about minority groups. It is not uncommon for data on racial and ethnic identifiers to be available but unusable due to insufficient or “unrepresentative” sampling. This is especially so in countries with large informal sectors and where formal registry data is often unavailable. Without robust data on racial and ethnic disparities, countries will be unable to fully grasp the scope of labour market exclusion or understand the specific barriers faced by individuals subjected to racism, racial discrimination, xenophobia and related intolerance. This is an essential first step in formulating effective policies to address and dismantle structural inequalities.
- 122.** In addition to robust data collection, it is crucial to ensure that the data is effectively processed, published and analysed to produce useful knowledge to address racial and ethnic discrimination and its consequences, through appropriate policies. This includes examining the root causes of inequality based on empirical evidence. To achieve this, it is essential to invest in training and the development of training materials for statisticians, data analysts, researchers, and policymakers.
- 123.** International organizations can play a significant role in disseminating indicators disaggregated by race and ethnicity through their digital platforms, facilitating a deeper understanding of racial or ethnic disparities worldwide. Efforts are needed to strengthen approaches, methodologies and framework for overcoming the invisibility of disadvantaged groups vulnerable to racial or ethnic discrimination in data compiled and made available by international organizations to enhance awareness and support targeted policy interventions aimed at addressing systemic disparities.
- 124. Strengthening legal protection from discrimination and policies proactively promoting equality.** Racial discrimination in the world of work is prohibited in most countries, and many do so in their labour legislation, but legal protection from discrimination often remains incomplete. The legislation does often fall short of prohibiting racial discrimination in respect to all dimensions of employment and occupation. In many countries the legislation does not yet define and prohibit indirect discrimination. In addition, the law may not yet provide for a shift of the burden of proof in discrimination cases which may undermine effective access to justice for victims of discrimination, including racial harassment. More research is needed to understand the impact of equality and non-discrimination legislation, and on what works in ensuring effective enforcement.
- 125.** At the same time there is a need for promoting equality through a appropriate range of proactive measures, including in the context of national employment and public procurement policies which currently appear to be an under-utilized policy tool to address structural discrimination and the exclusion of groups vulnerable to racial discrimination.
- 126. Tackling new risks of racial and intersecting discrimination.** While this report has reviewed existing policies, it will be necessary to build knowledge on the risk on occurrence of employment discrimination arising in connection with new technologies with a view to developing appropriate police responses. Governments should also examine the role of AI and technology in this context, ensuring that AI-driven recruitment and job-matching tools are designed to be inclusive and free from biases that reflect historical patterns of discrimination. Research should help ensure that AI

and other advanced technologies are used responsibly, minimizing the risk of perpetuating existing biases and maximizing their potential to support equitable labour market outcomes.

