



# General Assembly

Distr.: General  
9 August 2024

Original: English

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## Seventy-ninth session

Item 69 (b) of the provisional agenda\*

**Elimination of racism, racial discrimination, xenophobia  
and related intolerance: comprehensive implementation of  
and follow-up to the Durban Declaration and Programme  
of Action**

### **Status report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on the elaboration of the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent**

**Note by the Secretary-General**

#### *Summary*

The present report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action provides information on progress made on the elaboration of the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent at the twentieth, twenty-first and twenty-second sessions of the Working Group and at its intersessional meeting, all held in Geneva.

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\* [A/79/150](#).



## **I. Introduction**

1. The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action presents to the General Assembly a status report on the elaboration of the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent, pursuant to Assembly resolution [78/234](#), in which the Working Group was requested to devote at least half of its annual session to the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent and to present a status report on the elaboration of the draft declaration to be considered by the Assembly at its seventy-ninth session.

2. The present report summarizes the discussions on the draft declaration, which took place during the Working Group's twentieth, twenty-first and twenty-second sessions and its intersessional meeting. The sessions were held from 13 to 21 October 2022, from 21 to 24 November 2023 and from 20 to 24 May 2024, respectively, while the intersessional meeting was held on 8 and 9 February 2024.

### **A. Opening of the sessions and election of the Chair-Rapporteur**

3. The twentieth 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. In her opening remarks, she said that the declaration would contribute to confronting and redressing past violations and injustices and their present consequences more effectively by encouraging concrete actions, and would constitute crucial guidance for building equal and just societies for people of African descent. The twenty-first session was opened by the Chief a.i. of the Rule of Law, Equality and Non-discrimination Branch of OHCHR, Abdoul Thioye, who welcomed the important work of the Working Group in elaborating the draft declaration, which represented an important step forward in recognizing and providing solutions for the challenges faced by people of African descent. Mr. Thioye also opened the twenty-second session. He highlighted that the draft declaration should address the concerns expressed by people of African descent themselves, as echoed at the Permanent Forum on People of African Descent.

4. The Permanent Representative of Rwanda to the United Nations Office at Geneva and other international organizations in Geneva, Marie Chantal Rwakazina, was elected Chair-Rapporteur for the twentieth and twenty-first sessions of the Working Group. The Deputy Permanent Representative of Kenya to the United Nations Office at Geneva, James Ndirangu Waweru, was elected Chair-Rapporteur for the twenty-second session of the Working Group. The Deputy Permanent Representative of the Gambia to the United Nations Office at Geneva and other international organizations in Geneva, Cherno Marenah, served as acting Chair of the twenty-second session, in the absence of Mr. Waweru.

### **B. Attendance**

5. The sessions were attended by representatives of States Members of the United Nations, United Nations bodies and agencies, human rights experts, and intergovernmental and non-governmental organizations (see annex II).

## **II. Chair-Rapporteur's preparatory documents, as a basis for discussions**

6. In order to facilitate discussions at the twentieth session of the Working Group, the Chair-Rapporteur presented a preparatory document for the draft United Nations Declaration on the respect, protection and fulfilment of the human rights of people of African descent. The document was the result of a systematic review of existing international human rights law and of inputs from various stakeholders. Delegations agreed with the Chair's proposal to have a first reading and initial discussions based on the preparatory document. At its twentieth session, the Working Group also invited the Chair-Rapporteur to review the preparatory document, taking into consideration existing human rights language, and to present the revised document at its twenty-first session.

7. The Working Group decided that discussions on the draft declaration were an ongoing process and would continue during its future sessions. That decision would not prevent the Working Group from returning to the paragraphs of the draft declaration and proposing new changes during its future sessions.

8. At the twenty-first session, the Chair-Rapporteur presented a revised document entitled "Chairperson's document compiling existing human rights language on issues pertaining to the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent". The document included paragraphs already agreed to by the Working Group at the twentieth session. It also proposed additional elements for further discussion and compiled previously agreed human rights language at the United Nations level on issues pertaining to the draft United Nations declaration. The issues of the additional elements were based on submissions received from the Working Group of Experts on People of African Descent and the Permanent Forum on People of African Descent, as requested by the General Assembly in its resolution [76/226](#). Discussions during the twentieth, twenty-first and twenty-second sessions covered a first reading of the preambular paragraphs and articles 1–14.

## **III. Summary of the main points raised during the discussions on the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent**

### **A. General remarks**

9. The representative of Argentina, speaking also on behalf of Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Panama and Peru, expressed the full support of those States for the efforts of the Working Group to prepare a draft declaration. Although those States had not yet adopted a precise stance on the text, and without prejudice to a definitive pronouncement, they expressed their unequivocal commitment to drafting a declaration on the rights of people of African descent.

10. The representative of Colombia welcomed the initiative to draft a United Nations declaration on the rights of people of African descent, including individual and collective rights, access to justice, collective memory and relationship to land. The representative further noted that the declaration should provide for adequate reparations, taking into account the current challenges faced by people of African descent.

11. The representative of the United States of America said that his country was committed to advancing the rights of people of African descent, to dismantling the deeply rooted vestiges of systemic racism, including the institutional remnants of transatlantic slavery, and to achieving racial equity and justice for people of African descent. He also stated that it was the understanding of the United States that the declaration would be non-binding and was not intended to create additional obligations under international law. He added that several countries, including the United States, had long-standing concerns about specific elements of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in 2001, the Durban Review Conference held in 2009, and the Durban Declaration and Programme of Action.

12. The representative of Brazil welcomed the fact that the main objective of the declaration was to build the legal, political and institutional capacities necessary to promote the human rights of people of African descent. The representative further noted that the text should incorporate actions to strengthen the capacity of States to combat racism and to promote equality, and aim to guarantee fundamental rights, equitable access to public goods and services, and equal opportunities.

13. The representative of the Bolivarian Republic of Venezuela commended the preparatory document and noted that the declaration should be adopted by consensus and should provide for racial equality, the use of disaggregated data, and reparations.

14. The representative of the Russian Federation said that the text required meticulous fine-tuning and discussions with the capital, and reserved the State's position for now on the whole text of the draft declaration.

