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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 nineteenth 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 work done at its nineteenth session, held in Geneva from 11 to 22 October 2021.



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 34/34.

II. Organization of the session

2. The Working Group held its nineteenth session in Geneva from 11 to 22 October 2021. Participants discussed and shared views on the situation of racial discrimination worldwide, taking into account the implementation of the Durban Declaration and Programme of Action. During its session, the Working Group reviewed the progress achieved concerning the implementation of the programme of activities for the International Decade for People of African Descent and discussed measures to be taken to enhance the effectiveness of the mechanisms established to follow up on the Durban Declaration and Programme of Action and to ensure better synergy and complementarities in their work. Moreover, it reviewed the implementation of the Durban Declaration and Programme of Action, including the development of national action plans against racial discrimination, and it was briefed on the four-point agenda towards transformative change for racial justice and equality of the United Nations High Commissioner for Human Rights.

A. Attendance

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

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

4. The nineteenth session of the Working Group was opened by the Director of the Thematic Engagement, Special Procedures and Right to Development Division of the Office of the United Nations High Commissioner for Human Rights (OHCHR), Peggy Hicks.

5. In her opening statement, the Director recalled a number of important events and developments related to the fight against racism that had occurred since the Working Group's eighteenth session. She mentioned the landmark report of the High Commissioner on the promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers, in which the High Commissioner introduced a four-point agenda towards transformative change for racial justice and equality. She also noted that the General Assembly had marked the midterm review of the International Decade for People of African Descent and the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action. She highlighted the relevance of the Durban Declaration and Programme of Action to guide the fight against racism. She also highlighted that the General Assembly had established the Permanent Forum of People of African Descent as a consultative mechanism for people of African descent and an advisory body to the Human Rights Council. She noted that the newly proclaimed International Day for People of African Descent had been celebrated on 31 August. The Director added that concrete actions and sustained commitments were required to eradicate conditions that caused or perpetuated racial discrimination. She said that OHCHR was redoubling its efforts on all fronts in the fight against racial discrimination, including in the areas of public information, communication and outreach.

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

7. After the election of the Chair-Rapporteur, the Working Group adopted the programme of work for its nineteenth session.

C. Statements

8. The Chair-Rapporteur invited general statements from participants.

9. The representative of Cameroon, on behalf of the Group of African States, noted that the session of the Working Group was being held as the world commemorated 75 years of United Nations action against racism and the twentieth anniversary of the Durban Declaration and Programme of Action. The representative insisted on the importance of the full implementation of the Durban Declaration and Programme of Action. He noted that extreme hatred bore disastrous consequences, both for victims and perpetrators, and that the African Group was concerned about the virulent resurgence of racial discrimination and other forms of intolerance.

10. The representative of the Russian Federation underlined that combating racial discrimination and other intolerance was key in the human rights work of the United Nations. She added that Governments and citizens should be well informed of the harmful consequences of such discrimination and intolerance. She underlined the duty of States to combat incitement to hatred and the resurgence of ideas supporting Nazism, fascism or racial supremacy.

11. The representative of Iraq noted that despite the adoption of a number of measures and texts, many people continued to be victims of racism, racial discrimination and Islamophobia. He welcomed the political declaration adopted by the General Assembly at the high-level meeting celebrating the anniversary of the Durban Declaration and Programme of Action.

12. The representative of Cuba stated that 20 years after adoption of the Durban Declaration and Programme of Action, the objectives set out in it were far from being attained. The multidimensional global crisis generated by the coronavirus disease (COVID-19) pandemic had increased inequalities. He added that the aim of Cuba was to achieve full social justice, so that the commitments of the Durban Declaration and Programme of Action could become a reality.

13. The representative of Bangladesh stated that racism remained pervasive and was even aggravated during the COVID-19 pandemic. He expressed concern at the use of digital technologies and social media to amplify hate speech and racial hatred. He added that migrants continued to be the target of xenophobia, stigmatization, hate speech and bigotry. Growing religious intolerance and religious profiling were causing the acceleration of xenophobia and social instability. He urged the implementation of General Assembly resolution 66/167 and Human Rights Council resolution 16/18, on combating religious intolerance.

14. The representative of the Bolivarian Republic of Venezuela reiterated his country's commitment to combating racism and overcoming colonialism. He welcomed the establishment of the Permanent Forum of People of African Descent. He regretted that millions of people around the world continued to suffer racial discrimination, particularly the most impoverished and vulnerable groups.

15. The representative of South Africa called for a reflection on the significance of the Durban Declaration and Programme of Action, especially as it was the only comprehensive United Nations framework for combating racism. He noted that the follow-up mechanisms of the Durban Declaration and Programme of Action remained pivotal. He welcomed the report of the High Commissioner, in which she deplored the persistence of systemic racism and highlighted the imperative of reforming discriminatory institutions, legislation, policies and practices, in order to break this cycle, and he also welcomed the adoption of Human Rights Council resolution 48/18. He regretted, however, the propagation of a false narrative around the Durban Declaration and Programme of Action.

16. The representative of China noted that the Durban Declaration and Programme of Action represented a collective commitment of all countries, and he welcomed the General Assembly high-level meeting in celebration of it. He expressed concern about the rapid increase in hate crimes against Asians and people of Asian descent in some countries since the outbreak of COVID-19. He called upon the Working Group to increase cooperation with other human rights mechanism and to pay more attention to the slave trade and colonialism.

17. The representative of Indonesia stated that the global community should continue to nurture its commitment to the effective implementation of the Durban Declaration and Programme of Action. He noted that racial discrimination in all its forms remained a great concern for his country, especially the abuse of free speech to promote racial hatred online. He also noted that people who were already in vulnerable situations were the most affected by COVID-19. He added that the twentieth anniversary of the Durban Declaration and Programme of Action offered an opportunity to set future actions and to renew commitments.

18. The representative of India reiterated the country's condemnation of racial discrimination in all its forms and manifestations. He noted that the Durban Declaration and Programme of Action constituted a reminder to the world that the challenge of racism was far from over. He expressed concern about new forms of media, especially social media, amplifying racial hatred. He also expressed concern about the fact that COVID-19 had increased existing inequalities.

19. The representative of the European Union reaffirmed that countering racism was a priority for the European Union. She noted that mutual tolerance and understanding between communities were needed now more than ever. She referred to the European Union anti-racism action plan 2020–2025, adopted in September 2020, which was aimed at tackling the issue of racism on all fronts through affirmative action, using an intersectional approach. She added that with that plan, the European Union acknowledged that racism was not only perpetrated by individuals but could also be structural, damaging society in many different ways. Finally, she referred to the strategic framework for equality, inclusion and participation of Roma and the first European Union strategy on combating antisemitism and fostering Jewish life, which had both been recently adopted by the European Commission.

