



General Assembly

Distr.: General
8 August 2025

Original: English

Eightieth session

Item 70 (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 twenty-third session of the Working Group, held from 13 to 17 January 2025, in Geneva.

* A/80/150.



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 [79/161](#), in which the Working Group was requested to continue 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. The Assembly also requested the Working Group to present a status report on the elaboration of the draft declaration to be considered by the Assembly at its eightieth session.

2. The present report summarizes the discussions on the draft declaration, which took place during the Working Group's twenty-third session, held from 13 to 17 January 2025.

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

3. The twenty-third session was opened by Dimitar Chalev, Chief of the Rule of Law, Equality and Non-Discrimination Branch of the Office of the United Nations High Commissioner for Human Rights. In his opening remarks, Mr. Chalev highlighted the key achievements of the Working Group to date on the draft declaration. He mentioned that the initiation of the drafting of the United Nations declaration on the respect, promotion and fulfilment of the human rights of people of African Descent had been a key outcome of the first International Decade for People of African Descent. The Second International Decade for People of African Descent, recently launched by the General Assembly, should serve as a catalyst for the formal adoption of the draft declaration. He urged delegations to continue to build on the work of previous sessions, drawing on the contributions of the Permanent Forum on People of African Descent and the Working Group of Experts on People of African Descent.

4. The Deputy Permanent Representative of Kenya to the United Nations Office at Geneva, James Ndirangu Waweru, was elected Chair-Rapporteur for the twenty-third session of the Working Group.

5. In his opening address, the Chair-Rapporteur expressed gratitude for the trust placed in him and emphasized the importance of the Working Group's mandate in the current global context, which had been marked by both progress and setbacks in the fight against racism. He called upon Member States to unite in pursuit of peaceful, equitable and inclusive societies and reiterated the historical importance of adopting the draft declaration.

B. Attendance

6. The session was attended by representatives of Member States, intergovernmental organizations, national human rights institutions and non-governmental organizations (see annex II).

II. 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

7. Representatives of States and regional groups delivered general statements expressing support for the Working Group's mandate and the elaboration of the draft declaration.

8. The representative of Guatemala emphasized the importance of the draft declaration as a practical tool for redressing structural inequalities. Guatemala also highlighted its national efforts to recognize the rights and cultures of Afro-descendant populations.

9. Speaking on behalf of the Group of African States, the representative of the Gambia noted the urgent need to confront the ongoing effects of colonialism and systemic racism, welcomed the proclamation of the Second International Decade and reaffirmed the Group's commitment to a victim-centred approach in the drafting process.

10. The representative of Egypt praised the ongoing work on the draft declaration and reaffirmed the need to address the root causes of historical injustices.

11. The representative of Brazil encouraged the international community to adopt a proposed Sustainable Development Goal 18 on ethnic and racial equality, and expressed support for the adoption of the draft declaration during the Second International Decade.

12. The representative of the Russian Federation reaffirmed the country's commitment to the Durban Declaration and Programme of Action, noting its continued relevance amid global tensions and systemic inequalities rooted in colonialism.

13. The representative of Colombia stressed the need to address in the draft declaration contemporary challenges such as algorithmic bias, climate change and the political instrumentalization of racism.

14. The representative of Eritrea recalled the historic significance of anti-slavery movements, noted the slow progress in implementing the Durban Declaration and Programme of Action and stressed the need to focus on tangible outcomes.

15. The representative of Algeria noted the persistent impact of historical injustices and the rising threat of racism and xenophobia in the context of global populism, welcomed the launch of the Second International Decade and reaffirmed his country's support for the draft declaration.

16. The representative of China reaffirmed support for the Durban Declaration and Programme of Action, urged all delegations to engage constructively and reiterated the commitment of China to promoting equality and implementing the 2030 Agenda for Sustainable Development.

17. The representative of Ghana emphasized the importance of historical justice, acknowledged the enduring consequences of colonialism and the transatlantic slave trade, underlined the need to confront systemic racism and called for a strong, action-oriented declaration.

18. The representative of the European Union reaffirmed her delegation's commitment to combating racism and implementing the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action; stressed that real-world impact was achieved through domestic implementation, not merely through the proliferation of reports or mechanisms; encouraged rationalization of United Nations anti-racism mechanisms to ensure effectiveness; called for future decisions to be grounded in existing international law; and emphasized the universality of human rights.

19. The representative of Pakistan reiterated the country's support for the Durban Declaration and Programme of Action and the drafting of a declaration; underscored the need to tackle the root causes of structural discrimination; and noted the alarming global rise in racism, xenophobia and Islamophobia.