- 127.** A key area of concern is the rise of platform work, encompassing gig and freelance workers, many of whom come from marginalized racial and ethnic groups. Their unprotected status makes them vulnerable to exploitation, low wages, and lack of social protection. The shift towards flexible forms of employment, driven by digital platforms, risks perpetuating historical patterns of racial and ethnic discrimination if these workers are not adequately covered by labour laws. Many labour force and household surveys do not yet capture the realities of platform workers, making it difficult to study their conditions and identify inequalities. Governments must prioritize the collection and analysis of data related to gig work, disaggregated by race and ethnicity, to ensure that platform workers receive equal protection and opportunities in the labour market.
- 128. A focus on specific groups of workers vulnerable to racial and intersecting discrimination.** Domestic workers, many of whom are women from marginalized racial and ethnic backgrounds, face similar challenges in terms of legal protection and social security. Despite the adoption of the Domestic Worker Convention, 2011 (No. 189) which sets standards for domestic workers' rights, enforcement remains weak in many countries, particularly due to the informal nature of this work. These workers, often crossing borders in search of employment, are doubly at a high risk of both racial and gender-based discrimination and exploitation. Strengthening legal protections, extending labour law coverage, and ensuring access to justice are essential steps in addressing these challenges.
- 129.** Migrant workers from historically marginalized groups are often concentrated in low-wage, insecure, and informal sectors, where labour protections are minimal or absent. These workers encounter multiple disadvantages, including language barriers, restrictive legal frameworks, and social exclusion, which limit their access to decent work and social protections. To address these issues, there is a need to promote the integration of migrant workers into formal labour markets, ensure equal treatment, and provide targeted support to meet their specific needs. International cooperation is also crucial to safeguard the rights of migrant workers, particularly those at risk of discrimination and exploitation.
- 130. Ensuring inclusive social protection.** Given the evolving nature of work and the risks of reproducing inequalities, it is essential to address how these disparities may manifest themselves in social protection systems. In many countries, there is a divide between contributory social security systems, which benefit those in formal, stable employment, and their families; and non-contributory systems, often the only option for marginalized workers in informal or precarious jobs, such as platform workers, domestic workers, and migrants. This unequal access to social protection leaves disadvantaged racial and ethnic groups with lower protection, if any, exacerbating their economic vulnerability. To prevent the reproduction of inequality, countries must study and devise strategies to integrate marginalized workers into contributory systems and enhance the adequacy and accessibility of non-contributory benefits. Reducing inequality in social security systems requires addressing the root causes of exclusion in labour markets and ensuring that all workers, regardless of their employment status, race, or ethnicity, have equitable access to social protection. Only by tackling these interconnected issues can governments build more inclusive and fair social security systems that do not perpetuate labour market inequalities across and beyond the life cycle, compromising the social mobility and likelihood of social ascendance for disadvantaged racial and ethnic groups.
- 131. Strengthening social dialogue and participation in decision-making.** Many countries have established frameworks for social dialogue between government, employers, and workers, but more needs to be done to ensure that the voices of marginalized racial and ethnic groups are

included in tripartite social dialogue. In addition, it is important to strengthen the participation in decision-making of the groups concerned through their own organizations. Empowering groups to actively participate in the policy-making process is key to addressing the root causes of discrimination and inequality. Ensuring that such participation is meaningful and effective requires the development of appropriate frameworks and tools. Countries should prioritize research into what forms of consultation and participation are most effective in amplifying the perspectives of disadvantaged groups and use this knowledge to design policies that are genuinely inclusive. In the case of indigenous and tribal peoples, the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) provides clear guidance in this regard.

- 132. Promoting research, academic debate and dissemination of successful measures for addressing racial and ethnic inequalities.** Incentivizing research and debate across the global academic community and thought leaders can help foster a deeper understanding of these issues. Engaging policymakers in this discussion will also contribute to informed decision-making and the formulation of effective policies. By creating an ecosystem that prioritizes education and dialogue on racial and ethnic discrimination, countries can build a knowledgeable workforce capable of driving change and developing data-driven solutions to combat inequality.
- 133.** It is also critical that countries actively identify and disseminate successful measures that reduce racial and ethnic inequalities in the labour market. This requires a systematic approach to evaluating policies and practices, identifying those that have produced measurable improvements in labour market participation, earnings, and working conditions for marginalized groups. By sharing evidence-based best practices, countries can learn from one another and implement policies that are more effective in reducing inequalities. The ability to identify and understand what works is essential to creating a more inclusive global labour market where all workers, regardless of race or ethnicity, have access to equal opportunities and protection under the law.
- 134. Stepping up integrated, coordinated and data-driven frameworks for reducing racial and ethnic inequalities.** The world of work is an important entry point for reducing inequalities along racial, ethnic and gender lines. When people have equal access to employment opportunities and social protection their vulnerability to discrimination is reduced and inter-generational cycles of disadvantage and exclusions can be broken. However, interventions in the world of work alone will not be sufficient. There is a need for coordinated and mutually reinforcing policy interventions in a range of areas, including education, health, housing, land security and access to finance and land. In addition to mainstreaming non-discrimination across development goals and interventions, there is a need to take targeted action across all relevant policy areas if racial discrimination in all its forms, including systemic and structural discrimination, is to be eliminated. In this regard, Brazil's initiative to adopt a framework entitled "SDG 18 - Combating Racism and Promoting Ethnic and Racial Equality", was noted with appreciation by the G20 Development Ministerial Declaration for reducing inequalities. Sharing and learning across G20 countries on such frameworks for reducing racial and ethnic inequality can assist in strengthening existing national strategies or action plans on combatting racism and racial discrimination.
- 135.** In conclusion, while many countries have already taken steps to address racial and ethnic discrimination in the world of work, there is a pressing need to enhance these efforts through better data, research, social dialogue, participation and consultation of the disadvantaged groups themselves, and the sharing of successful strategies and interventions. By making inequalities visible through data, rigorously studying what works, and by putting in place targeted and integrated national frameworks for reducing racial and ethnic inequalities countries can strengthen their policy interventions, foster greater inclusion, ensure that the rights of all workers are fully protected and that no one is left behind.

