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Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action

Report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on its twenty-first session

Summary

The present report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action provides information on the twenty-first session of the Working Group, held in Geneva from 16 to 20 October and from 20 to 24 November 2023.



I. Introduction

1. The present report is submitted by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action in accordance with Human Rights Council resolution 52/37.

II. Organization of the session

2. The Working Group held its twenty-first session in Geneva from 16 to 20 October and from 20 to 24 November 2023. Participants discussed the situation of racial discrimination worldwide and the contribution of the Durban Declaration and Programme of Action to strengthening the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action and reviewed the progress achieved in implementing the Durban Declaration and Programme of Action and the programme of activities for the International Decade for People of African Descent. The Working Group also discussed the measures to be taken to enhance the effectiveness of the Durban follow-up mechanisms and to ensure better synergy and complementarities in their work. During the session, the Working Group continued the discussions on the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent, as requested by the General Assembly in its resolution 76/226. Those discussions will be reflected in a status report to be considered by the General Assembly at its seventy-ninth session.

A. Attendance

3. The session was attended by representatives of States Members of the United Nations, United Nations bodies and intergovernmental and non-governmental organizations (see annex).

B. Opening of the session and election of the Chair-Rapporteur

4. The twenty-first session of the Working Group was opened by the Chief of the Rule of Law, Equality and Non-discrimination Branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR). In his opening statement, he highlighted the importance of the Durban Declaration and Programme of Action, which had been adopted by consensus, in identifying the victims of racial discrimination, racism, xenophobia and related intolerance and providing specific and practical measures of prevention, education and protection and effective remedies for acts of racial discrimination. He also recalled how the United Nations architecture against racism had been strengthened over the past few years and was currently composed of eight mechanisms that addressed issues of systemic and structural racism. He welcomed the important work of the Working Group in elaborating a draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent as it represented an important step forward in recognizing the challenges faced by such people and providing solutions. Moreover, the current draft contained an acknowledgment of the historical injustice faced by people of African descent and measures to ensure their effective participation in actions to confront the legacy of enslavement and colonialism and to deliver reparatory justice. He stressed the collective responsibility to uphold the principle of equality and non-discrimination, as contained in the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action.

5. The Permanent Representative of Rwanda to the United Nations Office and other international organizations in Geneva, Marie Chantal Rwakazina, was elected Chair-Rapporteur.

6. After the election of the Chair-Rapporteur, the Working Group adopted its programme of work.

C. Statements

7. The representative of South Africa highlighted that the Durban Declaration and Programme of Action was the most comprehensive instrument against racism and expressed concerns about some States hesitating to adopt the measures contained therein.

8. The representative of Nigeria expressed concerns about the progress made in implementing the Durban Declaration and Programme of Action and invited States and other stakeholders to demonstrate genuine commitment to effectively combat racism and racial discrimination.

9. The representative of Algeria drew attention to the situation of occupied peoples who suffered from racism and exclusion and recalled that the Durban Declaration and Programme of Action recognized their right to self-determination. Algeria had recently adopted an anti-discrimination law that covered hate speech.

10. The representative of Iraq reaffirmed the importance of combating all forms of racial discrimination throughout the world and the importance of having legislative frameworks against racist acts and the dissemination of hatred.

11. The representative of Brazil reaffirmed the State's commitment to the promotion of racial equality and the full implementation of the Durban Declaration and Programme of Action. She recalled a resolution¹ recently adopted by the Human Rights Council on a world of sports free from racism and reiterated the support of Brazil for a second International Decade for People of African Descent and its full commitment to negotiating a draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent.

12. The representative of the Plurinational State of Bolivia recalled that the struggle of Bolivians was marked by their claims for independence and self-determination, as well as sovereignty, to fight the effects of colonialism that dehumanized all human groups, including campesinos and Indigenous Peoples. She expressed concerns about structural racism and historical inequalities within and among States and called for condemnation and rejection of all forms – past and present – of colonialism and racism.

13. The representative of the Bolivarian Republic of Venezuela raised concerns about the increase in acts of racial discrimination and hate speech. The representative described the strengthening of a national institute to combat discrimination and a national council with the participation of people with disabilities.

14. The representative of Malawi recalled that the Durban Declaration and Programme of Action was a victim-centred document that offered practical steps to combat racism and other forms of discrimination.

15. The representative of the European Union reaffirmed its commitment to engage constructively in discussions. Hatred and intolerance were incompatible with the European Union project, which was built on diversity and pluralism in society. The European Union had a strong legal framework against racial discrimination, including its Anti-racism Action Plan 2020–2025, which aimed at putting equality at the centre of all policy areas. The representative also mentioned the importance of eliminating bias in the criminal justice system and overcoming stereotypes and prejudices.

16. The representative of the International Youth and Student Movement for the United Nations expressed concern about the lack of action aimed at raising awareness of the Durban Declaration and Programme of Action, which was a necessary step in its implementation.

¹ Human Rights Council resolution 54/25.

III. Discussions on the situation of racial discrimination worldwide

17. The Working Group considered the situation of racial discrimination worldwide (under agenda item 5, as listed in the programme of work of the twenty-first session). Experts gave presentations, as described below.

18. Barbara Reynolds, Chair of the Working Group of Experts on People of African Descent, affirmed that there was mixed evidence of progress on combating racial discrimination against people of African descent, noting advances in legislation, policies, programmes and strategies aimed at levelling the playing field for people of African descent to enter into the middle class through education and employment opportunities. However, there were other areas in which, due to the lack of participation of people of African descent or inadequate funding, large numbers of people were underemployed, economically dependent and affected by limited access to basic social services, which led to increased homelessness, morbidity and mortality. Postcolonial structures, systems, policies and practices continued to subject people of African descent to a third wave of economic and social deprivation, and racial discrimination in banking, finance, insurance, taxation, land rights and land use continued to constrain wealth creation and maintain its unequal distribution, leaving large numbers of people of African descent in poverty. Major reversals on reparatory justice and the advances made in relation to education systems and the increasing acceptance of anti-Black racism and Afrophobia, as well as multiple forms of discrimination by Governments, were troubling; the increased policing and criminalization of Black neighbourhoods, the experience of Haitian migrants and South Sudanese refugees were examples of the stigmatization of Black peoples and were leading to new crises in relation to self-identification. The digital divide and the inequitable impact of artificial intelligence must be reduced and the potential misuse and abuse of artificial intelligence required global efforts. The work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action was indispensable in achieving racial justice, which needed to include global efforts to ensure reparatory justice.