20. The Chair invited delegations to resume discussions on the draft declaration, with the aim of completing a first full reading of the revised text. Delegations welcomed the revised structure, which followed the model of existing United Nations declarations, such as the United Nations Declaration on the Rights of Indigenous Peoples.

B. Children and youth of African descent

21. The representative of Brazil proposed an additional paragraph, based on article 19 of the Convention on the Rights of the Child and paragraph 74 of the Durban Declaration and Programme of Action, to highlight the need for States to take legislative, administrative, social and educational measures to protect children of African descent from violence, abuse, neglect and exploitation, including sexual abuse and child labour. Brazil stressed the link between poverty, racial discrimination and child labour.

22. The representative of Egypt supported the proposal of Brazil and suggested adding language from article 19 of the Convention on the Rights of the Child that referred to protection "while in the care of parents, legal guardians or any other person".

23. The representative of the European Union welcomed the inclusion of the paragraph, but proposed that its language be aligned more closely with paragraph 55 of the Durban Declaration and Programme of Action. It recommended adding the phrase "all children, including of African descent" to preserve universality while ensuring targeted protection.

24. The representative of Brazil expressed a preference for retaining language consistent with the Durban Declaration and Programme of Action. Mexico also supported the paragraph as proposed by Brazil, reaffirming its position in favour of strong language addressing racial discrimination faced by children and youth of African descent.

25. The representative of a non-governmental organization (NGO) proposed the inclusion of a youth-specific new article, based on paragraph 216 of the Durban Declaration and Programme of Action, urging States to ensure the full participation of youth in the fight against racism and calling for youth-focused national and international dialogues. The representatives of Brazil, Mexico, Colombia and Kenya supported this addition.

26. The representative of Kenya introduced another paragraph, emphasizing awareness-raising on multiple and aggravated forms of discrimination faced by children of African descent. The representatives of Brazil and Mexico expressed

support for that paragraph. Mexico proposed replacing “multiple and aggravated” with “multiple and intersecting”.

27. The representatives of Algeria, Egypt and Pakistan objected to the inclusion of the term “intersecting”, favouring consistency with agreed language found in the Durban Declaration and Programme of Action. The representatives of the European Union, Brazil and Colombia and representatives of civil society supported the term “intersecting” as conceptually accurate and consistent with current United Nations practice.

C. Intersecting discrimination, with a particular focus on women and girls of African descent

28. The representative of Colombia suggested that the general reference to intersectionality be relocated to another part of the declaration and that article 19 be focused solely on women and girls of African descent. The representatives of Brazil, the European Union and Mexico and representatives of civil society supported retaining the paragraph with slight revisions. The representative of the European Union proposed the addition of “age”, “disability”, and “belief” to the list of prohibited grounds of discrimination.

29. The representative of Algeria proposed changing the article’s title to focus only on the rights of women and girls of African Descent. The representative of Egypt agreed with the proposal of Algeria. Delegations generally accepted that article titles would be revised at a later stage.

30. The representative of Egypt proposed that the reference to sexual and reproductive health be replaced with a broader enumeration of rights, including education, employment and housing. The representative of Brazil opposed that proposed change and requested that the original language be retained, emphasizing the importance of reproductive rights.

31. The representative of Kenya proposed the insertion of a new paragraph focused on the collection and use of disaggregated data in order to address the complexity of multiple and aggravated forms of discrimination, which, in her view, required evidence-based approaches.

32. The representative of Türkiye raised questions regarding the placement of the proposed paragraph, noting that disaggregated data was already addressed in draft article 9. The representative of Brazil proposed that, while the content of the paragraph proposed by Kenya was valuable, it might be better situated in draft article 9, given that article’s broader applicability.

33. The Chair concluded the discussion by acknowledging the key points of agreement and disagreement, including the use of “shall/should”, the inclusion of “Afrophobia” and the use of the term “intersecting” as opposed to “aggravated” discrimination. Those positions would be noted and addressed in subsequent readings.

D. Migrants, refugees and displaced persons of African descent

34. Delegations discussed draft article 20, which addressed the rights of migrants of African descent, including migrant workers, and contained proposed measures to eliminate racial discrimination in access to employment, public services and justice, as well as provisions for addressing the root causes of displacement.

35. The representative of Brazil recognized that a lack of training might be a barrier faced by migrants in the labour market, especially by people of African descent, and

proposed the inclusion of text on guaranteeing equality in access to vocational training.

36. The representative of an NGO recommended that the term “accessibility” be added to emphasize the distinction between the provision by States of services and effective access to such services, particularly with respect to healthcare and education. The representatives of Brazil, Egypt and Mexico supported the addition.