References

- Albertyn, Catherine. 2007. 'Substantive Equality and Transformation in South Africa'. *South African Journal on Human Rights* 23 (2): 253–76. <https://doi.org/10.1080/19962126.2007.11864921>.
- Ang, Ien. 2022. 'On the Perils of Racialized Chineseness: Race, Nation and Entangled Racisms in China and Southeast Asia'. *Ethnic and Racial Studies* 45 (4): 757–77. <https://doi.org/10.1080/01419870.2021.1990979>.
- Araújo, Janaína. 2023. 'Novas regras da Lei de Cotas já estão em vigor'. *Senado Federal, 2023*, sec. Áudios. <https://www12.senado.leg.br/noticias/audios/2023/11/novas-regras-da-lei-de-cotas-ja-estao-em-vigor>.
- Australian Government. 2023. 'Indigenous Procurement Policy (IPP) Reform: Discussion Paper'. <https://www.niaa.gov.au/sites/default/files/publications/ipp-policy-reform-discussion-paper.pdf>.
- Banerjee, Abhijit, Marianne Bertrand, Saugato Datta, and Sendhil Mullainathan. 2009. 'Labor Market Discrimination in Delhi: Evidence from a Field Experiment'. *Journal of Comparative Economics*, Symposium: Labor Regulation In Developing Countries, 37 (1): 14–27. <https://doi.org/10.1016/j.jce.2008.09.002>.
- Berdahl, Jennifer L., and Ji-A Min. 2012. 'Prescriptive Stereotypes and Workplace Consequences for East Asians in North America'. *Cultural Diversity and Ethnic Minority Psychology* 18 (2): 141–52.
- Bereni, Laure. 2009. '« Faire de la diversité une richesse pour l'entreprise ». La transformation d'une contrainte juridique en catégorie managériale'. *Raisons politiques* 35 (3): 87–105. <https://doi.org/10.3917/rai.035.0087>.
- Biholar, Ramona. 2014. 'Challenging the Barriers to Real Equality: Transformative Equality', June.
- Blackett, Adelle. 2011. 'Introduction: Regulating Decent Work for Domestic Workers: Canadian Journal of Women & the Law'. *Canadian Journal of Women & the Law* 23 (1): 1–46. <https://doi.org/10.3138/cjwl.23.1.001>.
- Canada, Employment and Social Development. 2020. 'Federal Contractors Program'. Program descriptions. 2020. <https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/employment-equity/federal-contractors.html>.
- Canada, Government of Canada; Indigenous Services. 2023. 'Learn How Federal Indigenous Procurement Works'. Organizational description. 5 October 2023. <https://www.sac-isc.gc.ca/eng/1696513417823/1696513480139>.
- CanadaBuys. n.d. 'Supply Manual'. <https://canadabuys.canada.ca/en/how-procurement-works/policies-and-guidelines/supply-manual>.
- Carter, Sara, Samuel Mwaura, Monder Ram, Kiran Trehan, and Trevor Jones. 2015. 'Barriers to Ethnic Minority and Women's Enterprise: Existing Evidence, Policy Tensions and Unsettled Questions'. *International Small Business Journal* 33 (1): 49–69. <https://doi.org/10.1177/0266242614556823>.
- Casier, Liesbeth, Richard Huisenga, Oshani Pereira, Marina Ruete, and Laura Turley. n.d. 'Handbook on Sustainable Public Procurement in Latin America and the Caribbean'. file:///C:/Users/oelz/Downloads/compras-publicas-lac-english.pdf.
- CEDAW. 2014. 'Committee on the Elimination of Discrimination Against Women. General Recommendation No. 25, on Article 4, Paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on Temporary Special Measures., U.N. Doc. HRI/GEN/1/Rev.7'. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=INT%2FCEDAW%2FGEC%2F3733&Lang=en.
- CEPAL. 2018. *Mujeres afrodescendientes en América Latina y el Caribe: deudas de igualdad*. CEPAL. <https://www.cepal.org/es/publicaciones/43746-mujeres-afrodescendientes-america-latina-caribe-deudas-igualdad>.