19. Epsy Campbell Barr, Chair of the Permanent Forum on People of African Descent, emphasized that systemic racism, racial discrimination and various forms of xenophobia around the world undermined the universality of human rights as noted in the continued excessive use of force by law enforcement personnel on people of African descent and migrants and asylum-seekers of African descent. She reaffirmed the commitment of the Permanent Forum to the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent and called for an extension of the International Decade for People of African Descent. Reparatory justice was a necessary condition for effective sustainable development and the fight against structural and systemic racism. People of African descent were invisible in policymaking processes and there was an urgent need to collect disaggregated data on racial and ethnic origin, sex, gender, age, geographic location, employment and economic status. People of African descent were disproportionately affected by climate change and discriminatory migration policies, which needed to be highlighted in order to find global policy solutions. Colonialism, enslavement, apartheid, racism and racial discrimination had created intergenerational trauma and intersectional health disparities that needed to be overcome through policymaking.

20. Hanna Suchocka, Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action, emphasized the significance of the Durban Declaration and Programme of Action as a pivotal document that addressed racism, racial discrimination, xenophobia and related intolerance. She highlighted the historical significance of the Durban Declaration and Programme of Action, its key provisions, including the need for national action plans, stronger legislation and initiatives in areas such as education, awareness-raising, employment, health and environmental protection, as well as remedies and positive actions for victims of racial discrimination. The Durban Declaration and Programme of Action contained an acknowledgment of historical wrongs, such as enslavement and the trade in enslaved Africans as a crime against humanity and the role of colonialism in perpetuating racism and discrimination; the intersection of race, gender and other grounds of discrimination were also highlighted therein. The Durban

Declaration and Programme of Action clearly called upon States to counter antisemitism, Islamophobia and anti-Arabism, in opposing all forms of racism, and to take effective measures to prevent the emergence of movements based on racism and discriminatory ideas concerning these communities. It recognized both the right of the Palestinian people to self-determination and the right of Israel and all States in the region to security, and called for an end to the violence, respect for international human rights and humanitarian law, and the resumption of the peace process. It also affirmed that the Holocaust must never be forgotten.

21. Juan Méndez, member of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, highlighted the primary role of the Mechanism, which was to examine systemic racism and its root causes faced by Africans and people of African descent, focusing on the excessive use of force, racial profiling and other human rights violations by law enforcement officials and within the criminal justice system. He noted the ongoing global challenges, including systemic racism, that led to racial profiling, stereotyping and police-related human rights violations. He highlighted the work that the Mechanism had conducted since its establishment, such as engaging with States on specific cases and country visits to Sweden, the United States of America and Brazil. He also mentioned the annual thematic reports on disaggregated data and reimagining policing and emphasized the need for comprehensive reform and institutional transformation of law enforcement institutions. He welcomed the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent.

22. The representative of the European Union emphasized the connection between human rights and law enforcement, advocating for a human rights-based approach to policing in compliance with international norms and standards. She highlighted efforts in Europe, including work by the Council of Europe and the European Union Agency for Fundamental Rights, on issues such as police stops, guidance against unlawful profiling and police training focusing on legality, necessity and proportionality.

23. The representative of Brazil reaffirmed the commitment of the State to its work with the United Nations mechanisms against racism and the upcoming country visit of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement Mechanism to Brazil in November 2023 and expressed confidence in establishing a constructive dialogue with the Mechanism to address complex human rights issues in law enforcement.

IV. Discussion on the contribution of the Durban Declaration and Programme of Action to strengthening the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action

24. The Working Group discussed the contribution of the Durban Declaration and Programme of Action to strengthening the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action (under agenda item 6, as listed in the programme of work). Experts gave presentations, as described below, and held a thematic panel on sport and racism.

25. Márcia de Lima Silva, Secretary of Affirmative Action Policies and Combating Racism at the Ministry of Racial Equality of Brazil, highlighted various laws, policies and judicial decisions promoting racial equality in Brazil. In the census carried out in 2019, 56.2 per cent of the Brazilian population had declared themselves to be of African descent. She mentioned the work of the Ministry of Racial Equality on the promotion of racial equality, affirmative action policies to combat racism and policies for Quilombolas, peoples and communities of African origin, terreiro peoples and Gypsies. Access to land remained an important national issue and 663 Quilombola families, comprised of 3,315 persons, benefited from those policies. Various working groups had been created to deal with issues such as affirmative action, reducing homicides and social vulnerabilities of Black youth and combating violence that affected peoples and traditional communities of African origin, and to promote initiatives for the recognition and preservation of African memory and heritage. She also mentioned the international engagement of Brazil on racial equality, such as the

memorandum of understanding signed with Portugal on the observatory on xenophobia and racism at the University of Lisbon and an agreement with Spain on policies to combat racism and xenophobia and to promote equality.

26. On the seventy-fifth anniversary of the Universal Declaration of Human Rights, Ms. Campbell Barr acknowledged the significance of the instrument in combating racism. The Vienna Declaration and Programme of Action reinforced the commitment to uphold fundamental rights and eliminate racism. The Durban Declaration and Programme of Action played a central role in addressing racism in all its manifestations, connecting historical issues, past experiences and present realities. The Durban Declaration and Programme of Action contained decisive measures to dismantle racist structures and address the consequences of colonialism and it provided tools for recourse and reparations for victims of racial discrimination. She recognized the importance of new technologies in promoting equality and the need to address increasing hate speech, including online. She mentioned the misuse of information technology surveillance, which posed significant risks for people of African descent. She called for support for a second International Decade for People of African Descent as not all the objectives of the first Decade had been achieved. The main obstacles in promoting the rights of people of African descent were the lack of political will and the absence of specific strategies and programmes by States. She stressed the need for collective action and commitment regarding the draft declaration being discussed at the current session of the Working Group, which represented a major milestone for people of African descent, and emphasized the need for reparations for past violations and injustices as a major objective of the draft declaration.

27. Juliana Santos Wahlgren, Director of the European Anti-Poverty Network, spoke about the intersection of racial justice and socioeconomic rights, stressing that the concept of racialization was embedded in such a context. She highlighted the positive impacts of the implementation of the United Nations instruments and the European Union framework against discrimination and on people of African descent, particularly the recognition of links between the manifestations of contemporary racial discrimination and colonialism, enslavement and capitalism. She acknowledged the need to collect and disaggregate data on different grounds of discrimination, as well as the need to analyse racism in various social dimensions. She called for an intersectional approach in policymaking and pointed out the lack of a class perspective in the Anti-racism Action Plan and climate policies of the European Union.