37. The representative of Egypt raised concerns about conflating migrants with refugees and displaced persons, as they are treated differently in international law. The representatives of Colombia and Pakistan agreed on the need to distinguish those three categories clearly and committed to submitting refined language reflecting international standards. The representatives of Venezuela (Bolivarian Republic of) and Mexico supported the need to make that distinction, while also emphasizing the need to retain strong protections for migrants, refugees and displaced persons of African descent and guarantee durable solutions for refugees. The representative of Colombia proposed insertion of the term “forced displacement” to clarify the scope of the article.

38. The representative of the United Kingdom of Great Britain and Northern Ireland proposed revisions to paragraph 2 of article 20 to avoid implying a mandatory link of cooperation between host countries and United Nations agencies regarding the provision of adequate social services for migrants. He offered specific edits, including the replacement of “in cooperation with” with “where required” and clarification of the role of international agencies. He also proposed the inclusion of language on ensuring shared responsibility across the international community. The representative of Brazil opposed the dilution of the responsibility of host countries and emphasized that the reference to cooperation with international organizations should be retained.

39. The representative of the European Union suggested broadening the scope to “all migrants”. The representatives of Brazil, Mexico and Pakistan raised concerns about the European Union’s proposal to add “all migrants, including those of African descent”, arguing that it diluted the focus of the article, which was on people of African descent. The Chair invited delegations to further refine that language.

E. Equal treatment, justice and access to remedies

40. Participants examined article 21, on the right to equality before the law and equal protection of the law, which concerned racial profiling, police conduct, access to justice and the participation of people of African descent in law enforcement and the judiciary.

41. The representative of Brazil suggested adding language on human rights education and training for administration of justice officials to ensure a fair and impartial application of the law. That was supported by the representatives of Colombia and Mexico.

42. The representative of Brazil also proposed language to distinguish legitimate expressions of opinion from unlawful acts or offences. The proposal was supported by Mexico.

43. The representative of an NGO proposed a new paragraph on ensuring equitable treatment, equal access to justice, participation at all stages of proceedings and fair compensation. The representatives of Brazil and Colombia supported the proposal.

44. The representative of Japan expressed reservations about the inclusion of the term “punishing” in relation to all human rights violations affecting people of African descent, including violence, acts of torture and inhuman or degrading treatment, and

including violations committed by State officials. He explained that it was necessary to reflect on whether punishment was the most effective reaction to a violation.

45. Discussions took place on subparagraphs dealing with the protection of witnesses, fair trial guarantees and increasing Afro-descendant participation in justice systems. The representative of Japan proposed the insertion of “where appropriate” in the subparagraph to reflect various national contexts.

46. The representatives of the European Union and the United Kingdom emphasized the need for inclusive language, and suggested that the phrase “all persons who are victims of racism, including people of African descent” be added in the paragraph dealing with the facilitation of access to justice for people of African descent who were victims of racism.

47. The representative of the United States of America requested that, in draft article 21 (d), the wording “ensuring that people of African descent have full access to effective protection and remedies through the competent national tribunals against any acts of racial discrimination” be followed by the phrase “which violate their human rights and fundamental freedoms contrary to the International Convention on the Elimination of all Forms of Racial Discrimination”.

F. Special measures

48. Participants discussed draft article 22, which addressed the necessity of and the legal framework for the adoption of special measures or affirmative action policies to redress structural inequalities affecting people of African descent.

49. The representative of South Africa proposed replacing the phrase that special measures “might be necessary” with “are necessary” to emphasize the declaration’s normative purpose. The representatives of Brazil, Kenya, Iran (Islamic Republic of), Egypt, Mexico and Colombia supported that formulation.

50. The representative of Colombia argued that the phrase “where appropriate” was redundant and diluted the legal clarity of the obligation. The representatives of the European Union and Japan were in principle supportive of the adoption of special measures, but expressed reservations on the proposal, citing the need for flexibility in national implementation.

51. The representative of the European Union proposed the inclusion of language aligned with the Durban Declaration and Programme of Action, namely: “the adoption of special measures such as affirmative action, where appropriate and in accordance with their constitutional framework, is essential to ...”.

52. The representatives of Brazil, Kenya and Mexico objected to the inclusion of “where appropriate” and “in accordance with their constitutional framework”, viewing such language as unnecessary limitations. The representative of South Africa recommended that duplicative caveats be avoided and supported a clearer affirmation of State obligations.

53. The representative of the United Kingdom requested the use of the phrase “positive or affirmative action”, noting that the phrase “affirmative action” alone was legally problematic under the national legislation of the United Kingdom.

54. The representative of Brazil suggested that the objective of special measures in “accelerating the achievement of substantive equality” be emphasized by linking them more clearly to redress for historical violations endured by people of African descent. The representatives of Egypt, Kenya, South Africa and Mexico supported that revised language.

