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**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA  
AND ALL FORMS OF DISCRIMINATION**

**Report of the Working Group of Experts on People  
of African Descent on its third session  
(Geneva, 29 September-10 October 2003)\***

**Chairperson-Rapporteur: Mr. Peter Lesa Kasanda**

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\* The annexes are circulated as received, in the language of submission only.

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## **Introduction**

1. The Working Group of Experts on People of African Descent held its third session from 29 September to 10 October 2003, at the Palais des Nations in Geneva. This is a report of the meetings of that session.

### **I. ORGANIZATION OF THE SESSION**

#### **A. Attendance**

2. The Working Group held 15 public meetings and 3 private meetings during its third session.

3. The session was attended by the following members: Peter Lesa Kasanda (Chairperson-Rapporteur), Joseph Frans, Georges Nicolas Jabbour, Roberto Borges Martins and Irina Moroianu-Zlătescu.

4. The third session of the Working Group was attended by observers for 52 States, 11 non-governmental organizations (NGOs), 1 intergovernmental organization, 2 United Nations offices and 1 national institution. The list of participants is contained in annex II.

#### **B. Documentation**

5. The documents before the Working Group at this session are listed in annex III. All working papers submitted are available from the secretariat or can be found at <http://www.unhchr.ch/html/menu2/7/b/mafrican.htm>.

#### **C. Organization of work**

6. At the first meeting of the third session, on 29 September 2003, the Working Group, in accordance with its mandate, adopted its agenda (annex I).

### **II. SUBSTANTIVE SUMMARY OF THE THIRD SESSION OF THE WORKING GROUP OF EXPERTS ON PEOPLE OF AFRICAN DESCENT**

7. The United Nations Acting High Commissioner for Human Rights, Bertrand Ramcharan, opened the session. He greeted all participants and warmly welcomed the appointment of Joe Frans (Sweden) as the fifth expert member of the Working Group. He reminded participants of the objectives of the Group: “to study the problems of racial discrimination faced by people of African descent living in the diaspora” and to propose specific measures and provide recommendations on improving the human rights situation of people of African descent. He urged all participants to bear in mind the “pains of those who experienced slavery and their descendants” all over the world. He introduced the three key themes of the third session: the administration of justice, the media, and the topics of access to education and information technology. He encouraged States, United Nations agencies, NGOs and other actors to

participate actively in the work of the Working Group and expressed confidence that the recommendations of the Working Group would make an important contribution in guiding the future work and thinking of the Commission on Human Rights on the human rights issues affecting people of African descent.

8. At the first meeting, the Chairperson-Rapporteur, Mr. Kasanda, made some introductory remarks about the third session and discussed the provisional programme of work. He expressed satisfaction at the appointment of the fifth expert, Mr. Frans, who, owing to prior commitments, would join the Group as of 1 October 2003.

9. Mr. Kasanda informed participants that a number of invited panellists would make presentations and lead the discussions of the Working Group on the three thematic topics mentioned by the Acting High Commissioner. He reiterated that people of African descent were not a homogenous group and expressed the belief that the more we learned from each other, the better we could work for the human rights of this specific group. He expressed the hope that the 10 coming days would be a forum for learning and exchange of experience and knowledge from all over the world.

10. Mr. Kasanda welcomed His Excellency Mr. Charles, Ambassador, Permanent Representative of Haiti to the United Nations Office at Geneva, to the meeting. Ambassador Charles reminded participants that 2004 was the bicentennial commemoration of the abolition of slavery in and the independence of Haiti. He explained that the human rights principles of freedom and dignity underlying the Haitian revolution in the eighteenth century was reflected in the spirit of the Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the Working Group on People of African Descent. He introduced historian Dr. Oruno D. Lara, Director of the Centre de recherches caraïbes-amériques (CERCAM), in Paris, who made the keynote address at the opening session.

11. Dr. Lara presented his paper, entitled "*La révolution haïtienne et la conquête des droits des descendants des victimes de la traite négrière, du système esclavagiste et du système colonial aux caraïbes-amériques*", by stating that it contained a complex and little-known history of the Haitian slave revolution of 1804. There was a three-fold process of destruction in the revolution: of the system of slavery, of the slave trade, and of the colonial system. This destruction resulted in the deportation of slaves who rebelled, and it sparked slave rebellions in other Caribbean countries. Many of the deported slaves became the founders of Afro-descendant communities in Latin America (such as the Garifuna) and the Caribbean (Guadeloupe).

12. In asserting that slavery was contrary to mankind and human rights, the slave revolutions also helped spread the notions of human rights and freedom in the region. Emancipated slaves and "freedom fighters" were not only involved in an armed rebellion, but also took part in the printing of translations of declarations of human rights. In this period, Haiti became a sanctuary for all oppressed people of African descent in the Caribbean. These "cries for freedom" also became the roots of an "early pan-Africanism" as Haitian intellectuals began thinking of how to rehabilitate Africa. In concluding his historical presentation, Dr. Lara asked the Working Group to recommend that knowledge about this history be encouraged, especially so that disadvantaged people of African descent could learn about their history.