CERD. 2004. 'General Recommendation No.30: Discrimination against Non-Citizens, CERD/64/Misc. 11/Rev. 3, 2004'.

———. 2009. 'General Recommendation No. 32: The Meaning and Scope of Special Measures in the International Convention on the Elimination of All Forms Racial Discrimination, UN Doc. CERD/C/GC/32'.
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CERD%2FC%2FGC%2F32&Lang=en.

CESCR. 2009. 'General Comment No. 20: Non-Discrimination in Economic, Social and Cultural Rights (Art. 2, Para. 2, of the International Covenant on Economic, Social and Cultural Rights, UN Doc. E/C.12/GC/20'.
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=E%2FC.12%2FGC%2F20&Lang=en.

Comisión Económica para América Latina y el Caribe. 2018. *Mujeres afrodescendientes en América Latina y el Caribe: deudas de igualdad*. CEPAL. <https://www.cepal.org/es/publicaciones/43746-mujeres-afrodescendientes-america-latina-caribe-deudas-igualdad>.

Crowley, Niall. 2017. 'Making Europe More Equal: A Legal Duty?' *EQUINET*.

Dibabo, Kgomototso, Thuilile Ngonyama-Ndou, and Sibaniso Mncwabe. 2022. 'Managing Gender and Racial Diversity in the Workplace'. *Journal of Contemporary Management* 19 (2): 467–82.
<https://doi.org/10.35683/jcm21103.176>.

DLA Piper. 2024. 'New Requirements for Gender Representation in Norwegian Board of Directors | DLA Piper'. 2024. <https://norway.dlapiper.com/en/news/new-requirements-gender-representation-norwegian-board-directors>.

Doner, Kathryn Victoria Bahnken. 2022. 'Seventy Years Later: Caste in the Indian Bureaucracy'. *Sociology Between the Gaps: Forgotten and Neglected Topics* 7 (1). <https://digitalcommons.providence.edu/sbg/vol7/iss1/7>.

Dupper, Ockert, and Kamala Sankaran. 2014. *Affirmative Action: A View from the Global South*. SUN MEDIA. <http://hdl.handle.net/10019.1/110867>.

ECRI. 2021. 'ECRI's Opinion on the Concept of "Racialisation" (Adopted at ECRI's 87th Plenary Meeting on 8 December 2021)'.

EEART. 2023. 'A Transformative Framework to Achieve and Sustain Employment Equity'.

EQUINET. 2021a. 'Domestic and Care Workers in Europe: An Intersectional Issue'.

———. 2021b. 'Exploring Positive Action as a Means to Fight Structural Discrimination in Europe: An EQUINET Report'.

European Union. 2022. 'European Directive on Improving the Gender Balance among Directors of Listed Companies and Related Measures'. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022L2381>.

Fibbi, Rosita, Arnfinn H. Midtbøen, and Patrick Simon. 2021. 'Concepts of Discrimination'. In *Migration and Discrimination: IMISCOE Short Reader*, edited by Rosita Fibbi, Arnfinn H. Midtbøen, and Patrick Simon, 13–20. IMISCOE Research Series. Cham: Springer International Publishing. https://doi.org/10.1007/978-3-030-67281-2_2.