55. Several delegations supported the promotion of equality through special measures across areas such as education, housing, employment and political participation. The representative of Kenya suggested that special measures should be designed and implemented with the full participation of people of African descent and should be regularly reviewed and assessed.

56. The representative of Brazil suggested streamlining the proposal to focus on monitoring while embedding substantive elements such as equality acceleration. The representatives of Kenya, Egypt and Mexico welcomed that refinement, and the Chair noted the emerging consensus around the paragraph.

57. The representative of the United States, while maintaining reservations on “shall/should” and on language that did not align with the United States Constitution, expressed openness to the proposal of Brazil, depending on final formulations. The European Union remained cautious about the proposed language, requiring further internal consultation. The United Kingdom supported language allowing flexibility in national implementation.

G. Remedy and reparation for racial discrimination rooted in slavery

58. The representative of Colombia stressed that reparatory justice must be a core component of the declaration and encompass moral, spiritual, psychological, political, educational and economic dimensions. Reparatory justice should include public apologies for slavery and colonialism by those historically responsible, grounded in historical truth and moral responsibility.

59. The representative of Pakistan requested the inclusion of the term “enslavement”. He also mentioned that Africans and people of African descent were undoubtedly victims of colonialism, but that the negative consequences of colonialism were by no means confined to the African continent.

60. With regard to the definition of victims in the draft article as “persons who individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that constitute gross violations of international human rights law, or serious violations of international humanitarian law”, the representative of the European Union proposed that the phrase “individually or collectively” be deleted, and doubted whether a formal definition of “victims” should be placed in the operative text.

61. The representatives of Brazil and Japan requested the deletion of the definition of victims, while the representatives of Colombia, Iran (Islamic Republic of), Egypt, Kenya and South Africa requested that it be retained. They emphasized the importance of recognizing victims as both individuals and collectives, citing international legal frameworks, including general recommendation No. 34 (2011) of the Committee on the Elimination of Racial Discrimination on people of African descent.

62. The representative of Colombia highlighted the legal necessity of identifying victims when pursuing reparations. He named three requirements that must be met for reparations. First, victims must be identified. Second, the facts must be properly documented. Third, a connection must be established between the historical facts and their negative consequences in the present.

63. The representative of Egypt suggested that the definition of victims be relocated to the preamble and that it be mainstreamed throughout the text. The representative

of Kenya requested that the definition be kept, and emphasized the importance of highlighting the phrase “serious violations of international humanitarian law”.

64. The representatives of Brazil and Egypt proposed that article 23, on the right to remedy and reparation for racial discrimination rooted in slavery, be merged with article 21, on the right to equal treatment, justice and access to remedies. Others noted the overlap of article 20 with provisions on access to justice.

65. Delegations diverged regarding the recognition of collective rights and the legal basis for reparations. The representatives of Brazil, Mexico, Colombia, Kenya, Iran (Islamic Republic of), South Africa and Pakistan supported the retention of the reference to collective rights. The representatives of the European Union, Japan, the United Kingdom and the United States of America requested that it be deleted, expressing concern over language that implied new or legally binding obligations.

66. The representative of South Africa stated that reference should be made not only to people of African descent, but also to Africans as collective groups and victims of enslavement. The definition of victims should be kept in the operative part of the text, and reparations should be translated into concrete action. The representatives of Iran (Islamic Republic of), Kenya, Egypt and Colombia supported the proposal made by South Africa for the inclusion of explicit references not only to people of African descent, but also to Africans as victims of enslavement and of its consequences.

67. The representative of Brazil emphasized the importance to Latin America of recognizing collective rights. The representatives of Mexico and Colombia agreed, noting that the collective rights of people of African descent were already enshrined in many constitutions in the region.

68. With regard to paragraph 5, which stated that “people of African descent have the individual and collective right to an effective remedy and adequate reparation for the impacts and lasting effects of enslavement, the transatlantic trade and trafficking in enslaved Africans and people of African descent ...”, the representative of the European Union expressed strong legal reservations, as the definition of the right to reparation contained in the paragraph was more expansive than that found in international conventions and customary international law. The European Union proposed the following alternative language, based on article 6 of the International Convention on the Elimination of All Forms of Racial Discrimination: “people of African descent have the right to effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination that violate their human rights and fundamental freedoms, including violations caused by lasting consequences of slavery and the slave trade, including the transatlantic slave trade, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.”