20. The representative of the Islamic Republic of Iran noted that the Durban Declaration and Programme of Action constituted a landmark framework, but regretted that it was still pending full implementation. He added that the COVID-19 pandemic had proven that effectively combating acts of racism, racial discrimination in all its forms, whether traditional or new, and xenophobia and related intolerance were more necessary and urgent than ever. These new challenges born out of racial discrimination added to the urgency of updating international documents to counter inappropriate procedures. The most inhumane of such challenges were unilateral coercive measures, which had been imposed by a group of northern countries against hundreds of millions of people in targeted countries, including Cuba, Iran (Islamic Republic of), the Syrian Arab Republic and Venezuela (Bolivarian Republic of), and other independent nations. Unilateral coercive measures had exposed hundreds of millions of human beings to discrimination, solely on account of their nationality.

21. The representative of World against Racism Network and the International Youth and Student Movement for the United Nations noted that it was important to recall dates, such as the 75 years of United Nations action against racism and the twentieth anniversary of the Durban Declaration and Programme of Action, and insisted that the rich experience acquired over those years had to be used to continue forward. He expressed concern about the false information spread about the content of the Durban Declaration and Programme of Action.

III. Discussions on agenda item 5, on the situation of racial discrimination worldwide, taking into account the implementation of the Durban Declaration and Programme of Action, and on agenda item 6, on review of progress achieved concerning the implementation of the programme of activities for the International Decade for People of African Descent

22. The Working Group considered agenda items 5 and 6, on which the following gave presentations: Edna Santos Roland, Chair, Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action; Monica Ferro, United Nations Population Fund (UNFPA); Bonny Ibhawoh, Expert Mechanism on the Right to Development; Michaela Moua, Anti-Racism Coordinator of the European Union; Dominique Day, Chair, Working Group of Experts on People of African Descent; and Verene Shepherd, Committee on the Elimination of Racial Discrimination.

23. The Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action noted that the Durban Declaration and Programme of Action was an extraordinary rich document, which had received contributions from people implementing social policies based on equality at all levels. The Chair recalled that for the first time certain groups of victims were given recognition in a United Nations document, including people of African descent. She referred to challenges in the fight against racial discrimination posed by the fast development of communication networks, environmental menaces resulting from inappropriate exploitation of natural resources and various epidemics representing menaces to humanity's common destiny. Referring to the COVID-19 pandemic, she noted that States should implement the Durban Declaration and Programme of Action, adapting policies to the situation in their respective countries. The Chair recalled that the Durban Declaration and Programme of Action urged States to work to protect the human rights of victims of racial discrimination who were infected, or presumably infected, with pandemic diseases. She noted that it was imperative to adapt priorities to include appropriate access to vaccines, water, hygiene products and protection equipment. The Chair welcomed efforts of the World Health Organization, but noted that actions, in particular with regard to access to vaccines, was not in accordance with needs. States had not invested sufficient efforts and resources into mainstreaming the Durban Declaration and Programme of Action into their human rights work and to educate the public and institutions about the Durban Declaration and Programme of Action. She added that the Durban Declaration and Programme of Action was one of the least disseminated United Nations programmes and that, in many countries, its true content had been distorted. She called upon OHCHR to provide the outreach programmes with sufficient resources to raise the visibility and accessibility of the Durban Declaration and Programme of Action. She stated that States must make the Durban Declaration and Programme of Action a central pillar of human rights education and implementation and that it reflected the views and aspirations of all victims of racial discrimination. In Brazil, for instance, programmes of affirmative action were established following the adoption of a law creating quotas for people of African descent to access higher education in line with the Durban Declaration and Programme of Action. As a result, thousands of people of African descent had had access to higher education and were now participating in the development of their country. She added that other countries in Latin America had also used the important concept of affirmative action, stemming from the Durban Declaration and Programme of Action, to create similar programmes.

24. Ms. Ferro recalled that UNFPA had a long history of standing up for the rights and choices of all, addressing data gaps, working with communities to drive social change and building communities of practice to ensure more diverse, equitable and inclusive health systems and services. As the world leading sexual and reproductive health agency, UNFPA had been able to pilot strong leadership to support the advancement of rights of the most vulnerable in line with the implementation of the programme of action of the International Conference on Population and Development. UNFPA had played a significant role in supporting the rights of people of African descent, in particular young people, women and

girls. It had also adopted a comprehensive strategy on people of African descent, which was informed by its global strategy, and had created an interdivisional working group and a secretariat dedicated to implementing that strategy. She noted the need for the adoption of a multisectoral approach to implementing the Durban Declaration and Programme of Action. She added that UNFPA was an active member of the United Nations network on racial discrimination and protection of minorities. To bridge the transition gap between studies and employment, UNFPA was developing an affirmative and inclusive internship process and a programme for young professionals of African descent, with a view to building a diverse workforce. UNFPA was also concerned about reducing inequalities faced by people of African descent and about advancing equality by developing South-South projects, and by building the capacity of Governments, especially in Latin America and the Caribbean, to shape inclusive policies targeting the needs of Afrodescendant communities. Ms. Ferro insisted on the urgent need for Governments to invest in data collection for a better understanding of the complexity of the challenge. She also mentioned the importance of targeted communication and advocacy, which UNFPA had conducted, including in partnership with OHCHR and other United Nations agencies.

25. Mr. Ibhawoh spoke about the persistence of racism and racial discrimination despite 75 years of United Nations anti-racism engagement. He noted that the global movement for racial justice had called into question the historical and contemporary structures of racial discrimination. He also mentioned the disproportionate impact of COVID-19 on racialized communities, which had intensified poverty and reduced quality of life. The main challenge in combating racism was that efforts to combat it had been delayed, and even obstructed, by the lack of political will and an attitude of denial. He noted that racism had far reaching negative impacts on the lives and well-being of millions around the world and on the well-being of societies, as it created social tensions and conflicts. At the international level, the problem of racism as an obstacle to human development and human security had not been given the attention it deserved. Inequalities based on race had not received the same attention as other forms of inequality in the Sustainable Development Goals, their targets, and the global indicators developed to monitor progress on implementation. Another major challenge to combating racism was the absence of adequate mechanisms and tools for measurement, assessment and accountability. He insisted on the importance of research and racially disaggregated information to identify, document or measure the extent of the problem and design effective anti-racism policies. Mr. Ibhawoh explained that the elimination of racism through the principle of equality of opportunity for development was recognized as essential to fulfilling the right to development and achieving the Sustainable Development Goals. He added that, as anti-racism and self-determination were central to the demands of the global South and formerly colonized countries, provisions to address racial discrimination and the obstacles it posed to global social and economic development had figured prominently in several development-related instruments. The Declaration on the Right to Development provided a road map for promoting justice and dignity for all and for combating racism. Racial inequalities and disparities were evident in many developmental areas, including access to quality education; employment; justice; health; housing; social security; access to political participation; access to basic needs, such as food and safe drinking water; and equal protection against the ravages of climate disasters. He noted that, despite the challenges outlined, there were promising signs of momentum and new opportunities for combating racism.