15. The representatives of the United Kingdom of Great Britain and Northern Ireland, the United States and the European Union emphasized the need to use consensual language from the Durban Declaration and Programme of Action or other relevant documents when there was no consensus among States. The representatives of Cuba, Nigeria and South Africa emphasized the need to develop new strong language, when needed. The representative of Cuba noted that the new declaration should not simply repeat language from previous documents. The representative of Brazil said that the exercise was intended to strengthen the language in order to adopt more pragmatic measures to improve the human rights situation of people of African descent.

16. The representatives of Cuba and Venezuela (Bolivarian Republic of) suggested having an in-depth discussion on specific terminology, such as "Afrophobia", peoples of African descent and intersecting forms of discrimination, with the aim of reaching an agreement on those concepts.

17. The member of the Permanent Forum on People of African Descent, Pastor Murillo, said that an important part of the Forum's mandate was to consider the elaboration of a draft United Nations declaration on the promotion of and full respect for the human rights of people of African descent. In December 2022, the Forum had discussed the elements to be included in the declaration, and it looked forward to making critical contributions to future drafts of the declaration based on extensive consultations with civil society, academics, Member States and other stakeholders. For the declaration to be relevant, it should not only compile existing language regarding the human rights of people of African descent from established instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action, but also develop and complement those provisions and standards. The declaration should recognize systemic racism, including interpersonal, social, cultural, institutional and structural discrimination; the specific, multidimensional and intersectional manifestations of racism, including Afrophobia; the roots of racism in histories of

colonialism, slavery and transoceanic trade; and socially entrenched notions and practices of racial superiority and domination. It should also comprehensively address systemic racism, dismantle it and establish equal enjoyment of rights in all areas of society.

18. The expert of the Working Group of Experts on People of African Descent, Catherine Namakula, suggested that the text of the draft declaration should include descent as a ground for discrimination; make explicit provision for the right of people of African descent to physical and mental integrity and security of person; and include age as a ground for intersectional discrimination. She also said that attention should be paid to racial profiling and racial stereotyping, as well as automated or algorithmic profiling, and that provisions on women and girls of African descent should be consolidated into one provision.

19. The member of the Committee on the Elimination of Racial Discrimination, Gay McDougall, noted the importance of having an international instrument that recognized people of African descent as rights holders who had a common experience of serious harm resulting from crimes that were transnational, unprecedented and irreparable in nature. She said that the achievement of the draft declaration would not be to create new rights, but to recognize people of African descent as rights holders and to remove blockages and persistent denial of their human rights. She suggested general recommendation No. 34 (2011) of the Committee on the Elimination of Racial Discrimination as a source of inspiration for the draft declaration, but said that the general recommendation should not be a limitation to further developments that the future declaration could generate. The future declaration would carry the significance of a consensus-based declaration of the General Assembly.

20. The Chief of the Groups in Situations of Vulnerability Section of the Organization of American States, Roberto Rojas, suggested using language from the International Convention on the Elimination of All Forms of Racial Discrimination or other relevant international legal frameworks to define racism, racial discrimination, direct and indirect discrimination and intersecting discrimination in the draft declaration. He recalled the recent decision of the Inter-American Court of Human Rights in the case of *Acosta v. Argentina*, in which the Court had requested that Argentina train justice administrators and security forces on national and international legislation to combat racial discrimination to prevent and eradicate racial profiling and excessive use of force, especially against people of African descent, and suggested adding a similar recommendation to the draft declaration. He said that the declaration should also promote the recognition of the intangible cultural heritage of people of African descent and encourage investment in centres for research on the cultures of people of African descent. He also proposed the inclusion in the draft declaration of a recommendation addressed to States to allocate sufficient budgetary resources for the implementation of the declaration. The declaration should also promote the adoption of special measures to provide mental health services for people of African descent and victims of racism. Lastly, he recommended that a mechanism be designated to monitor the commitments under the declaration and to promote its effective implementation.

21. An independent researcher, Marta Rangel, said that the coronavirus disease (COVID-19) pandemic had highlighted structural problems and historical inequalities, most acutely affecting population groups living in poverty, including people of African descent. She recommended the inclusion of the following goals in the declaration: implementing intersectional and intercultural policies; ensuring visibility for people of African descent in statistics; guaranteeing consultation of and free, prior and informed consent for Afro-descendant communities; guaranteeing equality before the law and in the administration of justice; preventing excessive use of force and racial profiling; protecting women, adolescents and girls of African

descent from gender-based violence; guaranteeing minimum income, social assistance, food, clean water, sanitation and timely access to intercultural health services; providing free high-quality education without discrimination; mitigating school disruption; and promoting high-quality jobs in positions of responsibility. She said that it was necessary to build a new social contract based on human rights.

## **B. Title of the draft declaration**

22. The expert of the Working Group of Experts on People of African Descent, Ms. Namakula, noted that the initial title of the draft declaration represented only two forms of human rights obligations – to promote and to respect – and said that the obligations to protect and to fulfil also deserved to be included in the title. Either the title should be simply “Declaration of the Rights of People of African Descent”, or all obligations, including protecting and fulfilling, should be reflected in the title. Member States discussed the proposal and agreed to amend the title to “Draft United Nations Declaration on the respect, protection and fulfilment of the human rights of people of African descent”.

## **C. Crimes of the past**

23. The representative of South Africa welcomed the Chair’s preparatory document, particularly the inclusion of the issue of reparations for crimes of the past in the draft declaration, while recalling the opposition from some former colonial States to engaging with that issue.

24. The representatives of Algeria, Bolivia (Plurinational State of), Colombia, Cuba, China, Ecuador, Egypt, Iran (Islamic Republic of), Nicaragua, South Africa, Venezuela (Bolivarian Republic of) and the State of Palestine emphasized the importance of redress for the legacies and impacts of colonialism and enslavement and noted the responsibility to repair past human rights violations.

25. The representative of the European Union said that the States members of the European Union had different historical trajectories and therefore different positions, in particular on the issue of reparations. At the fifty-first session of the Human Rights Council, the European Union had recognized the importance of discussing and addressing the issue of colonialism and noted that combating racism also meant acknowledging and addressing past transgressions. The European Union had also recognized that slavery and the slave trade, including the transatlantic slave trade, were tragedies in history, and had further recognized the need to have constructive conversations on those issues to grapple with past injustices. She emphasized the importance of carefully reflecting on the language. She affirmed some horizontal principles that were particularly relevant from the European Union perspective: the principle of the universality of human rights, which meant that all human beings had the same human rights, which had to be reflected in any United Nations instrument; the importance of placing the declaration in continuity with the International Convention on the Elimination of All Forms of Racial Discrimination and the need for coordination between the legal texts; and the need to ensure inclusivity and consensus in the process.