69. Regarding paragraph 5, the representatives of the United States, the United Kingdom and Japan objected to that inclusion, citing limitations to the retroactive application of international legal standards, and requested its deletion. The representatives of Brazil, Mexico, China, Iran (Islamic Republic of), South Africa and Kenya requested that it be retained, noting the relevance of reparations to justice and historical accountability.

70. The representative of Colombia rejected efforts to delink past crimes from current realities and advocated robust reparatory language.

71. The representative of Kenya introduced a new paragraph emphasizing participatory approaches in the design and monitoring of reparatory measures. The

representatives of Brazil, Colombia, Egypt, Iran (Islamic Republic of), Ghana and South Africa welcomed the proposal.

72. The representative of Brazil introduced another new paragraph, calling on States to promote the restitution of cultural goods of African origin and of countries of the African diaspora. The representatives of Egypt, Colombia, Ghana, Kenya and South Africa expressed support for that. The representative of Colombia suggested adding the term “cultural heritage”.

73. The representative of the European Union urged realism when it came to commitments, emphasizing that the language of the declaration must correspond to States’ capacities and political will.

74. The Chair noted that the right to remedy and reparation for racial discrimination rooted in slavery required further informal discussion.

H. Collective rights

75. The representative of Colombia introduced a new draft article on the collective rights of people of African descent and explained that the text built on the relevant provisions of the International Convention on the Elimination of All Forms of Racial Discrimination and the regional legal framework of the Americas. He also mentioned constitutional provisions that recognized Afro-descendant communities as collective rights holders in the Latin American region. Colombia stressed the universality of the declaration and the need for it to reflect legal pluralism.

76. The representative of the United States opposed the inclusion of the proposed article, in its entirety, citing long-standing objections to the notion of collective rights. The representative emphasized that such rights were not recognized in the legal system of the United States and that the declaration should be rooted in the principles of individual human rights.

77. The representatives of Japan, the European Union and the United Kingdom expressed similar concerns, arguing that collective rights were recognized under limited soft-law instruments only, such as the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas.

78. The representative of Brazil welcomed the initiative of Colombia and reaffirmed the national practice of recognizing collective rights, but expressed the need for further internal reflection. Brazil suggested that the discussion on collective rights might be placed more appropriately in the earlier part of the declaration.

79. The representative of Mexico supported the proposal of Colombia and echoed the call for continued dialogue. Mexico, which recognized collective rights in its national legal framework, stressed the importance of including those dimensions at the international level, particularly in the case of the preservation by communities of traditional institutions and territory. Mexico said that that issue could benefit from future expert consultations to explore viable language.

80. The representative of South Africa voiced strong support for the recognition of collective rights and for the proposal of Colombia, noting that such provisions were aligned with national legislation and were essential for ensuring redress for historical injustices. South Africa welcomed the idea of including “where appropriate” as a possible compromise.

81. The representative of Egypt expressed support for the proposal in principle, but raised concerns over the ambiguity of key terms. Egypt requested further clarification, particularly regarding territorial rights.

82. The representative of Pakistan suggested rephrasing the article to acknowledge that people of African descent might exercise certain rights both individually and collectively. Such formulation, the delegation argued, would reflect existing practices in rights, such as collective bargaining, peaceful assembly and cultural identity, while avoiding controversy over the legal status of “collective rights” per se.

I. Ancestral lands

83. The Working Group proceeded to a discussion of article 25, which addressed the rights of people of African descent to property and to the use, conservation and protection of traditionally occupied lands and natural resources.

84. The representative of the United States opposed the article, citing concerns over its reference to “lands traditionally occupied by them” and the implicit recognition of collective property rights. The delegation recommended that the article be deleted or redrafted to emphasize individual rights.

85. The representative of Brazil expressed strong support for the article, citing the legal recognition of land rights for Quilombola communities as a concrete example of how collective rights were implemented nationally. Brazil emphasized that such rights were not granted automatically, but were subject to rigorous legal and anthropological verification processes.

86. The representative of Colombia reiterated that the inclusion of the term “where appropriate” served to accommodate diverse legal systems.

87. The representatives of the European Union and the United Kingdom expressed reservations about the article, stating that the language exceeded the scope of the Durban Declaration and Programme of Action and existing international law. Both delegations raised legal concerns over the definition and application of “collective ownership” and wondered who would legitimately represent a group in the exercise of such rights.

88. The representative of Egypt supported the spirit of the article but requested clarification on the meaning and scope of “traditionally occupied lands”. The delegation noted that, while collective land rights existed in some contexts, it was unclear how the article would be applied across all regions, particularly within the African continent.

89. The representative of South Africa supported the article. It proposed the inclusion of the term “Africans and people of African descent” and welcomed the inclusion of the phrase “where appropriate” to address varying national contexts.