28. Patrick Taran, President of Global Migration Policy Associates, recalled that the Durban Declaration and Programme of Action contained several provisions on the protection of the rights of migrants, refugees and non-nationals. He highlighted concerns about the increased discrimination, xenophobia and hate speech against migrants and called for migration policies that treated everyone as equal, including minimum standards in the areas of employment, housing and health. Definitions of “nation” and “nationality” were often based on underlying racialized ideologies, which constituted the main ground of discrimination against migrants. Although discrimination on multiple grounds was outlawed in all the core international human rights conventions, intersecting discrimination was the basis of social and economic stratification and exploitation. He called for an intersectional approach to discrimination and noted that the Committee on the Elimination of Racial Discrimination, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the European Union Agency for Fundamental Rights had adopted such an approach. He closed his intervention by calling for a decade against discrimination and for equality of treatment for all.

29. John Antón Sánchez, professor at the Instituto de Altos Estudios Nacionales, Postgraduate University of Ecuador, and member of the Latin American Alliance for the International Decade for People of African Descent, affirmed that the concepts of autonomy and self-determination were crucial for people of African descent in Latin America and emphasized the importance of recognizing the collective dimension, and the group character, of people of African descent in the region. According to the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization and the criterion of self-identification, people of African descent in Latin America had collective rights and should be recognized as “peoples”. That legal protection had been confirmed by the Inter-

American Court of Human Rights in various decisions, including its judgment in *Saramaka People v. Suriname*.² He also recalled general recommendation No. 34 (2011) of the Committee on the Elimination of Racial Discrimination, in which the Committee recognized the collective dimension of the rights of people of African descent, in particular, related to the right to property and to the use of lands, cultural identity, protection of traditional knowledge and prior consultation. He called for the need to include structural and cultural dimensions in the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent.

V. Thematic discussion: contribution of the Durban Declaration and Programme of Action to strengthening the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action – panel on sport and racism

30. The panel on sport and racism began with a statement by the United Nations Deputy High Commissioner for Human Rights, who emphasized the power of sport to unite nations around the globe and across cultures. As sport possessed transformative potential, it was imperative to address the challenges and systemic issues that continued to cast a shadow over sport and sports professionals. The Deputy High Commissioner raised concerns about the impact of racism and discrimination on athletes' dignity and their right to participation and to physical safety. Racism in sport could manifest itself in various forms, from racial slurs to systemic barriers. Discriminatory regulations and laws disproportionately affected individuals and communities, particularly women, who were often deprived of free and equal access to sports and faced gender-based discrimination and violence, such as unequal pay, sexual abuse and limited sponsorship. The Deputy High Commissioner cited the recent Human Rights Council resolution on racism in sports as a demonstration of the global commitment to the topic and highlighted how, in the resolution, the Council had underscored the need to counter impunity for racially motivated crimes and addressed incitements to discrimination, hatred, hostility and violence, while urging that efforts be made in policies, legislation and programmes at the local level. OHCHR had established a strategic partnership with the Global Observatory for Gender Equality and Sport, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to promote women's rights in and through sports. The Deputy High Commissioner called for collaborative actions to eradicate racism, racial discrimination, xenophobia and related intolerance from the world of sports.

31. Fatma Samoura, Secretary-General of the Fédération Internationale de Football Association (FIFA), highlighted the efforts of the organization to fight against all forms of discrimination and the requirement of all its members to respect diversity and adopt a policy of zero tolerance towards racism. FIFA had started the No Discrimination campaign and had developed a service – the Social Media Protection Service – to protect players from racist messages on social media. She also mentioned the programme for schools and the refugee programme, and underscored the efforts of FIFA, including the introduction of the three-step procedure that allowed referees to halt and abandon matches if players were subjected to racial abuse and other forms of discrimination. FIFA had enacted disciplinary measures to combat racism in the organization and acknowledged the need for member associations and law enforcement authorities to implement disciplinary and other measures to counter racism in sports, as well.

32. Tracie L. Keese, member of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, affirmed that racism in sport was closely linked to the actions of law enforcement and private security personnel. A critical aspect of the presence of law enforcement personnel at sporting events was to ensure respect for the rights and safety of everyone involved, from spectators to workers and to the players

² Inter-American Court of Human Rights, *Saramaka People v. Suriname*, Series C No. 185, Judgment, 28 November 2007.

themselves. The issues of discrimination and racism within sport were not new. Decades ago, it was common for stadiums and clubs to be segregated by race and ethnicity. Historical beliefs regarding ethnicity, stereotyping and narratives of colour-blindness were still prevalent. In fact, in 2020, as players and spectators became vocal regarding social justice movements, especially after the murder of George Floyd, racist abuse from fans and between teams increased for spectators and players, specifically Africans and people of African descent. It was critical for those who were tasked with providing safety and enforcing the law to understand their role in protecting human rights and the fight against racism, specifically spectators and players of African descent. Ms. Keesee provided some recommendations to address racism in sport linked to law enforcement, namely: personnel should adopt a human rights-based approach to safety; law enforcement and security forces should be diverse and inclusive; they should be trained in implicit bias and de-escalation tactics; policies for spectators should cover expulsion and investigation for racialized incidents; and sporting clubs, leagues and associations should collect data on all racial incidents and publish the results annually, along with the resolutions thereto.

33. Ana Luiza Thompson-Flores, Director of the UNESCO Liaison Office in Geneva, highlighted the organization's Fit for Life flagship programme that mainstreamed the fight against racism and aimed for inclusive sports and societies. The Fit for Life programme was in line with the commitments emanating from the Durban Declaration and Programme of Action to globally eradicate racial discrimination and foster inclusivity. While the Durban Declaration and Programme of Action provided a framework that resonated with the principles of universality, equality and non-discrimination enshrined in fundamental human rights, the Fit for Life programme sought to deploy sports as a lever for inclusive and respectful societies and for the social inclusion of persons in vulnerable situations. The Fit for Life Alliance of high-level athletes against racism and discrimination was established in June to increase the impact of the programme.

34. Emanuel Macedo de Medeiros, Global Chief Executive Officer of the Sport Integrity Global Alliance, presented statistical data on incidents of discrimination across the globe, with 1,007 reports of discriminatory behaviour (received by the Kick It Out organization) between 2022 and 2023, which represented an increase of 65.1 per cent compared with the previous season, and explained that 49.3 per cent of the total number of reports were related to racism. The sporting industry had a long history of benefiting from the labour of enslaved individuals; as many sports had been developed by exploiting enslaved people, the history of oppression had not been fully eradicated from the industry and it still affected the lives and opportunities of many. Mr. Medeiros described the composition of the Permanent Committee on Gender, Race, Inclusion and Diversity in Sport, which was a key part of the efforts of the Sport Integrity Global Alliance to ensure greater diversity and inclusion in the decision-making organs of sports organizations. At the General Assembly of the Alliance, the Permanent Committee on Gender, Race, Inclusion and Diversity in Sport had recognized that systemic racism and inequality persisted and that the responsibility of members of the sporting industry was to use their influence to advocate for change and promote diversity and inclusion. The Alliance's Universal Standards on Good Governance in Sport were aimed at creating a world free of racism and all forms of discrimination in sport.