13. The Acting High Commissioner stated that the Working Group had “just lived an historic moment”. He thanked Dr. Lara and Ambassador Charles for enlightening the Group about the links between the Haitian events of 200 years ago and human rights. He stated that the United Nations, as an international organization, was looking at how to commemorate the bicentennial of the Haitian revolution and the abolition of slavery.

14. Mr. Borges Martins also thanked Dr. Lara, stating that it was very important that the international community mark Haiti’s bicentennial in 2004 as it was “one of the greatest episodes in the human struggle for freedom”. Mr. Jabbour urged the League of Arab States, the Organization of the Islamic Conference, as well as Arab cultural and educational organizations to commemorate this important event as well. Ms. Zlătescu stated that much information was missing about this important historical event and suggested that the United Nations Educational, Scientific and Cultural Organization continue to support, publish and disseminate this history.

15. The Chairperson-Rapporteur introduced the provisional agenda and programme of work (E/CN.4/2003/WG.20/2). He proposed that no meetings be held on the second day of the session (30 September) so as to allow participants to attend the one-day informal meeting of the Commission on Human Rights. The provisional agenda was adopted and the programme of work was approved and adopted as amended.

16. Several observer delegations welcomed the appointment of Mr. Frans. The observer for Costa Rica emphasized that it would be worthwhile to invite UNESCO to participate in the Working Group on 7 October, particularly since the theme would be “access to education and information technology”. When informed by the Chair that UNESCO had been invited but were unable to attend, the Chair was asked to inquire about its attendance once again.

17. The observer for South Africa (on behalf of the African Group) expressed his appreciation for the programme of work, in that it would look at the administration of justice and access to education. He stated that it was important to ensure collaboration so that “all material conditions of people of African descent were addressed” and that the Group’s work should aim to make a “positive impact on people’s daily lives”. He indicated that the experts might wish to link their work with that of the newly established group of five independent eminent experts, and asked that the latter’s recent summary document be made available to the Working Group.

18. At its second meeting, the Working Group held a general debate on the implementation of its mandate, as established by Commission resolution 2002/68, endorsed by resolution 2002/270 of the Economic and Social Council and revised by Commission resolution 2003/30.

19. The observer for Uruguay described a number of national initiatives being undertaken by the Government to address the issues affecting people of African descent in Uruguay. He stated that in cooperation with the Office of the High Commissioner for Human Rights (OHCHR), his Government had organized a regional workshop on affirmative action in May 2003. He encouraged the experts to consider the recommendations of that workshop. The Chairperson-Rapporteur expressed appreciation and said that he would be pleased to see more regional Governments take action along those lines.

20. The observer for South Africa (on behalf of the African Group) stated that he had been asked by the African Group to reiterate the importance of paragraphs 24 and 25 of Commission resolution 2003/30, which expanded the mandate of the Working Group. He had also been asked to emphasize that a strong link between the work of the five independent eminent experts and the Working Group should be established and fostered.

21. The observer for the African Society of Comparative and International Law said that the Working Group should devote more time to proposals that would improve the material situation of people of African descent. Advance notice of the dates of the sessions and better planning so as not to overlap with other United Nations meetings in Geneva would improve the level of participation of NGOs.

22. The observer for Chile suggested that the provisional agenda and the provisional programme of work be placed on the web site in good time. The observers for Mexico, Costa Rica and Brazil agreed that the announcement of the meeting should be disseminated considerably in advance to ensure better representation of people of African descent at the session.

23. At the third meeting, the Chairperson-Rapporteur introduced agenda item 5 and reminded participants of recommendation 21 adopted by the experts at the end of their second session: “a study should be carried out on structural racial discrimination in domestic public defender/legal aid systems in various regions to determine the nature and extent of the problem and make recommendations to Governments who may wish to improve their assistance to competent and effective free legal representation for vulnerable and disadvantaged persons, which are used disproportionately by people of African descent in the justice system”.

24. Mr. Kasanda then welcomed Mr. Frans to his first meeting, and also introduced the panellists who would make presentations on the theme of the administration of justice: Ahmed Othmani of the NGO Penal Reform International (PRI); Kim Taylor-Thompson of the New York University School of Law; and Anne Souleliac, member of the Paris bar.

25. Mr. Othmani introduced his NGO and pointed out that it had been very active on justice issues during the World Conference and had continued afterwards. He presented his paper, entitled “PRI experience: legal aid and access to judicial and legal training” (E/CN.4/2003/WG.20/Misc.1). He stated that it was important to maintain a holistic approach to combating racism in the criminal justice system. Victims must be protected and compensated when their rights were violated by public or private parties in the criminal justice system. He pointed to the essential need for free legal assistance to the poor and to victims, especially in an era of public underfunding and understaffing. Through an international network of public defenders, legal aid organizations and NGOs, Penal Reform International provided support to vulnerable groups without funds or knowledge by helping its country partners adapt local needs/cultures and in accordance with international law. PRI provided training for law enforcement personnel on racism and discrimination, provided information to vulnerable prisoners (including minorities) about their rights and supported the Paralegal Advisory Service.