26. The representative of South Africa said that the issue of reparations for slavery and colonialism could not be omitted from the draft declaration. The representatives of Algeria, Colombia, Cuba, Egypt, the Gambia, Iran (Islamic Republic of), Namibia, Nigeria and Venezuela (Bolivarian Republic of) supported the position of South Africa.

27. The representative of the United States welcomed efforts to frame the draft declaration in terms of the International Convention on the Elimination of All Forms of Racial Discrimination, which was the strongest multilateral agreement in that area. Transatlantic slavery had been a complex worldwide system, and dialogue on the issues of reparations and reparatory justice had a global component that should be addressed in a constructive manner.

28. The representative of Brazil, speaking also on behalf of Argentina, Chile, Panama and Paraguay, referred to the need to protect the rights of people of African descent, as victims of slavery, colonialism and racial segregation, in line with the Durban Declaration and Programme of Action and the programme of activities for the implementation of the International Decade for People of African descent.

29. Speaking in her national capacity, the representative of Brazil suggested that the declaration should urge States to reinforce protection for people of African descent by ensuring that they had access to adequate remedies and enjoyed the right to seek justice and adequate reparation from competent national tribunals and other national institutions.

30. The representative of South Africa suggested that the international community and its members should be invited to close those dark chapters in history and to honour the memory of the victims of those tragedies. He added that apologies should be unqualified, noting that some States believed that because they had created laws to legalize enslaving people and colonizing other countries, it had been legal, which was not correct.

31. The representatives of Algeria, Brazil, Cuba, Egypt, Nigeria, Panama, South Africa and Venezuela (Bolivarian Republic of) emphasized the need for transformative change to counter the negative effects of enslavement, colonialism and successive racially discriminatory policies and systems, which contributed to social and economic inequalities in many parts of the world.

32. The representative of the United Kingdom expressed reservations regarding the inclusion in the text of reparations for the legacies of slavery and colonialism. He also expressed disagreement with the assertion that legacies of colonialism had an impact on the enjoyment of all human rights.

33. The representative of South Africa said that ongoing systemic racism and economic exploitation were the direct effects of slavery and colonialism and had negative impacts on all human rights.

34. The representative of Namibia said that States had the obligation to provide effective and adequate remedies for both past and contemporary atrocities. The representative of South Africa said that enslavement was the cause of the current structural and systemic racism and that it needed to be seriously addressed.

35. The representative of Brazil said that the Working Group should enhance existing language to be more pragmatic, with the end goal being to improve the human rights situation of people of African descent. She emphasized the need to discuss the issue of apologies and whether they should be qualified or unqualified in the declaration. She called upon all States concerned to meet their moral obligation to take appropriate and effective measures to halt and reverse the lasting consequences of slavery, the slave trade and the transatlantic slave trade.

36. The representative of Namibia expressed discomfort with the term “concerned States” in paragraph 14 of the preamble. She said that the term was not strong enough and should be amended to read “responsible States”. The representative of the European Union suggested the language of the Durban Declaration and Programme of Action, which stated that States had moral obligations which they must act upon

by taking measures to address past wrongs. The representative of South African said that as the Durban Declaration was a political declaration, it was not a legally binding document. States, whether they recognized it or not, had a moral obligation.

37. The Chair of the Working Group of Experts on People of African Descent, Barbara Reynolds, said that the use of the word “slavery” had been largely replaced since Durban by the term “enslavement of Africans”. Similarly, the use of the term “slave trade” had been replaced by the term “trade and trading of enslaved Africans”. She requested that those terms be used throughout the declaration.

38. The Chair of the Committee on the Elimination of Racial Discrimination, Verene Shepherd, expressed concern at the anti-reparation claims made by some Member States on the grounds that human trafficking and chattel enslavement had not been illegal under international law at the time of perpetration. She called for States to embrace the progressive agenda that was represented by the Chair’s draft declaration and expressed the wish that States would finally apologize and effectively settle the debt they owed for their wrongs of the past. She expressed support for integrating a reference to the Caribbean Community’s ten-point plan for reparatory justice into the declaration, as a solid framework for addressing the continued impact of colonialism through a comprehensive development package.

39. The Vice-Chair of the African Commission on Human and Peoples’ Rights, Maya Sahli-Fadel, noted the importance of reparations for past violations and their present consequences and said that such reparations were necessary to ensure non-repetition, reconciliation and the building of inclusive and just societies.

#### **D. Intersecting forms of discrimination**

40. The representatives of Iran (Islamic Republic of) and Iraq stressed the importance of ensuring the conformity of the text of the draft declaration with international law and international human rights law. They expressed reservations about references to “intersecting forms of discrimination”, as the formulation did not enjoy consensus, and proposed replacing it with “multiple forms of discrimination based on other related grounds”.

41. The representatives of Algeria, Egypt, Mauritania, Namibia, Nigeria and Pakistan said that the Durban Declaration recognized that racism, racial discrimination, xenophobia and related intolerance occurred on the grounds of race, colour, descent or national or ethnic origin and that victims could suffer multiple aggravated forms of discrimination based on other grounds such as sex, language, religion, political or other opinions, social origin, property, birth or other status. The Durban Declaration did not use the term “intersecting forms of discrimination”, but rather “multiple or aggravated forms of discrimination”. Accordingly, they would prefer to use the term “multiple forms of discrimination”, in line with the Durban Declaration.

42. The representative of Nigeria added that the grounds of discrimination mentioned in the Durban Declaration were race, colour, descent and national or ethnic origin, which could be aggravated by other grounds. She said that the Durban Declaration specifically addressed the gender dimension of discrimination, racism and violence faced by women, including sexual violence.

43. The representative of Egypt said that while she took note of the intersectional approach in combating racism, the Working Group should not take that concept out of the context in which it had been debated and widely interpreted in different United Nations documents. The term “intersecting forms of discrimination” was an



expression that had been increasingly contested in Human Rights Council and General Assembly resolutions and that did not enjoy the consent of all Member States.

44. The representative of Cuba suggested using the word “interrelating” instead of “intersecting”, with the aim of finding a middle ground.

45. The representatives of Argentina, Brazil, Colombia, Costa Rica, Ecuador, Mexico, Panama, the United States and the European Union requested to keep the concept of intersecting discrimination in the draft declaration.