35. Sarah Gregorius, Director of Global Policy and Strategic Relations for Women's Football at the International Federation of Professional Footballers' Associations, affirmed that players had reported a wide range of instances of overt racism, from derogatory slurs to structural racism. She highlighted the efforts to tackle racism by several alliances within the global movement of players' unions and underscored the Global Dialogue Forum on Decent Work in the World of Sport, which had been organized by the International Labour Organization, as an initiative to protect athletes from acts of violence, racism, abuse and discrimination through education programmes, coalitions, anti-discrimination legislation, zero-tolerance policies, awareness-raising and effective redress mechanisms. She noted the need to protect players from disproportionate or inappropriate sanctions for fighting discrimination.

36. Donna Fraser, Director of Equality, Diversity and Inclusion at the Professional Cricketers' Association, provided information on the work of the organization in its educational programme for players to address the situations that they faced due to

discrimination. She highlighted the participation of the World Players Association at the inaugural Global Dialogue Forum on Decent Work in the World of Sport organized by the International Labour Organization in 2020. In that Forum, participants had acknowledged that athletes were exposed to violence and harassment, including gender-based violence, racism and other forms of discrimination, and had highlighted several International Labour Organization conventions, including the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Violence and Harassment Convention, 2019 (No. 190), that were particularly relevant in supporting Governments, and other stakeholders, in preventing and addressing discrimination, violence and harassment in sport.

37. Gerd Dembowski, Senior Manager at FIFA, highlighted the policy of zero tolerance towards racism and focused on recommendations to States and other stakeholders. He underscored the importance of cooperation among law enforcement agencies, public authorities and local football structures when dealing with incidents of discrimination during matches. He presented the five-pillar approach of FIFA, namely: regulation, education, controls and sanctions, networking and communication. He listed as possible actions for collaboration the harmonization of national regulations with the FIFA statutes and human rights policy and the implementation of the FIFA five-pillar strategy against racism and other forms of discrimination. He highlighted the importance of broader efforts to develop educational anti-discriminatory strategies in football and society, the creation of a database analysing issues of discrimination in football competitions, the establishment of specialized anti-discrimination monitoring systems with corresponding procedures to report incidents and support players, officers and the public, and a national media protection system. He also proposed setting up a consultative body with external stakeholders who were experts on anti-discrimination and to engage with fan-led initiatives to discuss discriminatory manifestations and anti-discrimination actions in football.

VI. Discussion on the progress achieved in implementing the programme of activities for the International Decade for People of African Descent

38. The Working Group discussed and reviewed progress achieved in implementing the programme of activities for the International Decade for People of African Descent (under agenda item 7, as listed in the programme of work). Experts gave presentations, as described below.

39. Angie Cruickshank Lambert, Ombudsperson of Costa Rica, affirmed that the Durban Declaration and Programme of Action had contributed to the debate on the universal protection of human rights by giving visibility to people of African descent and by promoting their full participation in all aspects of political, social and economic life. The need to fight racism, racial discrimination, xenophobia and related forms of intolerance and the obligations of States in doing so had been outlined in the Durban Declaration and Programme of Action. People of African descent were particularly affected by social inequalities and the International Decade for People of African Descent had been instrumental in protecting their rights. Ms. Cruickshank Lambert raised concerns about potential regressions in relation to the protection of the rights of Black women and youth. The Office of the Ombudsperson of Costa Rica was in charge of monitoring the recommendations of the Committee on the Elimination of Racial Discrimination, conducting research on issues related to racism and racial discrimination and developing racial equality policies.

40. Marizabel Blanco, President of the National Council for the Development of Communities of People of African Descent in the Bolivarian Republic of Venezuela, highlighted the following as indications of progress having been achieved during the International Decade for People of African Descent: the recognition and visibility of people of African descent, the efforts to combat racism, the increase in the political participation of people of African descent and the adoption of affirmative action policies. She raised concerns about violence that affected people of African descent and proposed various national measures to achieve progress on the objectives of the International Decade for People of

African Descent. Among the proposals, she highlighted the need for the active participation of people of African descent in policymaking, the development of cooperation with civil society organizations and plural and multi-ethnic perspectives in public policies.

41. Patricia Da Silva, representative of the United Nations Population Fund (UNFPA), recognized that the International Decade for People of African Descent had provided a framework for the international community to take effective measures in a spirit of recognition, justice and development. UNFPA had developed a comprehensive global strategy to promote gender equality and the empowerment of people of African descent, particularly women and girls. UNFPA worked in promoting equal access to health and education, particularly maternal health, access to family planning, prevention of gender-based violence and the empowerment of women, girls and youth of African descent. UNFPA promoted access to disaggregated data and had worked in partnership with the Economic Commission for Latin America and the Caribbean on the dissemination of best practices for the inclusion of a self-identifying ethnicity variable in census questionnaires. Ms. Da Silva reported progress on the inclusion of the self-identifying variable in national censuses in Latin America and in the collection of disaggregated information on issues relevant to women and girls of African descent and on the impact of climate change in communities of people of African descent.

42. Amara Enyia, Director of Policy and Research for the Movement for Black Lives, affirmed that it was only in the past three years that there had been progress in the implementation of the International Decade for People of African Descent and attributed the catalyst thereof to the brutal murder of George Floyd in 2020. As a result of that new tide, she mentioned the establishment of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement in 2021 and the Permanent Forum on People of African Descent in 2021; the collaboration between the Caribbean Community and the African Union in a first-of-its-kind joint conference in 2021; and the references to reparations in statements and reports by the United Nations High Commissioner for Human Rights, among others. The Durban Declaration and Programme of Action contained the blueprint to address structural and systemic racism, although there were still critical questions about economic and monetary sovereignty and the economic conditions to secure human rights for people of African descent. Ms. Enyia called for systemic and structural change to transform the systems of oppression and to progress towards the goals of eradicating the disparities experienced by people of African descent.

43. Barbara Reynolds, Chair of the Working Group of Experts on People of African Descent, reaffirmed the importance of the International Decade for People of African Descent in achieving recognition for people of African descent and highlighted current challenges as police brutality and unevenness in access to justice and education on the basis of the intersections of race and ethnicity, class, socioeconomic status, gender and religion. She welcomed the work of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement. She raised concerns about the lack of economic empowerment for people of African descent and called for a new International Decade for People of African Descent, in which efforts focused on consolidating past gains and anticipating emerging risks, such as the misuse of artificial intelligence and environmental degradation.