90. The Chair acknowledged the depth of the discussion, noted the strong views on both sides and recommended that legal expert input be sought.

J. Afrophobia

91. The Chair invited participants to continue discussion of the definition of Afrophobia, proposed for inclusion by the Group of African States and contained in paragraph 57 of the report contained in document [A/79/304](#).

92. The representatives of South Africa and Kenya called for the inclusion in the draft declaration of the term “Afrophobia” alongside racism, racial discrimination,

xenophobia and related intolerance. The representative of Egypt affirmed the interest of the Group in reaching a consensual definition of Afrophobia. The representative of Colombia expressed support for the inclusion of Afrophobia and for the Group's definition.

93. Brazil, while sympathetic to the wish of delegations to include the concept of Afrophobia, noted that the term was not in common use in Latin America. Brazil urged African delegations to clarify how the inclusion of the concept would contribute positively to the lives of Africans and people of African descent. Brazil reiterated its commitment to combating racism but expressed concern over the expansion of lists of types of discrimination without broad consensus.

94. The representative of South Africa urged delegations to honour the prior decision to deliberate on the definition of Afrophobia and expressed concern that reopening the question of its inclusion could stall progress.

95. The representative of the European Union appreciated the Group's initiative and acknowledged the political importance of recognizing all manifestations of racism. However, the European Union raised legal concerns regarding the definition as presented by the Group, citing potential conflicts with freedom of opinion and the subjective nature of "phobia". The European Union proposed that either a definition be avoided altogether or that alternative formulations be explored.

96. The representative of Egypt rejected claims that Afrophobia was geographically limited. Egypt emphasized the importance of naming the phenomenon in order to combat it effectively and noted that most references to Afrophobia in the text would not entail new legal obligations.

97. The representative of Kenya noted that Afrophobia had been recognized in multiple United Nations documents, including General Assembly resolution [74/136](#) and Human Rights Council resolution [21/33](#). Kenya cited growing international recognition of the term, including by the European Parliament.

98. The representative of the United States acknowledged the term's relevance and did not object to its inclusion, but expressed concerns regarding its definition.

99. The representative of the United States opposed language that could be construed as policing mental states, and suggested a shorter alternative definition, namely, "the special and unique form of discrimination faced by people of African descent known as Afrophobia".

100. The representative of the United Kingdom echoed concerns about the definition, which it found to be an overgeneralization. The United Kingdom emphasized the need for further consultation with capitals and supported continued dialogue.

101. The representative of Ghana endorsed the inclusion of the term and stressed the importance of building consensus around a clear and inclusive definition. Ghana supported the proposals made by the United States and encouraged flexibility.

102. The representative of Brazil recognized the importance of acknowledging the specific challenges of Afro-descendants. However, he raised concerns over the expansion of lists of specific types of discrimination and expressed a preference for placing such language in the preamble rather than in the operative provisions.

103. The representative of Sierra Leone agreed with the definition presented by the Group and supported its inclusion, stressing that recognition of Afrophobia was vital for targeted protections and for advancing global anti-racism efforts.

104. The representative of the Niger proposed a new definition: "Afrophobia is the set of all forms of violence exercised solely against persons of African descent".

105. Several delegations, including that of Ghana, supported the adaptation of the proposals of both the United States and the Niger. In addition, they requested the inclusion of the phrase “Africans” together with “people of African descent”.

106. The Chair stated that the discussion reflected broad support for the inclusion of the term.

K. Consideration of elements for the future declaration

107. During its twenty-third session, the Working Group finalized its first reading of the Chair’s document, which contained a compilation of 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 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](#).

108. The Working Group decided that discussions on the draft declaration were an ongoing process and would undertake its second reading of the document at its twenty-fourth session, scheduled to take place in October 2025.

109. The Working Group invited the Chair to review the draft declaration and to streamline the text, avoiding in particular repetition, and to present the revised text at its twenty-fourth session. The Working Group also invited the Chair to organize an intersessional informal dialogue to advance the discussions on the draft declaration, which took place on 3 June 2025.

Annex I

Elements for the draft 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,

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

Also 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, [in particular the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action],

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 equality before the law and to equal protection of the law against any discrimination, [including] any kind of racism, racial discrimination, xenophobia and related forms of intolerance [and Afrophobia], in the exercise of their rights, in any sphere of life, public or private.]

[To this end, States [shall/should] take all necessary actions:]

...

(b) 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

[People of African descent are free and equal to all other individuals and have the right to be free from any kind of discrimination in the exercise of their rights, in particular that based on their African descent origin or identity.]

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

...

(b) 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

[People of African descent have the rights to life, physical and mental integrity, liberty and security of person.]