26. Ms. Moua referred to the ongoing actions of the European Union in the fight against racism and Afrophobia. She noted that, as established in the objectives of the International Decade for People of African Descent, the European Commission was keen to promote a greater knowledge of and respect for the diverse heritage, culture and contribution of people of African descent to the development of European society. She recalled the anti-racism action plan of the European Union and acknowledged that it had been long awaited, but that its implementation was now moving at full speed. Ms. Moua referred to the findings of the focus report of the European Union Agency for Fundamental Rights on being Black in the European Union, which showed that overall, people of African descent, Roma and northern Africans experienced higher rates of racial discrimination, harassment and violence motivated by hatred. Ms. Moua recognized that European Union legislation and policies against racial discrimination needed to be reviewed. The report on the application of the racial

equality directive concluded that a closer monitoring by European Union member States of the implementation of the directive was needed, in particular in relation to protection against victimization and dissuasive sanctions. She said the report further stressed the need to increase trust in authorities and to facilitate access to justice. In June 2021, the European Commission met with member States of the European Union and the European Union Agency for Fundamental Rights, and discussed the draft guiding principles for national action plans against racism. Civil society was consulted for the preparation of the second draft, and guiding principles would be ready by the end of 2021. Ms. Moua insisted on the importance of improving the collection of ethnic and racial equality data to give visibility to the situation and allow for the adoption of informed and effective policies. She noted that the European Union had adopted non-binding guidelines, which its member States could use to move towards harmonized equality data collection. She noted that the European Union action plan recognized structural racism and how it perpetuated the barriers placed in the way of Black and other racialized Europeans solely due to their racial or ethnic origin. Ms. Moua reiterated that the COVID-19 crisis was disproportionately affecting marginalized communities. She noted concerns about a lack of solidarity with developing countries that needed support in responding to the crisis.

27. The Chair of the Working Group of Experts on People of African Descent urged States and civil society to recommit to the promises of the International Decade for People of African Descent and the Durban Declaration and Programme of Action. In her opinion, States had ignored early indications that people of African descent would be particularly hard hit by COVID-19. She added that the COVID-19 pandemic had laid bare clear examples of racial disparity and discrimination in institutions designed to confer justice, equity and redress. She noted that in the course of the COVID-19 pandemic and the global protests on systemic racism, these mindsets were still apparent, as was their deep connection to historical exploitation. The Chair referred to the report of the Working Group, on the topic of COVID-19, systemic racism and global protests. In the report, the Working Group examined how structural racial discrimination exacerbated inequality in access to health care and treatment, leading to racial disparities in health outcomes and higher rates of mortality and morbidity for people of African descent. She noted that COVID-19 was not exclusively a public health issue in which policy decisions had failed to prioritize scientific conclusions. It had also reflected racialized priorities. Similarly, police violence against people of African descent was not exclusively a policing issue in which widespread impunity, misconduct and brutality existed within an enabling environment where racialized misconduct persisted. The Chair recalled that the Working Group remained a key resource to examine, uncover and address ongoing manifestations of systemic racism.

28. Ms. Shepherd noted that the implementation of the Durban Declaration and Programme of Action had been insufficient. She noted that the phrase “we can do more to create just and fair societies free of racial discrimination” of the Durban Declaration and Programme of Action remained true. She also noted that the Durban Declaration and Programme of Action specified that a victim-oriented approach was an important tool to eliminate racial discrimination and made specific reference to Africans and persons of African descent, Asians and persons of Asian descent, indigenous peoples, migrants, refugees, minorities, Roma and others. Racial profiling was not only practised at the national level, but also at international borders, where law enforcement officials interface with migrants and other travellers. She mentioned Committee on the Elimination of Racial Discrimination general recommendation 36, on preventing and combating racial profiling by law, noting that the identification, prevention and combating of racial profiling by law enforcement officials was integral to the achievement of the objectives of the International Convention on the Elimination of All Forms of Racial Discrimination. She explained that racial profiling had negative and cumulative effects on the attitudes and well-being of individuals and communities. She added that victims of racial profiling often understated and internalized the impact of racial profiling in the face of a lack of effective remedies and restorative tools. She also recalled that racial profiling by law enforcement officials had far-reaching consequences at all levels of the administration of the justice system, particularly in the criminal justice system. Ms. Shepherd also expressed concern about algorithmic profiling, which risked reproducing and reinforcing biases and could aggravate or lead to discriminatory practices. In conclusion, she recalled that the Durban Declaration and

Programme of Action articulated the harms of colonialism and slavery, both historically and at present, emphasizing the structural forms of racism and racial discrimination that still required urgent attention. She called for reparations for colonialism's legacies of racial discrimination against people of African descent in order to move forward towards reconciliation.

29. The representative of Egypt noted that the country was concerned by the rise in racist and discriminatory trends based on extremist ideologies that propagated religious intolerance, defamation of religion, racial profiling and stigmatization, and incitement to racial and religious hatred. He called upon States to oppose all forms of racism and to recognize the need to combat antisemitism, anti-Arabism and Islamophobia worldwide.

30. The representative of the European Union noted that European Union action in the fight against racism was built on a solid legal framework that had been developed over the years. She noted that structural forms of racial discrimination were intersectional by nature and spread in a variety of societal sectors, including the justice system, law enforcement, the labour and housing markets, education, health care, politics and migration. She said that the response to racism had to be intersectional, taking into account sex, race, ethnic or social origin, religion or belief, political or any other opinion, disability, age, sexual orientation and gender identity. She added that universal adherence to the International Convention on the Elimination of All Forms of Racial Discrimination and its full and effective implementation remained one of the European Union's top priorities. She referred to the European Union strategic framework for equality, inclusion and participation of Roma and the recent European Union strategy on combating antisemitism. She also referred to the resolution on the fundamental rights of people of African descent in Europe adopted by the European Parliament in March 2019.

31. The representative of South Africa recalled that the Advisory Committee of the Human Rights Council had been requested to prepare a study on systemic racism and expressed confidence that the Working Group of Experts on People of African Descent would collaborate with the Committee. He also noted that the recently established Permanent Forum of People of African Descent was in no way a replacement for the Working Group. With regard to reparations, he noted there was considerable reluctance and resistance to address the topic.