44. Roberto Rojas Dávila, Chief of the Inclusion of Vulnerable Groups Section of the Organization of American States, recalled the importance of regional instruments in triggering international discussions on the rights of people of African descent. He listed various national institutions in Latin America that addressed racial inequality, as well as the Rapporteur on the Rights of Persons of African Descent and against Racial Discrimination of the Inter-American Commission of Human Rights. He presented a timeline of advancements at the regional level and highlighted the adoption of the Plan of Action for the Decade for People of African Descent in the Americas (2016–2025), which sought to promote human rights and policies for the inclusion of people of African descent. He also highlighted a number of meetings with Latin American States to discuss national action on reparations, public policies for people of African descent and a project to elaborate an inter-American declaration on the right to recognition, justice and development of people of African descent.

45. Pastor Elías Murillo Martínez, member of the Permanent Forum on People of African Descent, called for action by public and private actors to combat inequality and social exclusion. He noted that reparatory justice, which should be understood as a third-generation right, was the best tool. He cited as an example of progress the creation of a national commission on historic reparations to overcome the effects of racism, racial discrimination and colonialism that affected ethnic groups in Colombia and recalled that reparations for people of African descent must recognize the lasting impacts of colonialism, enslavement and the transatlantic slave trade. Reparations must consider economic, social, political, cultural and educational dimensions from an intergenerational perspective, in addition to the causal link between the past and the present. The right to adequate reparations included restitution, compensation, rehabilitation and satisfaction for identified victims and well-documented facts. Recognition of past wrongs and public apologies constituted a form of moral reparation that was essential for material reparation. The right to reparation of people of African descent had started with the recognition of the collective rights of people of African descent in the Durban Declaration and Programme of Action and the acknowledgment of enslavement and the transatlantic slave trade as tragedies in the history of humanity. Some progress could be identified, such as the establishment of national commissions of historic reparations, regional agreements on reparations and Human Rights Council resolution 47/21. Remaining challenges included the temporality and legality of certain acts at the time that they occurred, the discussion on intergenerational responsibility, the diversity of reparations, the need to incorporate the voices of people of African descent and the political will of the actors involved. Mr. Murillo Martínez called for progress to be made in elaborating the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent since it was a crucial element in achieving recognition, justice and development for people of African descent. He expressed optimism regarding the proclamation of a second Decade and highlighted the challenges for people of African descent regarding artificial intelligence, which was resulting in the emergence of contemporary forms of racism and discrimination.

46. Michaela Moua, European Commission Coordinator on Combating Racism, recalled that, in 2017, the European Union High-level Group on combating racism, xenophobia and other forms of intolerance had devoted its thematic discussion to the topic of Afrophobia and produced an outcome document on anti-Black racism. It had included the authorities of member States, international bodies and civil society organizations. In 2018, after the European Union had hosted its first-ever week of people of African descent at the European Parliament, the European Union Agency for Fundamental Rights drafted a document recognizing the low levels of participation of people of African descent in the political, public and private sectors of society, as well as the structural and intersecting forms of discrimination in employment, education and health. In the document, the European Union Agency for Fundamental Rights had also included evidence on hate speech, stereotypical messages in media and educational settings, and racial abuse and profiling. In 2019, the European Parliament had recognized that racism faced by people of African descent in the European Union was rooted in colonialism and enslavement. In 2020, the European Parliament had adopted a resolution on protection against racism, in which it had emphasized structural racism. With the adoption of the European Union Anti-racism Action Plan, the European Commission committed to strengthening and making better use of all existing tools and measures to tackle discrimination, racism and intolerance targeting people of African descent and Black people in the European Union. The Anti-racism Action Plan had been built on acknowledging structural racism and the historical roots of racism, such as colonialism, slavery and the Holocaust. It also highlighted the importance of equality data, which led to an evidence-based understanding of the lived realities of people of African descent in Europe. Ms. Moua reaffirmed the commitment of the European Union to the International Decade for People of African Descent.

47. The representative of Algeria recalled that the Durban Declaration and Programme of Action had established an intrinsic relation between colonialism and racism and that the High Commissioner for Human Rights had, in a report published in 2020, recognized that racism was often systemic. The representative drew attention to the need to adopt a realistic approach to provide reparations for people of African descent.

48. Mr. Sánchez mentioned that historical reparations were necessary steps to overcome the effects of slavery, which were accentuated by structural racism. Reparations included effective measures to address situations of inequality and to overcome the structures of domination and exploitation. Historical reparations were a moral obligation of former colonial powers and they were at the core of the demands of the social movement of people of African descent in Latin America.

49. A representative of the Commission africaine des promoteurs de la santé et des droits de l'homme raised concerns about the lack of implementation of the obligations of Honduras in relation to the Garífuna community.

50. The representative of the European Union disagreed with the interventions that stated that the International Decade for People of African Descent had not achieved its goals and reaffirmed that the assessment of the European Union was more positive regarding the Decade.

VII. Discussion on the implementation of the Durban Declaration and Programme of Action by States, the United Nations and other stakeholders

51. The Working Group reviewed the progress achieved in implementing the Durban Declaration and Programme of Action by member States, the United Nations and other stakeholders (under agenda item 8, as listed in the programme of work). The Chair-Rapporteur opened the floor for delegations.

52. Claude Cahn, human rights officer at OHCHR, presented the work of the United Nations network on racial discrimination and protection of minorities. The network restarted activities in 2020. The network had approved a new action plan with particular emphasis on intersectional discrimination. Mr. Cahn gave information about the projects to strengthen the network's activities against racism and intersecting discrimination, in several countries and in collaboration with ILO, the Office of the United Nations High Commissioner for Refugees, UNFPA and the Department of Global Communications. He raised concerns about actual achievements due to the lack of financial and human resources in the various agencies and called for those agencies to allocate resources.

53. Linda Tinio, specialist in the Section for Inclusion, Rights and Intercultural Dialogue at UNESCO, presented the organization's road map against racism and discrimination. In 2019, UNESCO had adopted a resolution highlighting the importance of the global fight against racism and conducted six regional expert consultations to gather perspectives from policymakers, academics, civil society actors and other stakeholders. In 2020, UNESCO had organized the first global forum to examine best practices, policies and legislative frameworks against racism and discrimination. The resulting road map had been built on four pillars: data collection and research; capacity-building; advocacy; and awareness-raising. UNESCO had established the International Coalition of Inclusive and Sustainable Cities with more than 600 cities across the globe, created the master class series against racism and discrimination and established the Global Forum against Racism and Discrimination. UNESCO had adopted a recommendation on the ethics of artificial intelligence.