46. The representative of Panama said that the concept of intersecting forms of discrimination in the context of the rights of people of African descent was of the utmost importance. The history of intersectionality had its origins in the movement of Black women and was based on the premise that Black people were not a homogeneous group. It referred to diversity with regards to sex, gender, age, disability, socioeconomic status and other grounds of discrimination. She recalled that on several occasions, the special procedures of the Human Rights Council had highlighted intersectionality in their reports and that the Working Group had adopted by consensus the term “intersecting forms of discrimination”.

47. The representative of the European Union said that the expression “multiple, aggravated or intersecting forms of discrimination” was widely accepted within the Working Group and was a key concept in the fight against racism. She added that General Assembly resolution 69/16 on the programme of activities for the implementation of the International Decade for People of African Descent contained three references to the fact that people of African descent faced multiple, aggravated or intersecting forms of discrimination.

48. The representative of South Africa noted the serious, multiple and intersecting forms of discrimination faced by Black males. He said that the term “intersecting forms of discrimination” was not only related to sexual orientation and gender identity, but also to the discrimination faced by women and girls. The main point for the inclusion of the term was to protect all people, not only women and girls but also men, who faced multiple and intersecting forms of discrimination, especially in contexts where they were perceived as a threat, an issue that was often forgotten. In schools all over the world, boys were falling behind and were more likely than girls to drop out of school.

## **E. Sexual and gender-based violence**

49. The representative of Iraq expressed reservations about the inclusion of sexual and gender-based violence in the draft declaration. He said that the declaration should be in conformity with existing international human rights law, but the notion of sexual and gender-based violence did not enjoy consensus at the international level. The representative of the Islamic Republic of Iran supported those reservations with regard to the formulation “gender-based violence”, while noting that the term “sexual based violence” was accepted language.

## **F. Afrophobia**

50. The representatives of Algeria, Côte d’Ivoire, Cuba, the Gambia, Iran (Islamic Republic of), Kenya, Nigeria and Sierra Leone requested the inclusion of the term Afrophobia, which was a particular type of hostility aimed at people of African descent. A comparison was drawn with the term xenophobia, which was included in the Durban Declaration.

51. The Chair of the Working Group of Experts on People of African Descent, the member of the Permanent Forum on People of African Descent and representatives of civil society also highlighted the importance of including Afrophobia throughout the draft declaration.
52. The representative of the European Union said that the term Afrophobia was a purely subjective term denoting a feeling of fear. It could not be included as a legal term in the declaration. She recalled that the term was not included in the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action or any binding international document, and considered the inclusion of the term as a setback in the negotiations. She said that there was no agreed definition of the term within the United Nations, and added that the European Union's legislative framework used the term "anti-Black racism". She requested to record a reservation about the inclusion of the term in the text of the declaration. The representatives of the United Kingdom and the United States expressed similar reservations.
53. The representative of Cuba noted that various States accepted and applied the term "xenophobia", another term that denoted fear. The representatives of Cuba and Venezuela (Bolivarian Republic of) expressed the need for an in-depth discussion on the definition of Afrophobia.
54. The representative of Brazil said that the term Afrophobia was not used in Latin America and that Brazil could not support the inclusion of a term that had not yet been defined at the United Nations level. The meaning of Afrophobia was not the same in different countries and a definition was needed if it was to be included in the draft declaration.
55. The representative of Costa Rica expressed caution regarding use of the term, as it might water down well-recognized rights and principles of international law protecting against racial discrimination. The representative of Panama noted that there was no common understanding of the term in the region.
56. The representative of the Islamic Republic of Iran said that the term Afrophobia had increasing usage within the United Nations. In its resolution [21/33](#), the Human Rights Council deplored "the special form of discrimination faced by people of African descent known as 'Afrophobia'". Afrophobia had also been included in General Assembly resolution [74/136](#). Given that Afrophobia was also experienced through social media, the issue of digital violence needed to be added to the definition of the term.
57. Under the leadership of South Africa, the Group of African States drafted the following definition of Afrophobia and proposed that it be added to the draft declaration: "Recognizing Afrophobia as a specific form of discrimination, which includes intolerance, hatred, prejudice and/or hostility faced by Africans and people of African descent based on their race, colour, ethnicity, country of origin and/or ancestry, fuelled by historical abuses and negative stereotyping, and leading to the compounded disadvantage, systemic exclusion and/or dehumanization of Africans and people of African descent."
58. The representative of South Africa suggested adding that definition to the preamble and to article 6 of the draft declaration, which dealt with combating racism. The representative of Sierra Leone emphasized the need to recognize Afrophobia as a unique form of discrimination in the definition.
59. The representative of the European Union said that the reinsertion of the term Afrophobia appeared to be a step backwards, delaying negotiations and the finalization of the declaration, and encouraged the Working Group to compromise and show flexibility.

60. Several States welcomed the proposed definition, pending further consultations with their capitals. The Working Group agreed that the text remained subject to further negotiation during its next session.

## **G. Inclusion of the word “Africans”**

61. The Group of African States said that Africans and people of African descent were victims of colonialism and enslavement and continued to suffer its lasting consequences, and as such advocated for “Africans” and “people of African descent” to be included in the definition of Afrophobia and in the draft declaration, as and where appropriate. The rationale for that was drawn from the Durban Declaration and Programme of Action, which covered discrimination and injustices faced by both Africans and people of African descent. The representative of Egypt highlighted the need to define the link between Africans and people of African descent in the preambular part of the declaration.

## **H. Inclusion of additional slave routes**

62. The representative of Kenya, speaking on behalf of the Group of African States, requested the inclusion of other slave routes, including the trans-Saharan slave trade and the Indian Ocean slave trade, alongside the transatlantic slave trade, to ensure the recognition of other rightful victims and their descendants in the declaration.

## **I. Collective rights**

63. Participants considered the use of “people” or “peoples” in the title and throughout the text. The representative of Argentina expressed reservations about the use of the word “peoples”. The representative of South Africa, supported by the representatives of Nigeria, the United States and the European Union, expressed preference for the use of “people” and highlighted the differences between people of African descent and Indigenous Peoples. The representative of the United Kingdom said that referring to “peoples” introduced the notion of collective rights and said that his delegation did not recognize that concept and had reservations about its use.