Firpo, Sergio, Michael França, and Alysson Portella. 2021. 'Racial Inequality in the Brazilian Labor Market and the Role of Education'. SSRN Scholarly Paper. Rochester, NY. <https://doi.org/10.2139/ssrn.3967828>.

Fredericks, Fadwah, and Derek Yu. 2018. 'Examining Employment Discrimination in South Africa, 1997-2016'. *Development Southern Africa (Sandton, South Africa)* 35 (4): 527–53.
<https://doi.org/10.1080/0376835X.2018.1486699>.

Fredman, Sandra. 2016a. *Intersectional discrimination in EU gender equality and non-discrimination law*. LU: Publications Office of the European Union. <https://data.europa.eu/doi/10.2838/241520>.

- . 2016b. 'Substantive Equality Revisited'. *International Journal of Constitutional Law* 14 (3): 712–38. <https://doi.org/10.1093/icon/mow043>.
- Giraut, Camille. 2023. 'From Privileges to Rights: Changing Perceptions of Racial Quotas in Brazil'. *Ethnic and Racial Studies* 0 (0): 1–24. <https://doi.org/10.1080/01419870.2023.2277326>.
- Gottardello, Debora. 2016. 'La gestión de la diversidad en las empresas: desde las acciones afirmativas a las políticas de igualdad de oportunidades y las repercusiones en el contexto Español'. *GIZAEKOA - Revista Vasca de Economía Social*, no. 13. <https://doi.org/10.1387/reves.17538>.
- Government of Australia. 2020. 'Indigenous Procurement Policy'. https://www.niaa.gov.au/sites/default/files/publications/ipp-guide_0.pdf.
- Government of Brazil. 2023. 'In Brazil, a New Decree Establishes That 30% of All Public Trust Positions in the Federal Government Are to Be Occupied by Black People'. Secretaria de Comunicação Social. 2023. <https://www.gov.br/secom/en/latest-news/in-brazil-a-new-decree-establishes-that-30-of-all-public-trust-positions-in-the-federal-government-are-to-be-occupied-by-black-people>.
- Government of India. 2022. 'Compendium of Instructions on Reservation in Appointments'. <https://documents.doctrirculars.nic.in/D2/D02est/Compendium%20of%20Instructions%20on%20Reservation%20n%20AppointmentsSUBSi.pdf>.
- . 2024. 'Office Memorandum: Reservation for SCs, STs, OBCs, PwDs and EWS in Posts and Services in the Central Government (No.36011/1/2022-Estt(Res-I)'. 2024. <https://doctrirculars.nic.in/OM/ViewOM.aspx?id=471&headid=6>.
- Grossman, Shelby, and Dan Honig. 2017. 'Evidence from Lagos on Discrimination across Ethnic and Class Identities in Informal Trade'. *World Development* 96 (August):520–28. <https://doi.org/10.1016/j.worlddev.2017.03.033>.
- Heringer, Rosana. 2024. 'Affirmative Action Policies in Higher Education in Brazil: Outcomes and Future Challenges'. *Social Sciences* 13 (3): 132. <https://doi.org/10.3390/socsci13030132>.
- Hodges-Aeberhardt, Jane. 1999. 'Affirmative Action in Employment: Recent Court Approaches to a Difficult Concept'. *International Labour Review* 138 (3): 247–72.
- ILC. 1957. 'Discrimination in the Field of Employment and Occupation'. Report VII(2). https://ilo.primo.exlibrisgroup.com/discovery/delivery/41ILO_INST:41ILO_V2/1246515850002676.
- . 2008. 'Labour Clauses in Public Contracts: Integrating the Social Dimension into Procurement Policies and Practices, General Survey Concerning the Labour Clauses (Public Contracts) Convention, 1949 (No. 94) and Recommendation (No. 84)'.
 ———. 2021. 'Resolution Concerning Inequalities and the World of Work'. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_832096.pdf.
- ILO. 1988. 'Equality in Employment and Occupation, General Survey on the Report on the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958'. [https://webapps.ilo.org/public/libdoc/ilo/P/09661/09661\(1988-75-4B\).pdf](https://webapps.ilo.org/public/libdoc/ilo/P/09661/09661(1988-75-4B).pdf).
- . 2003. 'Time for Equality at Work. Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 91st Session (Geneva)'. [http://www.ilo.org/public/libdoc/ilo/P/09382/09382\(2003-91\).pdf](http://www.ilo.org/public/libdoc/ilo/P/09382/09382(2003-91).pdf).
- . 2012a. 'General Survey on the Fundamental Conventions Concerning Rights at Work in Light of the ILO Declaration on Social Justice for a Fair Globalization, 2008'. 2012. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174846.pdf.