54. Gabriela Gorjon, communication officer at OHCHR, spoke about the "Learn, Speak up, Act!" information strategy against racism, racial discrimination, xenophobia and related intolerance. The aim of the strategy was to communicate in a direct, simple and appealing manner to the general public, in particular to young people. The strategy raised awareness about the history, persistence and consequences of, and solutions to, racism. It was based on the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action, the recommendations and findings of the Durban follow-up mechanisms and the programme of activities for the International Decade for People of African Descent. Ms. Gorjon spoke about the multimedia communication plan; its revamped social media campaign and streamlined web presence; the production and dissemination of youth-friendly promotional materials, including positive examples of implementation; and the increased engagement with educational institutions, as well as the

production of educational tools and increased partnerships with relevant actors, local field offices, civil society organizations and activists in the field.

55. The representative of South Africa raised concerns about unequal access to the information and campaigns that had been presented. Access to all digital resources presented a challenge for victims of racism with scarce resources and those living with socioeconomic disadvantages. The format of the campaigns and materials created inequality around access to information, especially for those who faced racism in their daily lives.

56. Mr. Murillo Martínez reaffirmed the commitment of the Permanent Forum on People of African Descent to the Durban Declaration and Programme of Action. He stated that, at the next meeting of the Pan American Health Organization, the Permanent Forum would engage in consultations on the question of intergenerational trauma and health within populations of African descent.

57. The representative of Sierra Leone affirmed that the State had taken steps to align its domestic legal framework with the principles and content of the Durban Declaration and Programme of Action.

58. The representative of Algeria affirmed that the State had established an early warning procedure for discrimination and hate speech and a national observatory against racism and racial discrimination, which also monitored the misuse of social media.

59. The representative of Ireland presented the State's recently adopted National Action Plan against Racism (2023–2027) and noted that the Durban Declaration and Programme of Action informed national actions to tackle all forms of racism. The representative also indicated that, in accordance with a recommendation in the National Action Plan against Racism, a national special rapporteur on racial equality and racism would be appointed.

VIII. Discussion on measures to enhance the effectiveness of the Durban follow-up mechanisms and to ensure better synergy and complementarities in their work

60. The Working Group discussed measures to be taken to enhance the effectiveness of the Durban follow-up mechanisms and to ensure better synergy and complementarities in their work (under agenda item 9, as listed in the programme of work). The Chair-Rapporteur opened the floor for delegations to discuss the agenda item.

61. The representative of the European Union noted that the Union had long advocated for the rationalization and streamlining of the various mechanisms dedicated to addressing racism and racial discrimination, and highlighted that the overlap among the mandates of diverse mechanisms often led to a fragmented approach that had impeded a comprehensive understanding of the larger picture. To address those concerns and ensure a discussion on the matter, the representative of the European Union presented the following recommendations:

(a) *Concentration of expertise.* Currently, more than 40 United Nations experts were dispersed across eight different United Nations mechanisms. Several mechanisms also invited external experts to participate in their meetings. That dispersion of expertise impeded efficient and coordinated efforts and made the work repetitive;

(b) *Reduction of meeting dates and reports.* The representative of the European Union noted that many delegations no longer had the capacity to observe, absorb and apply the recommendations made by the mechanisms effectively;

(c) *Coordinated calendar.* The representative of the European Union called for a joint examination of the calendar to decide when and where meetings occurred, in order to streamline the scheduling of meetings and ensure a more efficient allocation of resources;

(d) *Country visits and reviews.* The representative of the European Union stressed the importance of a careful assessment of which mechanisms should conduct country visits and reviews and the objectives those visits should achieve;

(e) *Overlapping mandates.* The representative of the European Union appealed for a reconsideration of mandates when they overlapped, with a view to rationalizing and ensuring greater efficiency. The representative noted the overlap between the work of the Working Group of Experts on People of African Descent and that of the Permanent Forum on People of African Descent as an example;

(f) *Centralization of racism-related negotiations.* The representative of the European Union recommended centralizing all negotiations related to racism within a single intergovernmental forum to ensure consistency and bring together know-how and institutional memory. The representative also suggested the merging of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination.

62. The representative of South Africa noted that there were eight mechanisms in place that dealt with racism. The representative emphasized the disparity in the budgets allocated to country-specific mandates and those allocated to serious global concerns, such as racism, racial discrimination, xenophobia and related intolerance. Those issues pertained to the unwarranted loss of lives, as unarmed individuals, including people of African descent, who were being killed by law enforcement and prison personnel. The International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, for example, which had been established to address that specific concern, concentrated its efforts on mitigating a problem that was proliferating worldwide. The goal was to curb the growth of such issues. When individuals were killed due to racism on a large scale annually, it became essential to establish a specialized mechanism specifically tailored to address that growing concern. The current set-up involved a special rapporteur who had to address racism-related issues worldwide, producing only two reports annually. The available budget for that Special Rapporteur was limited and there was minimal additional support. Despite ongoing requests for additional support, including extra secretarial staff, those pleas had not been met. The representative noted that the existing situation revealed a lack of support for those responsible for covering racism-related issues throughout the entire world. He acknowledged the need for rationalization and a review of mechanisms. It was essential to acknowledge that there was an overlap between the work of the Permanent Forum on People of African Descent and that of the Working Group of Experts on People of African Descent. However, that overlap was foreseen in the resolution that originally created the Permanent Forum on People of African Descent. The Human Rights Council had tasked the Working Group of Experts to focus on addressing specific issues and identifying pressing concerns. In contrast, the Permanent Forum, consisting of civil society organizations, was intended to report on-the-ground realities. That issue was expected to be addressed during the upcoming review of the Permanent Forum in 2025. The representative of South Africa stated that it was essential to recognize that the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination was not intended to be a permanent structure. Its establishment was due to the reluctance of certain countries to acknowledge the existence of systemic racism. The situation was exacerbated by the fact that the International Convention on the Elimination of All Forms of Racial Discrimination did not mention racism explicitly, focusing only on racial discrimination. The instrument, written in 1965 when many nations were still colonies, was outdated and did not account for systemic racism, which was why the complementary standards were introduced to fill the gaps. However, it was clear that those mechanisms needed to adapt to the changing world.

63. The representative of the European Union stressed the need to move away from the standard arguments regarding the allocation of budgets between country-specific and thematic mandates. She noted that 60 per cent of the resolutions adopted by the Human Rights Council were thematic and a substantial proportion of country-specific resolutions were consensual and presented by the countries themselves in the context of agenda item 10 of the Human Rights Council. She emphasized the need to approach the issue at a technical level and evaluate the efficiency of various reports and mandates. She suggested the possibility of alternating annual reporting between Geneva and New York as a means to distribute the workload more evenly. She also acknowledged the importance of conducting such an

evaluation within the context of the ongoing efficiency talks for the entire Human Rights Council.