32. The representative of Cuba reaffirmed the country's support for the mandates and mechanisms on the fight against racism and to the promotion of the rights of people of African descent. Cuba had conducted many activities as part of the implementation of the programme of activities of the International Decade for People of African Descent with the ample participation and leadership of civil society organizations. He mentioned that Cuba had approved a national anti-racism programme in 2019.

33. The representative of Zimbabwe expressed the need for an honest conversation on the implementation of the Durban Declaration and Programme of Action, especially in the context of current challenges to the document, and on the efficiency of the International Convention on the Elimination of All Forms of Racial Discrimination, given that racial discrimination continued unabated.

34. A representative of the Quaker United Nations Office noted that they had recently started working on the intersection between racial justice and migration governance, seeking to bring an anti-racist approach to their work on migration.

35. A representative of the Commission africaine des promoteurs de la santé et des droits de l'homme expressed concern that at the current pace, another decade would be necessary to make progress, as many important realizations were still pending, including the operationalization of the Permanent Forum of People of African Descent. She recalled that the Durban Declaration and Programme of Action had been accepted by consensus and expressed concern about current campaigns against it.

IV. Discussions on agenda item 7, on implementation of the Durban Declaration and Programme of Action by Member States, the United Nations and other stakeholders

A. Development and implementation of national action plans against racial discrimination

36. The Working Group started its consideration of agenda item 7 (a), on the development and implementation of national action plans against racial discrimination, on which the following gave presentations: Dominique Day, Chair, Working Group of Experts on People of African Descent; Enrique Joseph Jackson, Commissioner of the Presidency of Costa Rica for Afrodescendants; Vilma Romero, Anti-Racial Discrimination Unit of OHCHR's former country office in the Plurinational State of Bolivia; Victoria Donda, National Institute against Discrimination, Xenophobia and Racism of Argentina; Fabiana del Popolo, Latin American and Caribbean Demographic Centre – Population Division, Economic Commission for Latin America and the Caribbean (ECLAC); Ntibidi Rampete, Department of Justice and Constitutional Development of South Africa; Jim Fitzgerald, Equal Rights Trust; and Juliana Santos, European Network Against Racism.

37. The Chair of the Working Group of Experts on People of African Descent noted that a national action plan against racism should be empowering and create the conditions for all to participate in decision-making and realize their human rights. She also noted that the first practical step to establishing a national action plan was to use existing resources, such as the OHCHR guidelines on the development of action plans and recommendations stemming from discussions with impacted communities. She added that the Working Group had also produced a large body of thematic reports and analysis, including operational guidelines on the inclusion of people of African descent in the 2030 Agenda for Sustainable Development. She stated that developing national action plans locally had a lot of benefits, as it made them relevant and tied them to the experiences of people. She insisted on the importance of gathering both qualitative and quantitative data. The Chair referred to the Working Group's visit to Peru, noting that one issue identified was contract asymmetry, which was exploiting people of African descent. During the Working Group's visit to Belgium, one issue identified was that children of African descent were being directed away from university-bound education and towards vocational education in a clear manifestation of systemic racism in educational decision-making. She concluded by recalling that the Working Group was willing to engage with more States and to conduct country visits to assist States in the development of policies, national action plans and other tools.

38. Mr. Jackson noted that in August, Costa Rica had adopted a law reserving a fixed percentage of positions in the public service to people of African descent, which he deemed to be key in the advancement of the rights of Afrodescendants in the country. He also noted a recent executive decree declaring of public interest the Afrodescendant population, its identity, culture, history and traditions. He also said that, together with the Ministry of Planning, work was being undertaken on the national public policy and action plan 2022–2027, which would address a number of important issues, including health and the impact of COVID-19 on the Afrodescendant population. He reported on the “We are all equal” action plan set up by the Ministry of Education in 2019 to protect Afrodescendant children and young people and those from other ethnic backgrounds from racial discrimination in education. He insisted that educating and sensitizing people from a young age was essential to effectively combating racial discrimination. Mr. Jackson noted that parliament had proclaimed the International Day for People of African Descent to be a national public holiday. He also said the authorities were working on the next population census, which included self-identification and should result in a much better picture of the Afrodescendant population in Costa Rica.

39. Ms. Romero spoke on the development, implementation, achievements and challenges of the national action plan against racism of the Plurinational State of Bolivia. She referred to the law against racism and all forms of discrimination, adopted in 2010, which established a national committee to lead public policies to fight racism, composed of

representatives of indigenous and Afro-Bolivian organizations; other populations affected by discrimination; and officials from the six ministries and representatives of both the legislative and judicial branches. The Committee was chaired by the Vice-Minister for Decolonization and had its own resources. She explained that the first task undertaken by the Committee was a diagnostic analysis of the state of play with regard to the phenomenon of racial discrimination in the country. The process consisted of 24 participatory events aimed at gathering information and the perceptions of those historically affected, and the systematization and technical analysis of that information. The process, which formed the basis of the comprehensive national plan of action against racism adopted in 2021, comprised: the historical framework; the national and international legal frameworks; and 16 programmes, and midterm and final evaluations. She noted that the 16 programmes were aimed at changing institutional patterns in the public education and health systems; ensuring access to housing and work for population groups traditionally excluded from regular programmes; and providing a system for consultation with groups facing discrimination. She noted that the Ministry of Planning incorporated specific actions to contribute to the fight against racism and discrimination in the annual planning criteria to be met by all public entities. She explained that the achievements were difficult to record, mainly due to the absence of data disaggregated by ethnicity. Ms. Romero stated that overall, there were still structural obstacles to making progress on overcoming racism and racial discrimination, including the denial of the historic causes of racism and the political crisis of 2019, which was followed by the adoption of a number of measures that negatively affected human rights. She decried political polarization in the Plurinational State of Bolivia, noting that it had a negative impact on efforts to address racial discrimination.