- . 2012b. 'Giving Globalization a Human Face: General Survey on the Fundamental Conventions Concerning Rights at Work in Light of the ILO Declaration on Social Justice for a Fair Globalization, 2008, Report III (Part 1B)'. Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22 and 35 of the Constitution) ILC.101/III/1B. Geneva: International Labour Organisation.
https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174846.pdf.
- . 2014. *Promoting Equity - Ethnic Diversity in the Workplace: A Step-by-Step Guide*.
- . 2016. *Promoting Diversity and Inclusion through Workplace Adjustments: A Practical Guide*.
https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_536630.pdf.
- . 2019. *General Observation on Discrimination Based on Race, Colour and National Extraction*.
https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_717510.pdf.
- . 2020. 'Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an Inclusive, Sustainable and Just Future'. Report. http://www.ilo.org/global/publications/books/WCMS_735607/lang-en/index.htm.
- . 2022a. 'ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 13 (Labour Inspection and Non-Discrimination)'. https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/genericdocument/wcms_856573.pdf.
- . 2022b. *Transforming Enterprises through Diversity and Inclusion*.
- . 2022c. *Understanding Patterns of Structural Discrimination of Migrant and Other Workers in Some Countries of South and West Asia | International Labour Organization*. <https://www.ilo.org/publications/understanding-patterns-structural-discrimination-migrant-and-other-workers>.
- . 2023a. 'Achieving Gender Equality in the World of Work ,General Survey on the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), the Maternity Protection Convention, 2000 (No. 183), the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111), the Workers with Family Responsibilities Recommendation, 1981 (No. 165) and the Maternity Protection Recommendation, 2000 (No. 191)'.
https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_870823.pdf.
- . 2023b. 'Issue Paper on Child Labour and Education Exclusion among Indigenous Children'.
- . 2023c. 'The Road to Decent Work for Domestic Workers'. Report.
http://www.ilo.org/global/topics/domestic-workers/publications/WCMS_883181/lang-en/index.htm.
- IPEA. 2021. 'Implementação de Ações Afirmativas Para Negros e Negras No Serviço Público: Desa Os e Perspectivas'. *Boletim de Análise Político-Institucional* 31.
- Katarzyna Hanula-Bobbitt. 2021. 'Commitment to Inclusion as a Diversity Management Strategy'. In *The Future of Diversity*, 65–76.
- Kawai, Yuko. 2015. 'Deracialised Race, Obscured Racism: Japaneseness, Western and Japanese Concepts of Race, and Modalities of Racism'. *Japanese Studies* 35 (1): 23–47. <https://doi.org/10.1080/10371397.2015.1006598>.
- Lee, Hwok-Aun. 2021. 'Public Procurement and Bumiputera Company Development in the Construction Industry: Reviewing Policies, Exploring Possibilities'. Institute for Democracy and Economic Affairs (IDEAS).
- . 2022. 'Malaysia's Bumiputera Development Action 2030: Maintaining Focus, Moderating Ambition'. *Perspective*, no. No. 51.
- Linos, Natalia, Mary T. Bassett, Alejandra Salemi, Margareta Matache, Konstantinos Tararas, Rodney Kort, Susana Gomez, et al. 2022. 'Opportunities to Tackle Structural Racism and Ethnicity-Based Discrimination in Recovering

and Rebuilding from the COVID-19 Pandemic'. *Nature Communications* 13 (1): 3277.
<https://doi.org/10.1038/s41467-022-30791-w>.