64. The Chair-Rapporteur expressed her gratitude to all the participants who had contributed to the discussion. She also extended her appreciation to the European Union delegation for providing the analysis at the beginning of the meeting.

65. The representative of South Africa revisited the request for metrics, suggesting the addition of two more columns to provide a comprehensive evaluation of various mechanisms, namely: the resources that each mechanism was supposed to have and the actual resources that they received, encompassing both financial and human resources. The representative of South Africa echoed the request of the European Union regarding the timing of meetings and suggested holding meetings for one week at a time and avoiding scheduling during holidays.

66. The representative of Panama recalled that, in paragraph 16 of the report of the Working Group of Experts on People of African Descent on economic empowerment of people of African descent, it had referred to a coordination meeting to be held among all the anti-racism mechanisms to explore ways to strengthen collaboration on issues of mutual concern. It would be important to receive more information and feedback on the coordination process.

IX. Discussion on conclusions and recommendations

67. The Working Group took note of different views regarding the use of the term “intersecting forms of discrimination” in its conclusions and recommendations in relation to the twenty-first session. In that regard, the representative of Nigeria recalled that, during the eighteenth and nineteenth sessions, there had been no references to the term “multiple and intersecting forms of discrimination” and expressed reservations about accepting such a term. The representatives of Algeria, Egypt, Iran (Islamic Republic of) and Iraq echoed that position, mentioning that that term had been largely used without express consent having been sought and that the terms used in the Durban Declaration and Programme of Action were “multiple” and “multiple or aggravated” forms of discrimination. The representative of the Islamic Republic of Iran proposed keeping the language in line with the Durban Declaration and Programme of Action. The representatives of Brazil, South Africa and the European Union requested that the terms “multiple” and “intersecting” discrimination be retained as they were agreed language, adopted by consensus in the programme of activities for the International Decade for People of African Descent. The representative of South Africa expressed his preference for retaining the term “intersecting forms of discrimination” as a way to move forward, while taking note of the discussion on different views on the use of the term. The representative of Argentina considered it useful to clarify that intersecting discrimination was not necessarily linked to gender. The representative of the European Union stated that the Union had an entire policy based on intersecting forms of discrimination, which constituted the basis of its position in the Working Group. The representative of the European Union also recalled that the eight mechanisms of the United Nations against racism and racial discrimination had been using an intersectional approach in their work. The representatives of Argentina, Brazil, Mexico, South Africa and the European Union reaffirmed their position on the use of the term “intersecting discrimination” and added that an intersectional perspective was essential in combating racism in its multiple manifestations. While maintaining their position on rejecting the term “multiple and intersecting” forms of discrimination, the representatives of Algeria, Egypt, Iran (Islamic Republic of), Iraq and Nigeria agreed that the conclusions and recommendations of the Working Group would reflect the discussions that had occurred during its meetings on the matter. In addition, a reference to the difference in views on the use of that term would be clearly outlined in the report.

68. The representatives of Brazil, Colombia and South Africa mentioned that reparatory justice was crucial to overcoming historical injustices and intergenerational traumas, while the representative of the United Kingdom of Great Britain and Northern Ireland expressed reservations about the use of “reparatory justice” as the term was not agreed language in international law.

Conclusions and recommendations

69. The Working Group acknowledges the essential contribution of the Durban Declaration and Programme of Action to the effective implementation of the Universal Declaration of Human Rights by reaffirming the fundamental principles of equality and non-discrimination and by promoting respect for human rights and fundamental freedoms for all without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

70. The Working Group highlights that the Durban Declaration and Programme of Action:

(a) Is both an historic and forward-looking document that provides a road map for States, international organizations, civil society and other stakeholders to effectively address racism, racial discrimination, xenophobia and related intolerance;

(b) Addresses a wide range of subjects, including the need for national action plans, adequate and appropriate legislation and legislative frameworks, and measures in the fields of education, awareness-raising, employment, health, environment, poverty eradication and economic development;

(c) Underlines the importance of appropriate remedies and positive action for victims of racial discrimination;

(d) Adopts a necessary and welcomed victim-oriented approach as an important tool for eliminating racism and racial discrimination.

71. The Working Group takes note of the discussions related to the fact that victims of racism, racial discrimination, xenophobia and related intolerance can suffer from multiple and aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth, disability or other status.

72. The Working Group further acknowledges that the invisibility of people of African descent in policymaking processes enables structural and systemic inequalities and perpetuates disparities in socioeconomic development. Collecting disaggregated information in accordance with national law on the situation of victims of racism is essential for a data-driven and evidence-based approach to address systemic racism. Any such information should, as appropriate, be collected with the explicit consent of the victims, based on their self-identification and in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees, and in accordance with national laws.

73. The Durban Declaration and Programme of Action acknowledges that slavery and the trade in enslaved persons are crimes against humanity and should always have been so, especially the transatlantic trade in enslaved persons, and are among the major sources and manifestations of racism, racial discrimination, xenophobia and related intolerance. The Durban Declaration and Programme of Action also acknowledges that slavery and the trade in enslaved persons, including the transatlantic trade in enslaved persons, were appalling tragedies in the history of humanity, especially in their negation of the essence of the victims. The Durban Declaration and Programme of Action also recognizes that colonialism led to racism, caused suffering and has lasting consequences that persist to this day.

74. The Working Group takes note that there is an increasing willingness and emerging practice to acknowledge the need to repair the continuing impact of enslavement, the transatlantic trade in enslaved persons and colonialism. The Working Group recognizes that there is momentum for a dialogue on reparatory justice from the perspective of the victims, namely affected people of African descent, that may tackle the systems and structures that perpetrate harm.

75. The Working Group acknowledges that the Durban Declaration and Programme of Action reflects deep concern at the use of new information technologies,

including the Internet, to propagate racism, racial discrimination, racial hatred and xenophobia. It called upon States and the private sector to promote the development of voluntary codes of conduct and self-regulatory measures, as well as policies and practices aimed at combating the proliferation of racial discrimination, racial hatred, xenophobia and related intolerance through those new technologies. It also urged States to ensure, when necessary, that legal systems implement sanctions against incitement to racial hatred through new information and communications technologies, in accordance with their international human rights obligations. The Working Group considers that the teaching of history should encompass the role that the resistance and uprisings by enslaved Africans played in the abolition of the trade in enslaved Africans and the fact that the anti-slavery movement constituted the first global human rights movement. Such an acknowledgment is critical in combating contemporary forms of racism, especially systemic racism.