40. Ms. Donda said that the process of expanding rights while valuing difference implied a redistribution of power in favour of the sectors made vulnerable by discrimination. She noted that the initiatives of Argentina on human rights and non-discrimination, particularly as led by the National Institute against Discrimination, Xenophobia and Racism, were in line with the Durban Declaration and Programme of Action. She explained that discriminatory practices were a product of the historical ways in which the identity of each State had been constructed, and that their complexity and persistence justified the design of a national plan against discrimination. Ms. Donda reported that, since 2001, Argentinian authorities had been working with the OHCHR on the implementation of the Durban Declaration and Programme of Action. The national plan against discrimination for 2022–2024 had been preceded by a document on diagnostics and proposals towards a national plan against discrimination. That document was adopted in 2005 and elaborated with the technical support of OHCHR. Ms. Donda explained how, in order to achieve the sustainable development goal of zero discrimination by 2030, the authorities started working on updating the 2005 document and proposed that all institutions work together on a joint agenda. The target population was society as a whole and public authorities, and that the ultimate aim was to present citizens with a document that clearly explained the current situation of historically vulnerable groups and provided a response through a comprehensive public agenda. Since discrimination was a multidimensional phenomenon, adopting an intersectional approach, including the three pillars of racism, poverty and gender, was necessary. Discrimination, whether as an act, practice or discourse, could not be treated in isolation and required one to adopt a critical perspective that considered the phenomenon of structural racism. She explained that the plan had established categories of social actors that were affected by discrimination, including migrants, people living with HIV, persons with disabilities, indigenous people or Afro-Argentines. The national plan included a diagnostic analysis, the action plan for national institutions and its framework, and general recommendations addressed to judicial and legislative authorities. Ms. Donda reported on the creation of the Commission for the Historical Recognition of the Afro-Argentinean Community. She also mentioned the launch of the National Register of Afro-Argentine Organizations and meetings between the Afro-Argentine community and the National Public Administration to shape a political agenda for a process of historical reparation.

41. Ms. Del Popolo explained that in several countries of Latin America and the Caribbean, the existence of Afrodescendants had been hidden and their contribution to the development of nations ignored. She noted that Afrodescendants had nonetheless succeeded in putting their historical demands of recognition and rights on international, regional and

national agendas. A growing and recurrent issue had been the lack of systematic information allowing the identification and visualization of racial or ethnic inequalities. She noted that ECLAC had long supported States on strengthening data-collection processes, such as the inclusion of racial and ethnic self-identification questions in population censuses, and had produced a series of reports and recommendations on the matter. ECLAC was also working on generating up-to-date knowledge on the living conditions of Afrodescendant populations and had conducted recent regional studies, including with OHCHR, illustrating how the current development model, structural racism and the persistence of a culture of privilege reproduced structural inequalities, deprivations and violations of rights that continued to affect Afrodescendant populations. Ms. Del Popolo referred to a recent study from ECLAC that had recorded progress in preventing and fighting against racism. For example, when affirmative action initiatives – mostly in the education and labour sectors – were sustained over time, they showed positive results in reducing ethnic-racial inequalities. She said the recognition and guarantee of the civil, political, economic, social, environmental and cultural rights of Afrodescendant populations were fundamental to achieving social justice, equality, democracy and sustainable development. Referring to the COVID-19 pandemic, Ms. Del Popolo said that it was essential to adopt emergency measures in the area of social protection that integrated a human rights perspective and to implement public policies that took into account structural inequalities. In conclusion, she said that to eliminate the legacy left by centuries of slavery, people of African descent had to be included in democratic processes, and their contribution to the economic, cultural and social life of the region had to be recognized.

42. Ms. Rampete noted that a national action plan in South Africa was necessary, given the country's history of institutionalized racism, racial discrimination and oppression under apartheid. The purpose of the plan was to provide a comprehensive policy framework to address racism and racial discrimination at both private and public levels. She explained that the Department of Justice and Constitutional Development had been mandated to coordinate the plan in collaboration with all relevant stakeholders. The plan was intended to be complementary to existing legislation, policies and programmes. She said that the draft plan had been reviewed to ensure alignment with the OHCHR guidelines on the development of national action plans against racial discrimination, and to include a targeted set of actions, interventions, measures and time frames; a proposed governance structure for its implementation; clear monitoring and evaluation arrangements; and a reporting framework. After the Cabinet had approved the draft plan, a series of public consultations were conducted at national and provincial levels between 2015 and 2017. She added that those consultations and briefings were conducted with a large number of sectors and stakeholders, including business, labour, students from different universities, women judges, paralegals, media, academia, civil society, faith-based organizations and the general public, with a view to gathering inputs and comments in all nine provinces. The authorities also rolled out a parallel broad public awareness campaign to popularize the plan. Ms. Rampete noted that the plan had been adopted and launched in 2019, together with a five-year implementation plan. She said that the active involvement and visible support of high-level politicians played an important role in raising awareness and ensuring wide support.

43. Mr. Fitzgerald maintained that discussions about racial discrimination had to be centred on the experiences and recommendations of those affected. He noted that the obligation to respect the right to non-discrimination meant repealing and replacing discriminatory laws and policies and refraining from discrimination in practice. He noted that in order for States to give effect to that obligation, they should ensure that their laws or policies were not discriminatory in purpose or effect and should undertake an equality impact assessment to identify how particular needs of discriminated groups could be accommodated and advanced. He reported that through work developing the guide, it had been noted there was broad consensus that legislation to prohibit discrimination had to be comprehensive rather than specific to a particular population group or particular grounds of discrimination. That meant that laws had to prohibit all forms of discrimination, direct and indirect, on all grounds recognized in international law. They also had to offer a full range of remedies, including not only sanctions, individual reparations, restitution and compensation, but also a range of societal and institutional remedies, which helped to prevent repetition and to enable social change to eliminate the underlying causes of discrimination. He added that for

remedies to be effective, there had to be a comprehensive package of procedural mechanisms. He noted that a second key public policy mechanism was the use of positive duties that identified disparity requiring an identification of the causal factors and specific measures to remove barriers. He explained that these positive duties could take the form of: preventative duties that sought to avert acts of discrimination before they occurred; institutional duties that sought to advance equality in the work and operations of public and private organizations; and mainstreaming duties that sought to integrate and centralize equality goals in the process of public decision-making. He insisted on the fact that positive duties constituted extremely important additional measures. Finally, he referred to a third area of measures related to the obligation of proactively challenging and eliminating stigma, prejudices and stereotypes. He noted an absolute value in States using the education system, providing training for employees in the public sector and law enforcement and engaging in public awareness-raising campaigns, with a view to actively countering negative stereotypes and promoting diversity, participation and inclusion.