64. The representative of the Bolivarian Republic of Venezuela expressed preference for the use of “peoples” throughout the text and said that international public law recognized collective rights as human rights.

65. The representative of the European Union said that all humans were equal, that there were universal rights for all, and that the Working Group was not creating new rights for a special group of people. The terminology used in United Nations documents was “people of African descent”. The Durban Declaration and Programme of Action did not recognize collective rights, while reference to the collective dimension of rights had been included in the United Nations Declaration on the Rights of Indigenous Peoples and in the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas. That important aspect should be discussed further at national level.

66. The representatives of Costa Rica, Panama and the European Union asked to add a reservation on references to collective rights, noting the need to receive feedback from national capitals and regional groups.

67. The representative of the United States said that the draft declaration framed human rights as collective and asserted that people of African descent had collective

rights similar to those of Indigenous Peoples. Human rights were, with certain limited exceptions, understood as individual rights, not collective rights.

68. The representative of Mexico noted the importance of including collective rights of people of African descent in the draft declaration, arguing that it was necessary to take into account other declarations, such as the United Nations Declaration on the Rights of Indigenous Peoples. He said that Mexican legislation recognized both individual and collective rights of Indigenous Peoples and of people of African descent. The representative of Cuba noted that within international public law, there was a recognition of collective rights as human rights. The representative of Colombia requested the reinsertion of collective rights of people of African descent in the text.

69. The Working Group of Experts on People of African Descent requested the inclusion of the collective nature of the violation of the human rights of people of African descent and recommended that collective rights be included where appropriate.

70. The representative of the United Kingdom said that the United Kingdom did not accept that some groups in society benefited from human rights that were not available to others. The United Kingdom also did not accept the concept of collective human rights as a matter of international law, with the exception of the right to self-determination. States must ensure that individuals within groups were not left unprotected by allowing the rights of a group to supersede others.

71. The member of the Permanent Forum on People of African Descent, Mr. Murillo, 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, particularly as it related to the right to property and to the use of lands, cultural identity, protection of traditional knowledge and prior consultation. He also spoke about the recognition of collective rights in Colombia and Ecuador. He emphasized that languages and traditional knowledge were not individual but collective knowledge and part of the heritage of people of African descent.

72. A member of the Latin American Alliance for the International Decade for People of African Descent and professor at the Instituto de Altos Estudios Nacionales of Ecuador, John Antón Sánchez, emphasized the importance of recognizing the collective dimension and the group character of people of African descent in the Latin American region. Pursuant 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 in its judgment in the case of *The Saramaka People v. Suriname*. He noted the need to include structural and cultural dimensions in the draft declaration.

## **J. General or targeted focus**

73. The representative of the European Union proposed introducing a more general focus throughout the draft declaration, suggesting the phrase “all individuals have the right, including people of African descent”. She argued that a focus solely on the rights of people of African descent would bar the universal application of those rights.

74. The representatives of Bolivia (Plurinational State of), Brazil, Colombia, China, Cuba, Ecuador, Egypt, Honduras, Iran (Islamic Republic of), Kenya, Mexico, Nigeria, Panama, the Russian Federation, South Africa and Venezuela (Bolivarian Republic of) expressed disagreement with that proposal and the use of that phrase throughout

the draft, as the objective of the declaration was specifically to advance the rights of people of African descent, and should therefore focus on their rights.

## **K. Use of “shall”, “should” or “urges”**

75. Regarding the operative paragraphs calling for State action, the representative of the United States requested the use of “should” or “urges”, and expressed caution about the use of “shall” in relation to language that did not correspond to pre-existing international legal obligations to avoid the creation of new obligations. The representatives of Canada, Japan, the United Kingdom and the European Union agreed with the remarks made by the United States.

76. The representatives of Algeria, Bolivia (Plurinational State of), Brazil, Colombia, Costa Rica, Cuba, Ecuador, Egypt, the Gambia, Honduras, Kenya, Mexico, Nigeria, Panama, South Africa and Venezuela (Bolivarian Republic of) were of the view that the word “shall” should be used throughout the text when calling for State action. They argued that the declaration should contain stronger, more robust language in a manner that advanced the issues contemplated in previous international agreements.

## **L. Right to equal access to education**

77. The representatives of Chile and Costa Rica emphasized the need for equal access and equal opportunity to education for people of African descent. The representative of South Africa suggested highlighting equal quality education, emphasizing the aspect of equality as important. The representatives of Algeria, China, Iran (Islamic Republic of), Iraq and South Africa referred to the direct and indirect discrimination faced by people of African descent and its impact in the realm of education. The representative of Honduras suggested supporting the provision of education relevant to one’s own culture, highlighting the need for racial and linguistic justice.

78. The representative of the European Union said that there was no right to quality education in human rights. The representatives of Brazil and the United States said that they could not ensure access to higher education and that that would create a new right and commitment.

79. The representative of Mexico said that in Mexico, approximately 7 per cent of people of African descent spoke Indigenous languages and accordingly, they had the right to preserve their languages and to have access to education in their own languages. The representative of Colombia agreed with the idea of teaching students of African descent in their own language, while the representatives of Brazil, Cuba and Costa Rica argued that asking States to provide education in the mother tongue of every citizen, migrant and refugee would create a cumbersome commitment that was largely impracticable as many languages were spoken in some countries. Similarly, the representative of the European Union said that States had complex language laws and that guaranteeing education in every spoken language was not feasible. The representative of the United States noted that, in addition to the considerations noted by others, the educational system in the United States was largely decentralized and that any agreement reached would not necessarily be applicable at the state level.

## M. Right to health

80. The representatives of Algeria, Cuba, Iran (Islamic Republic of), Kenya, Nigeria and South Africa emphasized the need to include the term Afrophobia in health-related articles.

81. The representatives of Brazil, Cuba, Egypt, the United Kingdom and the United States highlighted xenophobia against people of African descent in the context of the right to health. The representative of Brazil added that people of African descent faced xenophobia, both in general and when travelling abroad, including discrimination in access to health care. The term xenophobia was therefore relevant in the context of the right to health and the health-related articles.

82. The representative of Ecuador highlighted the issue of midwives. The representative of Algeria raised the issue of pharmaceutical corporations and the need to work with them alongside health-care professionals and community-based health providers to improve the health situation of marginalized groups.