States shall 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

[People of African descent have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies and literatures.]

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 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

[People of African descent, particularly children, have the right to all levels and forms of State education, without discrimination.]

States shall ensure access to education and promote access to new technologies that would offer [all persons, including people of African descent/Africans and 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/anyone or exclude any children and young people 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 to/shall/should/are urged to] promote equity and inclusiveness in education by:

...

(d) 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;

States [shall/should] take 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/national regulations and policies/constitutional frameworks].

Article 9

[States are urged to/States shall/States should] collect, compile, analyse, disseminate and publish reliable statistical data at the national and local levels and [undertake/take] all other related measures that are necessary to regularly assess the situation of [people of African descent/individuals and groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance], bearing in mind that:

Article 10

[People of African descent have the right to active and free participation, directly and/or through their representative organizations, in the preparation and implementation of policies, programmes and projects that may affect their lives, land and livelihoods.]

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

[People of African descent have the right to freedom of religion or belief and to be free from discrimination on the basis of religion or belief./People of African descent have the equal right to freedom of thought, conscience and religion. This right shall include the freedom to have or adopt a religion or belief of his or her choice, and freedom, either individually or in community with others, and in public or private, to manifest his or her religion or belief in worship, observance, practice and

teaching./People of African descent have the right to freedom of thought, conscience and religion, and the right to equal and effective protection from discrimination on the grounds of religion or belief.]

Article 13

[People of African descent have the right to work, which includes the right to choose freely the way they earn their living.]

[People of African descent have the right to form and join organizations, trade unions, cooperatives or any other organization or association of their own choosing for the protection of their interests, and to bargain collectively. Such organizations shall be independent and voluntary in character, and remain free from all interference, coercion or repression.]

States [shall/should] take concrete measures to eliminate racism, racial discrimination, xenophobia and related intolerance in the workplace against [workers of African descent/workers, in particular 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.

... urges States and encourages [non-governmental organizations] and the private sector:

(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 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 14

[People of African descent have the right to the enjoyment of the highest attainable standard of physical and mental health. They also have the right to have access, without any discrimination, to all social and health services.]

[People of African descent have the right to use and protect their traditional medicines and to maintain their health practices, including access to and conservation of their plants, animals and minerals for medicinal use.]

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

Article 15

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

[People of African descent have the right to an adequate standard of living for themselves and their families.]

[People of African descent have the right to adequate housing. They have the right to sustain a secure home and community in which to live in peace and dignity, and the right to non-discrimination in this context.]

[People of African descent have the right to be protected against forced eviction from their homes, harassment and other threats.]

Article 16

[People of African descent have the right to adequate food and the fundamental right to be free from hunger. This includes the right to produce food and the right to adequate nutrition, which guarantee the possibility of enjoying the highest degree of physical, emotional and intellectual development.]

Article 17

[Children of African descent have the right to be treated without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.]

[Children of African descent have the right to be protected from any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to a child's health or physical, mental, spiritual, moral or social development.]

States [shall/should] recognize and address the multiple and [aggravated/intersecting] forms of discrimination facing children of African descent and [shall/should] implement comprehensive awareness-raising programmes to educate society about the unique challenges these children encounter, promoting understanding and fostering an inclusive environment. These initiatives should target schools, communities and public institutions to combat stereotypes, prejudices and discriminatory practices that hinder the full realization of children's rights and potential.

Article 18

States [shall/should] encourage the full and active participation of, as well as involve more closely, youth in the elaboration, planning and implementation of activities to fight racism, racial discrimination, xenophobia, [Afrophobia] and related intolerance, and ... calls upon States, in partnership with non-governmental organizations and other sectors of society, to facilitate both national and international youth dialogue on racism, racial discrimination, xenophobia and related intolerance.

Article 19

[Discrimination against women and girls of African descent/Rights of women and girls of African descent/Intersectional discrimination]

States [shall/should] incorporate [a gender perspective] in all programmes of action against racism, racial discrimination, xenophobia, [Afrophobia] and related intolerance and consider the burden of such discrimination, which falls particularly on women of African descent, ensuring their equal access to the resources of production, as a means of promoting their participation in the economic and productive development of their communities.

Article 20

States [shall/should] guarantee the elimination of racial discrimination against [migrants of African descent/all migrants, including of African descent] as well as migrant workers, in relation to issues such as employment, social services, including education, health, [and vocational training], and access to justice. Their treatment must be in accordance with international human rights instruments, free from racism, racial discrimination, xenophobia [Afrophobia] and related intolerance.

States [shall/should] take measures to [address/mitigate] the causes of forced displacement and find durable solutions for refugees and displaced persons [including of African descent/of African descent], in particular voluntary return in safety and dignity to the countries of origin, as well as resettlement in third countries and local integration, when and where appropriate and feasible.