76. The Working Group is fully aware that, despite the efforts made by the international community, Governments and local authorities, the scourge of racism, racial discrimination, xenophobia and related intolerance persists and continues to result in human rights violations, suffering, disadvantage and violence, which must be combated by all available and appropriate means and as a matter of the highest priority, in cooperation with affected communities.

77. The Working Group calls upon States:

(a) To effectively implement the Durban Declaration and Programme of Action by taking concrete and practical steps through the adoption and effective implementation of national and international legal frameworks, policies and programmes to combat racism, racial discrimination, xenophobia and related intolerance, taking into account the particular situation of women and girls;

(b) To ensure that textbooks and other educational materials reflect historical facts accurately as they relate to past tragedies and atrocities, in particular slavery, the trade in enslaved persons, the transatlantic trade in enslaved persons and colonialism, as well as the consequences of ongoing racism, so as to avoid stereotypes and the distortion or falsification of these historical facts, which lead to racism, racial discrimination, xenophobia and related intolerance.

78. The Working Group:

(a) Encourages States to adopt a human rights-based approach and actively combat racism during sporting events, through awareness-raising and education programmes and sanctions for racist manifestations in sporting events;

(b) Invites OHCHR to collaborate with international and regional sporting bodies to develop comprehensive tools and guidance to combat, prevent and mitigate racism, racial discrimination and xenophobia within and through sport.

79. The Working Group acknowledges that violence against people of African descent persists and that racial profiling, as well as the excessive use of force by law enforcement officials, disproportionately affect people of African descent. The Working Group remains concerned about systemic and structural racism within criminal justice systems and urges States to invest more in continuous training and education of law enforcement and justice system officials, civic education, public scrutiny, oversight and accountability. The Working Group recognizes that systemic racism is intersectional by nature as it spreads in a variety of societal sectors and that, in order to tackle systemic racism and discrimination, response measures should also be intersectional.

80. The Working Group notes that a regulatory approach to the use of force is insufficient to address the breadth of challenges and the historical discrimination faced by communities of Africans and people of African descent. Hence, the Working Group encourages States to design, formulate and implement comprehensive and institutional reforms of law enforcement and the justice system. To achieve that, the Working Group stresses that the implementation of robust measures, in accordance with international human rights law, to end impunity and ensure accountability and redress for victims

and their families of excessive use of force and other human right violations by law enforcement officers is critical.

81. The Working Group recognizes the growing number of persons displaced in the context of climate change and related disasters, as well as the magnitude of the migration processes. The Working Group encourages States to address both phenomena with special attention to the emerging and intersecting forms of racism and discrimination.

82. The Working Group recognizes that the International Decade for People of African Descent has contributed to increasing awareness of the vulnerable situation of people of African descent. Nonetheless, the programme of activities for the International Decade for People of African Descent has not been fully implemented in relation to justice and development. The Working Group therefore recommends that the General Assembly declare a second International Decade for People of African Descent, highlighting the full reaffirmation and implementation of the programme of activities of the first Decade.

83. The Working Group suggests that the second International Decade for People of African Descent focus on consolidating past gains, expanding the reach and scope of contemporary opportunities for development, inclusion and peace, and anticipating emerging risks and threats, such as the misuse of artificial intelligence, environmental degradation and the resurgence of resistance to affirmative action policies, racial equality legislation and programmes targeting people of African descent.

Annex

List of participants

A. Member States

Algeria, Angola, Argentina, Armenia, Austria, Bahamas, Barbados, Belgium, Bolivia (Plurinational State of), Brazil, Burundi, Cabo Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Finland, Gambia, Ghana, Guatemala, Honduras, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Kenya, Kiribati, Lebanon, Lesotho, Luxembourg, Madagascar, Malawi, Maldives, Mexico, Montenegro, Myanmar, Namibia, Niger, Nigeria, Pakistan, Panama, Paraguay, Peru, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Sierra Leone, South Africa, Thailand, Türkiye, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela (Bolivarian Republic of), Zimbabwe.

B. Intergovernmental organizations

European Union, International Federation of Red Cross and Red Crescent Societies, Organization of American States.

C. Non-governmental organizations

Africans in America for Restitution and Repatriation, Inc., Associazione Comunità Papa Giovanni XXIII, Commission africaine des promoteurs de la santé et des droits de l'homme, Dr M Chandrasekhar International Foundation, Edfu Foundation, Inc., Geledés – Instituto da Mulher Negra, International Youth and Student Movement for the United Nations, International Human Rights Council, Maloca internationale, Misère Option Zéro, Promotion du développement économique et social (PDES), Subjective Physics Sciences.

D. Panellists

Marizabel Blanco, President of the National Council for the Development of Communities of People of African Descent in the Bolivarian Republic of Venezuela; Epsy Campbell Barr, Chair of the Permanent Forum on People of African Descent; Angie Cruickshank Lambert, Ombudsperson of Costa Rica; Patricia Da Silva, representative of the United Nations Population Fund; Márcia de Lima Silva, Secretary of Affirmative Action Policies and Combating Racism at the Ministry of Racial Equality of Brazil; Gerd Dembowski, Senior Manager at FIFA; Amara Enyia, Director of Policy and Research for the Movement for Black Lives; Donna Fraser, Director of Equality, Diversity and Inclusion at the Professional Cricketers' Association; Sarah Gregorius, Director of Global Policy and Strategic Relations for Women's Football at the International Federation of Professional Footballers' Associations; Tracie L. Keesee, a member of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement; Emanuel Macedo de Medeiros, Global Chief Executive Officer of the Sport Integrity Global Alliance; Juan Méndez, member of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement; Michaela Moua, European Commission Coordinator on Combating Racism; Pastor Elías Murillo Martínez, member of the Permanent Forum on People of African Descent; Barbara Reynolds, Chair of the Working Group of Experts on People of African Descent; Roberto Rojas Dávila, Chief of the Inclusion of Vulnerable Groups Section of the Organization of American States; Fatma Samoura, Secretary-General of the Fédération Internationale de Football Association; John Antón Sánchez, professor at the Instituto de Altos Estudios Nacionales, Postgraduate University of Ecuador, and member of the Latin American Alliance for the International Decade for People of African Descent; Hanna Suchocka, Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action; Patrick Taran,

President of Global Migration Policy Associates; Ana Luiza Thompson-Flores, Director of the United Nations Educational, Scientific and Cultural Organization Liaison Office in Geneva; Linda Tinio, specialist in the Section for Inclusion, Rights and Intercultural Dialogue at the United Nations Educational, Scientific and Cultural Organization; Juliana Santos Wahlgren, Director of the European Anti-Poverty Network.