83. The representatives of Iran (Islamic Republic of), the Russian Federation and Venezuela (Bolivarian Republic of) requested the deletion of the request for States to work with non-governmental organizations on health-related aspects. The representative of the European Union emphasized that non-governmental organizations were a pillar of a healthy democracy.

84. The representatives of Algeria, Colombia, Costa Rica, Cuba, China, Egypt, the Gambia, Honduras, Nigeria and South Africa highlighted the need for research into the treatment of diseases prevalent among people of African descent due to intergenerational trauma. The representative of Kenya noted the need to provide incentives for increased investment in research into and the development of health products to address diseases and health conditions predominantly affecting people of African descent, including understudied and neglected tropical diseases.

85. The issue of traditional medicine in the health system was raised by the representatives of China, Colombia, Costa Rica, Cuba, Ghana, Honduras, Iran (Islamic Republic of) and South Africa. The representatives of Algeria and Ghana noted the importance of adhering to appropriate scientific and medical standards as it pertains to article 13 on health issues. The issue of food and nutrition security for people of African descent was highlighted by the representative of Cuba.

86. The Senior Technical Lead and Unit Head on Human Rights at the World Health Organization (WHO), Pauliina Nykänen-Rettaroli, congratulated the Working Group on the draft declaration and shared the views of WHO on the draft, with a focus on the provisions relating to the right to health. She said that people of African descent often faced exclusion, racism, xenophobia and other forms of discrimination, which could increase exposure and vulnerability to risk factors of ill health, hinder access to quality health services and lead to poor health outcomes. A recent report from the Pan American Health Organization had revealed that people of African descent experienced increased poverty levels, limited access to health services and higher rates of infant mortality and maternal mortality. For instance, in some countries, the maternal mortality rate for women of African descent was between 1.3 and 3 times higher than the overall maternal mortality rate. Similarly, a recent survey from the European Union Agency for Fundamental Rights had highlighted that the experiences of people of African descent in some European countries continued to be marked by ongoing discrimination, inequity and challenges in accessing health-care services. For those reasons, WHO suggested strengthening the article on the right to health of the draft declaration by recognizing and committing to action to reduce the health disparities faced by people of African descent across various health conditions.

## **N. Right to freedom of religion or belief**

87. The representative of Egypt suggested new language in the preamble and operative paragraphs on the right to freedom of religion or belief and to be free from discrimination on the basis of religion or belief, a proposal that was supported by the representatives of Algeria, the Gambia, Nigeria and South Africa.

88. The representative of the European Union suggested that the wording of article 18, paragraph 1, of the International Covenant on Civil and Political Rights be used in the new article on the right to freedom of religion and belief. Article 18 stated that:

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

89. The representative of Egypt suggested language regarding the promotion of the positive role of leaders of religious communities in confronting racism, racial discrimination, xenophobia and related intolerance against people of African descent.

90. The representative of Brazil suggested referring to the right not to have a religion and the discrimination faced by persons practising African-based religions.

## **O. Data collection, analysis and use**

91. The representative of the European Union said that the European Union had complex and well-developed data collection and privacy laws. She expressed support for the Chair's proposal regarding data collection, analysis and use, which was based on the Durban Declaration and Programme of Action, which stated that data collection, analysis and use on the situation of individuals and groups of individuals who were victims of racism and racial discrimination should be gathered based on the victim's self-identification and in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees. The representatives of Brazil and South Africa agreed with the European Union's position.

92. The representatives of Cuba and Iran (Islamic Republic of) suggested that data collection should be consistent with national legislation and international safeguards. The representative of the United States said that including national legislation would undermine international human rights and fundamental freedoms provisions on the subject. The representative of Japan said that his country had no system for the collection of data disaggregated by race or ethnic origin and that creating a new obligation would place an undue burden on Japan.

93. The member of the Permanent Forum on People of African Descent, Mr. Murillo, said that it was important for States to collect and disaggregate data on race and ethnicity and other grounds of discrimination in order to give much needed visibility to the situation of people of African descent. There was a specific need for data regarding hate speech and violence. Reliable data were needed for States to monitor the situation of people of African descent and tailor appropriate racial equality measures.

## **P. Self-identification**

94. Regarding the issue of self-identification, the representative of Brazil said that people of African descent were those who identified themselves as such. The representative of the United States said that self-identification was a fundamental criterion for those referred to as people of African descent for the purposes of the declaration. The representative of Japan considered the term to be vague and expressed reservations. The representative of the Islamic Republic of Iran also expressed reservations about the concept, noting that the principle of self-identification was included in the Durban Declaration and Programme of Action only regarding data collection.

## **Q. Other important issues discussed**

95. The representative of Brazil referred to the need to tackle different aspects of systemic racism, such as in social, economic and political structures, which included poverty, underdevelopment and marginalization, and which had a direct connection with racial discrimination.

96. The representative of Cuba said that “all human rights”, as reflected in the Universal Declaration of Human Rights and the two Covenants, did not necessarily include third-generation rights. It was important to list third-generation rights, including the right to development, in the declaration, given their importance.

97. The representatives of Barbados, Brazil, Colombia, Costa Rica, Cuba, Ecuador, Nigeria, Panama and South Africa requested the inclusion of the right to a clean, safe, healthy and sustainable environment in the draft declaration, noting that people of African descent had been negatively affected by a deteriorating environment. The representative of China expressed reservations about the inclusion of the right to a sustainable environment in the text.

98. The representatives of Brazil and Costa Rica highlighted the historical contribution of people of African descent to the conservation and sustainable use of biodiversity. The representatives of Colombia and Panama proposed that the cultural heritage of people of African descent themselves should be preserved.

99. The representative of the Bolivarian Republic of Venezuela highlighted the negative impact of climate change on people of African descent. The representative of Colombia suggested recognizing the role that people of African descent had played in mitigating the impacts of climate change and the importance of protecting and promoting their rights as victims of climate change. The member of the Permanent Forum on People of African Descent, Mr. Murillo, referred to the importance of climate justice for people of African descent.

100. The representative of Barbados said that the use of artificial intelligence and technology biased algorithms should be included in the draft declaration. The representative of the United States said that both the positive and negative implications of new information and communications technologies should be reflected in the text.

101. Mr. Murillo referred to the widespread use of digital technologies for repressive goals and said that that aspect should be considered in the draft declaration. He argued that States should address contemporary forms of racism and discrimination, including those derived from the use of automation tools, artificial intelligence and information technology, and algorithmic bias, with a view to preventing and combating racial profiling.