44. Ms. Santos referred to the toolkit produced by the European Network Against Racism, which compared a number of national action plans. She noted that it was important for national action plans to address individual manifestations of racism and its structural, institutional and historical dimensions. Action plans should constitute a powerful commitment to society and contribute to shifting mentalities and attitudes. They should constitute a positive action to complement legislation and should be comprehensive and action-oriented to allow mainstreaming and coherence across policy areas. Ms. Santos stated that the Network had identified five main indicators that national action plans should meet: a sophisticated understanding of racism in all its dimensions; an intersectional approach; the recognition of specific forms of racism; requirements for equality data collection; and a clear scope. She referred to the Race Equality Framework for Scotland 2016–2030 as a good practice. The framework recognized structural discrimination, included intersectionality as an overarching principle, recognized the involvement of Scotland in the slave trade and colonialism and its contemporary consequences, and included discrimination against migrants. She noted that the prior collection of data and the involvement and consultation of civil society actors were pivotal in developing the framework. Ms. Santos also noted as a good practice the national action plan of Sweden against racism and other forms of discrimination, which included structural racism, recognized intersectionality, spelled out group beneficiaries of specific measures and included measures targeting Afrophobia. The plan also recognized and defined the concepts of Islamophobia and antigypsyism and acknowledged the limited availability of data. The plan also focused on educational measures, tackled hate crimes, was transversal and had been allocated a budget. Ms. Santos noted that, in practice, the adoption and implementation of measures addressing the structural, institutional and historical dimensions of racism remained a challenge. She referred to the recent European Union action plan against racism as a good practice. She also stated the need to have more actions and measures targeting security policies and criminal justice to avoid a justice gap. Finally, she noted that it was important that national action plans include a modern approach to digital rights and technology.

45. The representative of Spain recalled the country's commitment to the combat against all forms of discrimination, reflected in the promotion of a series of actions. She listed some of her country's achievements such as the creation of the Directorate General for Equal Treatment and Diversity; the reactivation of the Council for the Elimination of Racial or Ethnic Discrimination, which has a free public victim assistance service; the agreement signed between the General Council of the Judiciary, various Ministries and the Attorney General's Office to cooperate institutionally in the fight against racism, xenophobia, phobia pertaining to lesbian, gay, bisexual, transgender and intersex persons and other forms of intolerance; the approval of the action plan to combat hate crimes; and the training of public employees to respect equal treatment and non-discrimination. She recalled that, at the international level, the International Convention on the Elimination of All Forms of Racial Discrimination formed the basis of efforts to prevent, combat and eradicate racism. Spain is redoubling its efforts to strengthen the identification and publication of socioeconomic indicators and racist incidents in order to know in detail the situation in the country. She highlighted the need for more accurate diagnosis, statistics and studies.

B. Public information campaign and awareness raising against racism

46. The Working Group was also briefed by United Nations officials on the United Nations public information campaign and awareness raising against racism.

47. A representative of OHCHR referred to the statement made by the Secretary-General, in which he acknowledged that racism must be condemned without reservation, without hesitation and without qualification. She further referred to the Durban Declaration and Programme of Action as the United Nations blueprint for, and milestone in, the global fight to tackle racism, racial discrimination, xenophobia and related intolerance. She went on to explain that the OHCHR Communications Section and the Department of Global Communications worked together to develop a fully fledged campaign to highlight the Durban Declaration and Programme of Action's twentieth anniversary. The goals of the campaign were to highlight the continued relevance of the Durban Declaration and Programme of Action in a growing and changing context and that a world beyond racism was possible.

48. A representative of the Department of Global Communications explained that sharing individual tales and experiences was the best way to engage and encourage people to take action themselves. She noted that the Department of Global Communications' social media campaign focused on digital assets, which could be used at both local and global levels. She explained that systemic racism affected access to justice, education, wage equality, diversity of representation in the media and access to medical care, demonstrating just how deeply it was entrenched in our societies. She highlighted the use of an online platform to deliver education in schools and the Department of Global Communications's partnership with that platform. She noted that the United Nations Television and Video produced a series of multimedia features, including videos and podcasts, representing a range of historical, geographical and other perspectives. Examples included a video that was shown at the high-level meeting of the General Assembly; a podcast video of the first African-American ambassador to the United Nations; and public art to protest anti-Asian discrimination. Subjects of regional stories included a Brazilian congress woman who was also an activist for the rights of indigenous communities, and a Canadian-Senegalese rapper, activist and historian who educated people about the legacy of slavery and racism. She noted that United Nations information centres had also set up various activities. In Geneva, a panel discussion was organized on the role of reggae music as part of the collective memory of slavery, and in Panama, there were open virtual outreach activities involving young people, civil society and decision makers at ministerial level. Finally, she noted the constructive engagement and feedback of the ongoing campaign.

49. A representative of UNFPA noted that the work of communication was about maintaining one narrative and ensuring that different voices could tell their story. He noted that UNFPA's work was fully aligned and coordinated with OHCHR and the Department of Global Communications, highlighting some of their activities in the fight for social racial justice, including a global concert that took place in 2020. Also in 2020, OHCHR, UNFPA, Afrodescendant leaders from Latin America and the Caribbean and human rights experts from the United Nations and the inter-American system analysed the situation of the rights of people of African descent. Conversations focused on development, recognition and justice within the context of the COVID-19 pandemic, and on putting an end to racism. He noted the first International Day for People of African Descent in Costa Rica and a musical performance based on the core belief that humanity was deeply interconnected, which added some musical inspiration to the anniversary.

50. The representative of Cameroon noted that the experiences of Bolivia (Plurinational State of) and Costa Rica could be a source of inspiration for other countries. He insisted on the importance owed to the Durban Declaration and Programme of Action, which was a central document because of the transversal nature of racism. He added that, for that reason, the Durban Declaration and Programme of Action had to be carefully implemented by States by integrating it at both legal and institutional levels.

51. The representative of the Bolivarian Republic of Venezuela noted that the authorities in his country had adopted affirmative actions in favour of people of African descent, seeking

to eliminate the structural disadvantages affecting them. He added that in April 2018, the President had declared that the achievement of the goals and objectives of the programme of activities of the International Decade for People of African Descent was a national priority. In 2019, the Government had also presented a strategic plan for Afrodescendants, which had been prepared together with Afro-Venezuelan organizations.

52. The representative of Belgium made an intervention in response to the discussion by the Chair of the Working Group of Experts on People of African Descent on the Working Group's findings on structural discrimination in the education system during its country visit to Belgium. The representative stated that Belgium recognized that much remained to be done in the fight against racism, and that at various levels of the government, those challenges were being addressed. He reiterated the reply of Belgium to the report of the visit, indicating that the right of education was firmly anchored in the Belgian Constitution (art. 4), which stipulated that education was free, and that any preventive measure was forbidden. That implied that each pupil or student could enrol in the school or other educational institution of their choice. Those legal obligations implied, among others, that schools and other educational institutions were not allowed to select their students or to refuse access to certain students. Free choice had to be guaranteed under all circumstances. He recalled that most Belgian schools were publicly funded, and that each child between the ages of 2 and a half and 18 years could enrol free of charge.