Løvås Sagerup, Marianne. 2024. 'The Norwegian Parliament has passed new rules on gender representation in corporate boards', 10 January 2024. <https://selmer.no/aktuelt/the-norwegian-parliament-has-passed-new-rules-on-gender-representation-in-corporate-boards>.

Macdonald, Andrew W. 2019. 'Outsider Ethnic Minorities and Wage Determination in China'. *International Labour Review* Vol.158 (3): 489–508. <https://doi.org/10.1111/ilr.12074>.

McCrudden, Christopher. 1982. 'Institutional Discrimination'. *Oxford Journal of Legal Studies* 2 (3): 303–67.

———. 2007. *Buying Social Justice: Equality, Government Procurement, & Legal Change*. Oxford, New York: Oxford University Press.

Mendoza Lopez, Fernando, and Joni Hersch. 2021. 'Socioeconomic Policies In Public Procurement: What Should We Be Asking of Public Procurement Systems?' SSRN Scholarly Paper. Rochester, NY.
<https://papers.ssrn.com/abstract=3907991>.

Motro, Daphna, Johnathon B. Evans, Aleksander P. J. Ellis, and Lehman Benson. 2022. 'Race and Reactions to Women's Expressions of Anger at Work: Examining the Effects of the "Angry Black Woman" Stereotype". *Journal of Applied Psychology* 107 (1): 142–52.

Naidoo, Karmen, Ben Standwix, and Derek Yu. 2014. 'REFLECTING ON RACIAL DISCRIMINATION IN THE POST-APARTHEID SOUTH AFRICAN LABOUR MARKET'. DPRU Policy Brief14/39. World Bank Group.
https://commerce.uct.ac.za/sites/default/files/content_migration/commerce_uct_ac_za/1093/files/DPRU%2520PB%252014-39.pdf.

NCSCCT, National Commission for Scheduled Castes and Tribes. 2021. 'Annual Report 2018-19 and 2019-20'.

OECD. 2013. 'Discrimination against Immigrants – Measurement, Incidence and Policy Instruments'.
https://www.oecd-ilibrary.org/content/component/migr_outlook-2013-7-en.

———. 2015. 'Reforming Public Procurement: Progress in Implementing the 2015 OECD Recommendation'.

Oelz, Martin, and Uma Rani. 2015. 'Domestic Work, Wages, and Gender Equality: Lessons from Developing Countries'. Gender, Equality and Diversity Branch (GED) Working Paper No. 5/2015.
https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_430902.pdf.

Office of the United Nations High Commissioner for Human Rights (OHCHR), and Equal Rights Trust. 2023. *Protecting Minority Rights: A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation*. United Nations. <https://doi.org/10.18356/9789210013901>.

Oppel, Annalena. 2021. 'Normalizing Necessity? Support Networks and Racial Inequality in Namibia'. *World Development* 147 (November):105649. <https://doi.org/10.1016/j.worlddev.2021.105649>.

Perea, John F. 2011. 'The Echoes of Slavery: Recognizing the Racist Origins of the Agricultural and Domestic Worker Exclusion from the National Labor Relations Act'. *OHIO ST. LJ* 72:95–138.

Rani, Uma, Patrick Belser, Martin Oelz, and Setareh Ranjbar. 2013. 'Minimum Wage Coverage and Compliance in Developing Countries'. *International Labour Review* 152 (3–4): 381–410.

Reuters. 2023. 'Norway Proposes 40% Gender Quota for Large and Mid-Size Unlisted Firms'. *Reuters*, 19 June 2023, sec. European Markets. <https://www.reuters.com/markets/europe/norway-proposes-40-gender-quota-large-mid-size-unlisted-firms-2023-06-19/>.

Sheppard, Colleen. 2012. 'Mapping Anti-Discrimination Law onto Inequality at Work: Expanding the Meaning of Equality in International Labour Law'. *International Labour Review* 151 (1–2): 1–19.