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## **R. Consideration of elements for the future declaration**

102. After initial discussions, the Working Group considered the elements contained in annex I to the present report as elements for a future United Nations declaration on the promotion and full respect of the human rights of people of African descent, pursuant to General Assembly resolution [76/226](#).

103. The Working Group decided that discussions on the draft declaration were an ongoing process and would continue at its twenty-third session, scheduled to take place in January 2025.

104. The Working Group invited the Chair to review the structure of the draft declaration, taking into account as models of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas and the United Nations Declaration on the Rights of Indigenous Peoples, in order to ensure that the operative paragraphs began with the rights under protection, followed by the measures that States and other stakeholders should take to protect those rights.

## Annex I

### **Elements for the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent**

#### **Title**

United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent

#### **Preamble**

*Reaffirming* our commitment to the purposes and principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights,

*Reaffirming also* that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

*Affirming* under the Charter of the United Nations and the Universal Declaration of Human Rights that equality and non-discrimination are fundamental principles of international law and that there remains the need to respect human rights and fundamental freedoms for all without distinction of any kind, such as race, colour, sex, age, language, religion, disability, political or other opinion, national or social origin, property, birth or other status,

*Convinced* of the fundamental importance of universal accession to or ratification of, and full implementation of States' obligations arising under, the International Convention on the Elimination of All Forms of Racial Discrimination as the principal international instrument to eliminate racism, racial discrimination, xenophobia and related intolerance,

*Determined* to promote multilateralism, and calling for solidarity and closer collaboration within and between States, and with other stakeholders, in the fight against all forms of racism, racial discrimination, xenophobia and related intolerance, including against people of African descent,

*Welcoming* the positive role and contributions that the United Nations, the Working Group of Experts on People of African Descent, the Permanent Forum on People of African Descent, regional systems of human rights, national human rights institutions and civil society have played in advocating for the respect, protection and fulfilment of the human rights of people of African descent,

*Noting with appreciation* the agenda towards transformative change for racial justice and equality presented by the United Nations High Commissioner for Human Rights, which is aimed, inter alia, at encouraging States to ensure that the voices of Africans, of people of African descent and of those who stand up against racism are heard and that their concerns are acted upon, and to acknowledge and confront legacies [of slavery and colonialism], including through accountability and redress,

*Recognizing* that colonialism has led to racism, racial discrimination, xenophobia and related intolerance, and that Africans and people of African descent were victims of colonialism and continue to be victims of its lasting consequences, and acknowledging that the suffering caused by colonialism, wherever and whenever it occurred, must be condemned and its reoccurrence prevented,

*Acknowledging* the historical roles of people of African descent in affirming and promoting that all human beings are born free and equal in dignity and rights, and are entitled to all human rights and fundamental freedoms, including through abolitionist, decolonial, human rights, civil rights and other anti-racism movements,

*Recognizing* the important economic, social, cultural, political and scientific contributions made by people of African descent to our societies, and encouraging States to acknowledge those contributions,

*Acknowledging and profoundly regretting* the untold suffering and evils inflicted on millions of men and women of all ages as a result of slavery, the slave trade, the transatlantic slave trade, apartheid, genocide and past tragedies,

*Noting* that some States have taken the initiative to apologize and have paid reparation, where appropriate, for grave and massive violations committed,

*Strongly reaffirming*, as a pressing requirement of justice, that victims of human rights violations resulting from racism, racial discrimination, xenophobia and related intolerance, especially in the light of their vulnerable situation socially, culturally and economically, should be assured of having access to justice, including legal assistance where appropriate, and effective and appropriate protection and remedies, including the right to seek just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination, as enshrined in numerous international and regional human rights instruments,

*Emphasizing* that poverty, underdevelopment, marginalization, social exclusion and economic disparities are closely associated with racism, racial discrimination, xenophobia and related intolerance, and contribute to the persistence of racist attitudes and practices which in turn generate more poverty,

*Expressing deep concern* for the continuing racially discriminatory and violent practices perpetrated by many law enforcement officials against Africans and people of African descent, and systemic racism in the law enforcement and criminal justice systems, and underscoring the importance of ensuring that such acts are not treated with impunity,

...

## Article 4

[People of African descent have the right to be free from any kind of racism, racial discrimination, xenophobia and related forms of intolerance.]

To this end, States [shall/should] take all [necessary/appropriate] measures to combat and eliminate racism, racial discrimination, xenophobia and other forms of related intolerance, with a view to promoting racial equality and justice for all, paying special attention to multiple forms of discrimination and racist violence, as well as racial profiling, racial stereotyping and algorithmic bias.

## Article 5

[States shall/should guarantee the equal enjoyment of all human rights by people of African descent through concrete actions, such as the following:]

(a) Consider ratifying the International Convention on the Elimination of All Forms of Racial Discrimination, if they have not done so;

...

(d) Undertake a comprehensive review of domestic legislation with a view to identifying, amending and abolishing provisions in order to effectively combat direct or indirect discrimination;

(e) Adopt or strengthen anti-discrimination legislation to make it comprehensive and ensure its effective implementation;

...

(i) Adopt special measures, such as positive or affirmative action policies, where appropriate, to alleviate and remedy disparities and structural disadvantages in the enjoyment of human rights and fundamental freedoms affecting people of African descent, including women and girls of African descent, protecting them from discrimination and overcoming persistent structural disparities and de facto inequalities resulting from historical circumstances;

(j) Elaborate and implement national plans of action to promote diversity, equality, equity, social justice, equality of opportunity and the participation of all;

(k) Establish and/or strengthen national mechanisms or institutions with a view to formulating, monitoring and implementing policies to combat racism, racial discrimination, xenophobia and related intolerance and promoting racial equality, with the full and effective participation of representatives of people of African descent;

(l) Consider establishing and/or strengthening independent national human rights institutions, as appropriate, in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and/or similar mechanisms with the participation of civil society, and provide them with adequate financial resources, competence and capacity for protection, promotion and monitoring to combat racism, racial discrimination, xenophobia, [Afrophobia] and related intolerance;

(m) Intensify the efforts in the field of education, including human rights education, in order to promote an understanding and awareness of the causes, consequences and evils of racism, racial discrimination, xenophobia and related intolerance;

(n) Combat impunity and enhance accountability for racially motivated crimes in sport, and take all appropriate measures, in accordance with domestic legislation and international obligations, to prevent, combat and address resolutely and effectively all manifestations of racism, racial discrimination, xenophobia and related intolerance in the context of sporting events, and to ensure that racially motivated acts are sanctioned appropriately.