Article 21

[People of African descent have the right to effective and non-discriminatory access to justice, including access to fair procedures for the resolution of disputes and to effective remedies for all infringements of their human rights.]

[People of African descent shall not be subjected to arbitrary arrest or detention, torture or other cruel, inhuman or degrading treatment or punishment, and shall not be held in slavery or servitude.]

States [should/shall]:

(a) Introduce measures to ensure equality before the law, notably in the enjoyment of the right to equal treatment before tribunals and justice systems;

(b) Design, implement and enforce effective measures to eliminate the phenomenon known as “racial profiling”;

(c) Eliminate institutionalized stereotypes concerning people of African descent and apply appropriate sanctions against law enforcement officials who act on the basis of racial profiling, and foster awareness and provide training, especially in human rights education, to the various agents in the criminal justice system and in monitoring and evaluation mechanisms to ensure fair [effective] and impartial application of the law;

(d) Ensure that [all persons, including people of African descent/people of African descent] have full access to effective protection and remedies through the competent national tribunals and other State institutions against any acts of racial discrimination that violate their human rights and fundamental freedoms contrary to the International Convention on the Elimination of all Forms of Racial Discrimination, and

have the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination;

(e) Adopt 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, violence or incitement to racial violence, as well as racist propaganda activities and participation in racist organizations, which do not constitute legitimate expression of opinion but rather unlawful acts or offences. States are also encouraged to ensure that such motivations are considered an aggravating factor for the purpose of sentencing;

(f) [Facilitate/Ensure] access to justice for [all persons who are victims of racism, including for people of African descent/people of African descent] by providing the requisite legal information about their rights, and provide legal assistance when appropriate;

(g) Ensure that the victims of racism, racial discrimination, xenophobia and related intolerance enjoy equitable and non-discriminatory treatment; equal access to the justice system; active participation at all stages of the proceedings, including the investigation stage; and expedited and effective proceedings; and fair compensation in the civil or criminal sphere, as applicable;

(h) [Prevent and punish all/Eliminate] human rights violations affecting people of African descent, including violence, acts of torture and inhuman or degrading treatment, including those committed by State officials;

(i) [Ensure/Facilitate] for [all persons, including persons of African descent/people of African descent] who are victims of racial discrimination, including victims of torture and ill-treatment, access to all appropriate legal procedures and free legal assistance in a manner adapted to their specific needs and vulnerability, including through legal representation;

Article 22

Where special measures are necessary to address structural disparities and de facto inequalities affecting the rights of people of African descent, they are understood to be consistent with article 1 (4) of the International Convention on the Elimination of All Forms of Racial Discrimination.

Special measures [shall/should] be designed and implemented with the full participation of people of African descent and be regularly reviewed and assessed on the effectiveness of such measures through robust monitoring mechanisms.

Article 23

[Right to remedy and [historical] reparation for racial discrimination rooted in slavery/Remedy and reparation for racial discrimination]

Article 24

[Africans and] people of African descent, individually and collectively, [where appropriate,] have the right to:

Article 25

[People of African descent, where appropriate, have the right over ancestral lands.]

Article 26

Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

In the exercise of the rights enunciated in the present Declaration, the human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

The provisions set forth in this Declaration shall be interpreted [in line with relevant and applicable international law and] in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

Annex II

List of participants

Member States

Algeria, Bahrain, Belgium, Brazil, Burundi, Cabo Verde, Cameroon, Canada, Chile, China, Colombia, Cyprus, Ecuador, Egypt, Eritrea, Ethiopia, France, Gambia, Ghana, Guatemala, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Kenya, Libya, Lithuania, Luxembourg, Mexico, Morocco, Mozambique, Myanmar, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Portugal, Republic of Korea, Romania, Russian Federation, Sierra Leone, Slovenia, South Africa, Spain, Togo, Türkiye, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela (Bolivarian Republic of), Zimbabwe.

Intergovernmental organizations

Council of Europe

European Union

National human rights institutions

Commission nationale indépendante des droits de l'homme du Burundi

Defensoría de los Habitantes de la República de Costa Rica

Non-governmental organizations

Agrupación XANGO

Articulación Latinoamericana para los Decenios Afro

Asociación Afrohispanos

Forum méditerranéen pour la promotion des droits du citoyen

Geledés – Instituto da Mulher Negra

Inter African Committee in Norway

International Decade for People of African Descent Coalition UK

International Human Rights Council

International Institute on Race, Equality and Human Rights

International Youth and Student Movement for the United Nations

Somali Youth Development Foundation

Tiye International