- Teigen, Mari. 2022. 'Gender Quotas for Corporate Boards: A Qualified Success in Changing Male Dominance in the Boardroom'. In *Successful Public Policy in the Nordic Countries: Cases, Lessons, Challenges*, edited by Caroline de la Porte, Guðný Björk Eydal, Jaakko Kauko, Daniel Nohrstedt, Paul 't Hart, and Bent Sofus Tranøy, 0. Oxford University Press. <https://doi.org/10.1093/oso/9780192856296.003.0007>.
- Tekle, Tzehainesh. 2014. 'An International Perspective on Affirmative Action'. In *Affirmative Action: A View from the Global South*, 89–117.
- Tesfai, Rebecca. 2020. 'Immigrants' Occupational Segregation in France: "Brown-Collar" Jobs or a Sub-Saharan African Disadvantage?' *Ethnic and Racial Studies* 43 (15): 2724–45. <https://doi.org/10.1080/01419870.2019.1686162>.
- Tomei, Manuela. 2003. 'Discrimination and Equality at Work: A Review of the Concepts'. *International Labour Review* 142 (4): 401–18. <https://doi.org/10.1111/j.1564-913X.2003.tb00538.x>.
- . 2005. 'Affirmative Action for Racial Equality: Features, Impact and Challenges'. <https://labourdiscovery.ilo.org>.
- United Nations. 2023. 'Facilitating the Journey from Rhetoric to Reality: Report of the Working Group of Experts on People of African Descent, A/HRC/54/71'. 2023.
- UNWOMEN. 2021. 'Empowering-Women-through-Public-Procurement-and-Enabling-Inclusive-Growth-En.Pdf'. <https://www.unwomen.org/sites/default/files/2021-11/Empowering-women-through-public-procurement-and-enabling-inclusive-growth-en.pdf>.
- U.S. Small Business Administration. n.d. 'Guide for Demonstrating Social Disadvantage - Certify Knowledge Base - Confluence'. <https://sbaone.atlassian.net/wiki/spaces/CKB/pages/2768076819/Guide+for+Demonstrating+Social+Disadvantage>.
- Uyen, Vu Thi. 2022. 'How to Improve Employment Creation for Labor in Ethnic Minority and Mountainous Areas in Vietnam'. *The International Journal of Business & Management* 10 (5). <https://indianjournalofmanagement.com/index.php/theijbm/article/view/169813>.
- Vieira, Renato Schwambach, and Mary Arends-Kuenning. 2019. 'Affirmative Action in Brazilian Universities: Effects on the Enrollment of Targeted Groups'. *Economics of Education Review* 73 (December):101931. <https://doi.org/10.1016/j.econedurev.2019.101931>.
- Weiner, Michael. 2022. *Handbook of Race and Ethnicity in Asia*. <https://www.routledge.com/Routledge-Handbook-of-Race-and-Ethnicity-in-Asia/Weiner/p/book/9781032039732>.
- World Bank. 2019. 'Drivers of Socio-Economic Development Among Ethnic Minority Groups in Vietnam'. <https://documents1.worldbank.org/curated/en/168971565786956800/pdf/Drivers-of-Socio-Economic-Development-Among-Ethnic-Minority-Groups-in-Vietnam.pdf>.
- Wright, Tessa, Hazel Conley, Joyce Mamode, and E.EK. Sarter. n.d. 'Buying-Social-Justice-Final-Report-Nov-2023-1.Pdf'. 2023. Accessed 10 May 2024. <https://buyingsocialjustice.org.uk/wp-content/uploads/2023/11/Buying-Social-Justice-final-report-Nov-2023-1.pdf>.

Appendix: List of data sources by country and years

Country	Survey	Years
United States of America	Current Population Survey (CPS)	2005 to 2022
Brazil	Continuous National Household Sample Survey (PNAD-C)	2012 to 2022
United Kingdom	Labour Force Survey	2011 to 2022
South Africa	Quarterly Labour Force Survey	2008 to 2022