## Article 6

States [shall/should] take effective and appropriate measures, including legal measures as appropriate, to combat all acts of racism, in particular the dissemination of ideas based on racial superiority or hatred, incitement to racial hatred, or violence, as well as racist propaganda activities and participation in racist organizations.

States [shall/should] address contemporary forms of racism and racial discrimination, including those resulting from the use of digital tools, artificial intelligence and information and communications technologies, with a view to preventing and combating algorithmic bias and racial profiling.

## Article 7

States [shall/should] recognize the domestic and international histories and heritages, and cultural and other contributions to societies, of people of African descent. States shall also raise awareness of and take educational measures on the histories, heritages and cultural and other contributions to societies of people of African descent.

States [shall/should] adopt and implement comprehensive programmes to recognize, disseminate and promote knowledge about the cultures, histories and heritages of people of African descent, including but not limited to research and education programmes, with a view to respecting and restoring the dignity of people of African descent.

States should ensure that textbooks and other educational materials [accessibly] reflect historical facts accurately as they relate to past tragedies and atrocities, in particular slavery, the slave trade, the transatlantic slave trade and colonialism, so as to avoid stereotypes and the distortion or falsification of these historical facts, which may lead to racism, racial discrimination, xenophobia and related intolerance, including the role of respective countries therein.

## Article 8

States [shall/should] ensure access to education and promote access to new technologies that would offer [Africans and people of African descent/ all persons, including people of African descent/people of African descent], in particular women and children, adequate resources for education, technological development and long-distance learning in local communities. States are also urged to promote the full and accurate inclusion of the histories and contributions of Africans and people of African descent in the education curriculum.

States should take measures to ensure that public and private education systems do not discriminate against [anyone] or exclude [any] children and young people, [including] of African descent, that they are protected from direct or indirect discrimination of any form, negative stereotyping, stigmatization and violence from peers, teachers or other personnel working in educational institutions, and that training and sensitization are provided to this end.

States [shall/should] [where appropriate] implement measures to promote diverse representation in educational institutions to increase the number of teachers and other personnel of African descent.

States [shall take further measures/shall/should/are urged to] promote equity and inclusiveness in education by:

(a) Supporting the establishment and expansion of financial assistance programmes, including scholarships, [as appropriate,] designed to enable all students, regardless of race, colour, descent or ethnic or national origin, to attend institutions of higher education;

(b) Taking appropriate measures to ensure equal opportunities for and access to higher education [for all, including] by students of African descent through, inter alia, positive or affirmative action measures, mentorship programmes and university curricula that reflect their needs and interests, paying particular attention to the rights and special needs of women, children and persons with disabilities of African descent, in accordance with [national legislation/ regulations and policies/constitutional frameworks].

...

## Article 11

States should adopt measures, including positive or affirmative action to create equal opportunities to enable the full, equal and meaningful participation and leadership of people of African descent, including women and young women of African descent, in public and political affairs without discrimination, in accordance with international human rights law.

## Article 12

States should take concrete measures to eliminate racism, racial discrimination, xenophobia and related intolerance in the workplace against workers, [in particular people] of African descent, including migrants, and ensure the full equality of all before the law, including labour law, and eliminate barriers, where appropriate, to participation in vocational training, collective bargaining, employment, contracts and trade union activity; access to judicial and administrative tribunals dealing with grievances; seeking employment in different parts of their country of residence; and working in safe and healthy conditions.

States are urged, and the [non-governmental/public] and private sectors are encouraged:

(a) To support the creation of workplaces free of discrimination through a multifaceted strategy that includes civil rights enforcement, public education and communication within the workplace, and to promote and protect the rights of workers who are subject to racism, racial discrimination, xenophobia and related intolerance;

(b) To foster the creation, growth and expansion of businesses dedicated to improving economic and educational conditions in underserved and disadvantaged areas, by increasing access to capital through, inter alia, community development banks, recognizing that new businesses can have a positive, dynamic impact on communities in need, and to work with the private sector to create jobs, help to retain existing jobs and stimulate industrial and commercial growth in economically distressed areas;

(c) To improve the prospects of targeted persons facing, inter alia, the greatest obstacles in finding, keeping or regaining work, including skilled employment. Particular attention should be paid to persons subject to multiple forms of discrimination.

## Article 13

People of African descent have the [equal] right to the enjoyment of the highest attainable standard of physical and mental health.

## Article 14

People of African descent have the equal right to an adequate standard of living, including adequate food, clothing and housing.

## Annex II

### List of participants

#### Member States

Algeria, Angola, Argentina, Armenia, Austria, Bahamas, Barbados, Belgium, Bolivia (Plurinational State of), Brazil, Burundi, Cabo Verde, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechia, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Eswatini, Ethiopia, Finland, France, Gambia, Ghana, Greece, Guatemala, Guyana, Honduras, India, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Kenya, Kiribati, Lebanon, Lesotho, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Mauritania, Mexico, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Sierra Leone, Slovenia, South Africa, Sudan, Syrian Arab Republic, Thailand, Togo, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

#### Non-member States

State of Palestine

#### Intergovernmental organizations and United Nations bodies and agencies

European Union

International Federation of Red Cross and Red Crescent Societies

Organization of American States

Organization of Islamic Cooperation

United Nations Population Fund

World Health Organization

#### Non-governmental organizations

African Commission of Health and Human Rights Promoters

Africans in America for Restitution and Repatriation, Inc.

Alliance Defending Freedom

Association Panafrica

Associazione Comunità Papa Giovanni XXIII

Commission of the Churches on International Affairs of the World Council of Churches

Dr M Chandrasekhar International Foundation

Edfu Foundation Inc.

Friends World Committee for Consultation

Fundación Cepaim, Acción Integral con Migrantes  
Geledés – Instituto da Mulher Negra  
Genève pour les droits de l’homme: formation internationale  
Habitat International Coalition  
International Human Rights Council  
International Youth and Student Movement for the United Nations  
International-Lawyers.org  
Maloca Internationale  
Misère Option Zéro  
ONG Lumbanga  
Promotion du développement économique et social  
Samuel DeWitt Proctor Conference, Inc.  
Tiye International  
Youth against Racism

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