53. The representative of the European Union expressed concern about, and objected to, the terms "Islamophobia" and "Afrophobia", as cited below in paragraph 57 (h) of the conclusions of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.

54. The representative of the Russian Federation acknowledged with deep concern the rise in national and linguistic profiling and expressed profound regret regarding Nazism and other past tragedies.

V. Discussion on agenda item 8, on measures to enhance the effectiveness of the follow-up mechanisms to the Durban Declaration and Programme of Action and to ensure better synergy and complementarities in their work

55. The representative of the European Union recalled Commission on Human Rights resolution 2002/68, in which the Commission established three mechanisms to implement the Durban Declaration and Programme of Action: the Intergovernmental Working Group, with a view to the effective implementation of the Durban Declaration and Programme of Action; the Working Group of Experts on People of African Descent; and the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action. She noted that, in 2007, the mandate to elaborate complementary standards was transferred from the intergovernmental working group to the Ad Hoc Committee on the Elaboration of Complementary Standards, and in 2016, the General Assembly decided to request the Ad Hoc Committee to start drafting an additional protocol to the International Convention on the Elimination of All Forms of Racial Discrimination on racist and xenophobic acts. In the past 12 months, developments included the creation of the Permanent Forum of People of African Descent and the international independent expert mechanism on preventing excessive force and other human rights violations by law enforcement officers towards people of African descent. She suggested that it would be useful to reflect on how to make a difference and ensure an impact, especially in times of limited resources, and to take the opportunity to revisit and assess the existing mechanisms and to define priority areas for action. She noted that the European Union was not convinced that the Group of Independent Eminent Experts had given any additional value to the fight against racism, and she reiterated the European Union's request to rescind its mandate. She also noted that the European Union did not support the creation of the Ad Hoc Committee and saw no added value in the drafting of an additional protocol to the International Convention on the Elimination of All Forms of Racial Discrimination. Furthermore, the European Union remained of the firm conviction that the Convention was and should remain the basis of all

efforts to combat racism, and it stood ready to discuss ways of revitalizing work in that regard and of streamlining those mechanisms.

VI. Discussion on agenda item 9, on the four-point agenda towards transformative change for racial justice and equality of the High Commissioner

56. The Chief of the Rule of Law, Equality and Non-Discrimination Branch of OHCHR, Mona Rishmawi, briefed the Working Group on the High Commissioner's report issued pursuant to Human Rights Council resolution 43/1 and on the four-point agenda towards transformative change for racial justice and equality. Ms. Rishmawi recalled the four pillars of that agenda. The first point addressed systemic racism, including poverty, high unemployment rates, lower wages, poorer education and health outcomes, lack of access to adequate housing, and insufficient meaningful participation in decision-making processes and in public life. Any hope of success depended on comprehensive approaches to alter structures, institutions and behaviours. The second point focused on law enforcement. The association of Blackness with criminality and other biases shaping the interactions of people of African descent with law enforcement and the criminal justice system was a recurring concern. The third point was aimed at amplifying the voices of people of African descent and the demands for racial justice. States must foster and facilitate peaceful assemblies and the expression of human rights claims. The fourth and final element addressed the legacies of the past. In this area, States are called upon to confront the legacies of the past, including through accountability and redress. Ms. Rishmawi recalled that the Human Rights Council, as a follow up to the agenda, adopted its resolution 47/21, which contained two key components. The first was the establishment of an international independent expert mechanism, comprising three experts with law enforcement and human rights expertise, with a three-year mandate to advance racial justice and equality in the context of law enforcement in all parts of the world. The second called for OHCHR to enhance and broaden its monitoring in order to continue to report on these issues and to take further action globally towards transformative change for racial justice and equality. Partnerships with States, other United Nations agencies and civil society, notably organizations led by people of African descent, would be crucial in making progress. Moving forward, OHCHR would continue to work closely with United Nations human rights and anti-racism mechanisms, in order to maximize collective effectiveness, strengthen synergies and impact in the fight against systemic racism faced by Africans and people of African descent, and other racial or ethnic population groups.

VII. Conclusions and recommendations

57. **The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action:**

(a) **Welcomes the celebration of 75 years of United Nations action against racism and racial discrimination, while welcoming also the twentieth anniversary of the Durban Declaration and Programme of Action, and the political declaration adopted on 22 September 2021 by the General Assembly on the twentieth anniversary of the Durban Declaration and Programme of Action;**

(b) **Welcomes the establishment of the Permanent Forum of People of African Descent and the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, as well as the proclamation of 31 August as the International Day for People of African Descent;**

(c) **Reaffirms that the Durban Declaration and Programme of Action, adopted in 2001, and the outcome document of the Durban Review Conference, adopted in 2009, as well as the political declaration on the occasion of the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, provide a comprehensive United Nations framework and solid foundation for combating racism, racial discrimination, xenophobia and related intolerance, and reaffirms its commitment to their full and effective implementation;**

(d) Recalls the importance of the International Convention on the Elimination of All Forms of Racial Discrimination as the principal international instrument to prevent, combat and eradicate racism, racial discrimination, xenophobia and related intolerance, and of the Committee on the Elimination of Racial Discrimination, and recalls also the fundamental importance of the universal ratification and effective implementation of the Convention;

(e) Reaffirms its commitment to leave no one behind and, to that end, the urgency for all countries to come together to fulfil the promise of the United Nations, and also reaffirms its determination to implement the 2030 Agenda for Sustainable Development, as well as its commitment to international cooperation and multilateralism and, in accordance with the political declaration adopted by the General Assembly, to build trust to ensure the future we want by, inter alia, addressing inequalities within and among countries, preventing human rights violations and abuses, and addressing the root causes of discrimination in all its forms, as well as their growing manifestations, which contribute to acts of xenophobia, racism, intolerance, hate speech and disinformation;

(f) Acknowledges and profoundly regrets the untold suffering and evils inflicted on millions of men, women and children as a result of slavery, the slave trade, the transatlantic slave trade, colonialism, apartheid, genocide and other past tragedies;

(g) Welcomes the progress made in many parts of the world in the elimination of racism, racial discrimination, xenophobia and related intolerance since 2001, while acknowledging with concern that, in spite of concerted efforts by the international community during the past 20 years, building on efforts of the past decades, the scourge of racism, racial discrimination, xenophobia and related intolerance, including their new forms and manifestations, still persists in all parts of the world, and countless human beings continue to be victims to the present day;

(h) Acknowledges with deep concern the rise in discrimination, hate speech, stigmatization, racism, systemic racism, stereotypes, racial profiling, violence, xenophobia and intolerance, both in person and online, directed against, inter alia, Africans and people of African descent, Asians and people of Asian descent, indigenous peoples, Roma and persons belonging to other racial, ethnic, linguistic or religious minorities, and motivated by prejudices, such as Afrophobia, Islamophobia, and anti-Arabism, and against persons on the basis of their religions or beliefs, including antisemitism, anti-Muslim and anti-Christian manifestations and related discrimination and hatred, as well as directed against women and children, migrants, refugees, forcibly displaced persons, asylum seekers, internally displaced persons, persons with disabilities, older persons, young people and other persons in vulnerable situations;

(i) Notes with concern the disproportionate impact of the COVID-19 pandemic on the existing inequalities within our societies and among countries and regrets that, in that context, persons belonging to racial and ethnic minorities, Asians and people of Asian descent, and other persons, especially women and girls, have been victims of racist violence, threats of violence, discrimination and stigmatization, and urges States to address this issue;

(j) Calls upon States to show stronger political will in the implementation of the Durban Declaration and Programme of Action, to accelerate action for racial equality and to address the disparities and inequalities in human development due to racism, racial discrimination, xenophobia and related intolerance;

(k) Acknowledges the importance of the Declaration on the Right to Development for promoting justice and dignity for all in line with the principle of equality of opportunity for development, and acknowledges the need to combat racism in all its manifestations, considering that all human rights and fundamental freedoms are universal, indivisible, interrelated and interdependent;

(l) Urges States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve

democratic institutions so that they are more fully participatory, and to avoid marginalization, exclusion and discrimination against specific sectors of society;

(m) Urges States to mainstream a gender perspective in the design and development of measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

(n) Encourages States to utilize and build on existing frameworks with potential to effect change, such as endorsing the International Decade for People of African Descent and its programme of activities, and implementing through concrete measures an agenda for transformative change towards racial justice and equality, as articulated by the United Nations High Commissioner for Human Rights;

(o) Urges States to establish, on the basis of statistical information, national programmes, including affirmative or positive measures, in accordance with relevant national legislations to promote the access of individuals and groups of individuals who are or may be victims of racial discrimination to basic social services, including primary education, basic health care and adequate housing;

(p) Urges States to ensure that those facing racial inequality, racism, racial discrimination, xenophobia and related intolerance should be able to participate fully in processes that have an impact on their lives. States are also encouraged to promote consultations and ensure that the voices of victims are heard and respected, in order to better identify forms and manifestations of racism and how they are experienced, and to design more effective policies and strategies, including national action plans to counter racial discrimination;

(q) Notes with concern the existence of misinformation on the Durban Declaration and Programme of Action due to the lack of public knowledge about its content, constituting a serious obstacle towards generating political will for its full and effective implementation, and stresses therefore the importance of fully implementing the outreach programme and of disseminating the Durban Declaration and Programme of Action widely;

(r) Encourages States and the United Nations system to redouble efforts to publicize the Durban Declaration and Programme of Action and its content and increase outreach to different segments of the population;

(s) Recalls that the Council, in its resolution 48/18, requested the Office of the High Commissioner to establish and launch a two-year comprehensive communications strategy, inclusive of an outreach programme to raise awareness about and mobilize global public support for racial equality, including about the content and contribution of the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action to the struggle against racism, racial discrimination, xenophobia and related intolerance.

National action plans against racial discrimination

58. The Working Group:

(a) Recognizes that combating racism, racial discrimination, xenophobia and related intolerance is a primary responsibility of States. It therefore encourages States to develop or elaborate national action plans to promote diversity, equality, equity, social justice, equality of opportunity and the participation of all. Through affirmative or positive actions and strategies, among other things, these plans should be aimed at creating conditions for all to participate effectively in decision-making and to realize civil, cultural, economic, political and social rights in all spheres of life on the basis of non-discrimination. The Working Group encourages States, in developing and elaborating such action plans, to establish or reinforce dialogue with non-governmental organizations in order to involve them more closely in designing, implementing and evaluating policies and programmes;

(b) Urges States to adopt and implement, at national, regional and international levels, effective measures and policies, in addition to existing national anti-discrimination legislation and relevant international instruments and mechanisms, which encourage all citizens and institutions to take a stand against racism, racial discrimination, xenophobia and related intolerance, and also urges States to recognize, respect and maximize the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and between communities and nations, in particular through public information and education programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes where the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society;

(c) Further urges States to adopt or strengthen, as appropriate, national programmes for eradicating poverty and reducing social exclusion that take into account the needs and experiences of individuals or groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance, and also urges that they expand their efforts to foster bilateral, regional and international cooperation in implementing those programmes;

(d) Underlines that national action plans against racial discrimination, as requested in the Durban Declaration and Programme of Action, should be in accordance with State obligations and commitments to international, regional and national human rights standards and based on a comprehensive approach to human rights;

(e) Encourages States to include the adoption of the following measures, among others, in their national action plans against racial discrimination:

(i) Public policies to ensure that groups and individuals facing racial discrimination can fully and effectively exercise human rights without any discrimination and in full equality before the law;

(ii) Measures to prevent acts of racial discrimination by State bodies or by third parties. Particular emphasis must be placed on stopping systemic, institutional and structural racial discrimination;

(iii) Measures to eliminate violence, stigmatization, marginalization and other negative consequences of racism;

(iv) Measures to eliminate racial discrimination in the enjoyment of economic, social and cultural rights;

(v) Policies to ensure equal access to education for all in law and in practice, refraining from any legal or any other measures leading to imposed racial segregation in access to schooling;

(vi) Measures to eliminate racial discrimination in the workplace and steps to eliminate barriers;

(vii) Measures to curb hate speech and hate crimes.

Annex

List of participants

Member States

Argentina, Bangladesh, Belgium, Cameroon, China, Colombia, Costa Rica, Cuba, Ecuador, Egypt, Eritrea, Guatemala, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Mexico, Myanmar, Pakistan, Russian Federation, Rwanda, South Africa, Spain, Venezuela (Bolivarian Republic of) and Zimbabwe

Non-Member States

State of Palestine

Intergovernmental organizations

European Union

United Nations bodies and specialized agencies

United Nations Population Fund

Non-governmental organizations

Comité des observateurs des droits de l'homme

Commission africaine des promoteurs de la santé et des droits de l'homme

Défenseurs plus

Friends World Committee for Consultation

Genève pour les droits de l'homme : formation internationale

Institute for NGO Research

International Human Rights Association of American Minorities

International Human Rights Council

International-Lawyers.org

International Organization for the Elimination of All Forms of Racial Discrimination

International Youth and Student Movement for the United Nations

National Human Rights Council of Morocco

Quaker United Nations Office

Youth against Racism