26. Ms. Taylor-Thompson presented her paper, "Understanding and addressing racial discrimination in representation" (E/CN.4/2003/WG.20/Misc.3). She gave an overview of the problems of racial discrimination in the United States and the disproportionate representation of people of African descent in its justice systems. She stated that there was a critical economic and social disjuncture between clients charged and service delivery in the justice system. The policies that led to arrest, prosecution and sentencing were often "influenced and infected" by racial discrimination. There was no coherent system of defence of indigent persons, no standard or guarantee governing the performance of defence counsels/lawyers, and the racial dynamics of the justice system mirrored the racial dynamics in the country. She recommended that Governments consider/adopt a policy of mandatory appointment of lawyers/counsels in serious cases; require as a qualification for practice training in racial sensitivity/cultural awareness; construct linkages between law school programmes and defence counsels; and develop political coalitions between bar associations and community leadership.
27. Mr. Jabbour commented that the United States Supreme Court might wish to consider the widespread bias in the criminal justice system. Mr. Martins noted that racial bias in the justice system was not confined to North America and that in countries like Brazil, affirmative action policies were aimed at addressing such structural barriers to securing justice. Ms. Zlătescu referred to paragraphs 161 and 162 of the Programme of Action of the World Conference which dealt with legal assistance.
28. Mr. Frans raised the issue of bias in the justice system faced by migrants in the European context and queried whether it would be possible for an accused to choose his/her own defence lawyer in such cases. A greater presence of people of African descent at future meetings of the Working Group would be welcome; the Group required political support as well to accomplish its work. Despite the limited participation, the Working Group must continue its work as it was "fighting for the collective memory of humanity as a whole".
29. The observer for Brazil stated that self-identification was still the basis of affirmative action programmes in Brazil. She also pointed out that the Organization of American States was considering a regional convention on the elimination of racial discrimination in the Americas.
30. The Chairperson-Rapporteur welcomed two additional panellists from the National Association for the Advancement of Colored People-Legal Defense and Educational Fund (NAACP-LDF) of the United States, Miriam Gohara and Vanita Gupta. Ms. Gupta outlined the problems of defending indigent persons in the United States. She said that the standard of defence was very low; there was also no oversight or accountability for this system. Ms. Gohara introduced a paper prepared by NAACP-LDF entitled "Assembly line justice: Mississippi's indigent defense crisis" (E/CN.4/2003/WG.20/Misc.4), which movingly described the problems of indigent defence in both capital and non-capital cases. The report found that community investment in public defence was insufficient and recommended that States and the federal Government should contribute in order to ensure standards and accountability.
31. Ms. Souleliac presented her paper, "*La lutte contre les discriminations dans le cadre de l'accès au droit et à la justice* (E/CN.4/2003/WG.20/Misc.2)". She briefly described the legal system in France and noted that legal aid was managed directly by the bar, and that lawyers were assigned depending on the nature of a given case. "General access" to the legal system was available for the most vulnerable and in France legal aid was available to nationals, citizens of

the European Union, and foreigners in certain specified situations. She queried the exact meaning of “access” since access went beyond mere provision of the service. She cited the case of undocumented migrants who would be wary of contacting public defenders, and the matter of literacy which limited the ability of some to access legal services. She explained that the bar was working on ensuring true access by educating and disseminating information about the legal system, providing clinics in town halls and providing on-site advice at the Court. In Paris, SOS-avocats provided free-of-charge legal services by phone and a “solidarity bus” provided mobile legal services in different neighbourhoods in the city.

32. The discussions on the theme of the administration of justice continued at the fourth meeting of the Working Group.

33. Ms. Taylor-Thompson stated that counsel should be provided free to the accused in the criminal justice system, but that it was also important for counsel to be adequately paid.

34. The observer for Nigeria asked what, if any, deterrent measures could be taken against incompetent defence counsel at the international level. He agreed that States should provide a competent public legal aid system and encouraged States to do so, but he cautioned that counsel must be competent and effective.

35. The observer for Costa Rica encouraged the experts to examine the possibility of incorporating work already taking place on the administration of justice in parallel human rights mechanisms such as the Committee on the Elimination of Racial Discrimination and with respect to the International Convention on Civil and Political Rights. He added that education was not only important for those administering justice but for society as a whole (rights under law, where to exercise those rights, etc.).

36. The observer for Zambia read a short statement about racial discrimination in international trade and recommended that the Working Group consider the question of trade and human rights.

37. Mr. Martins said that it was important to keep a focus on discrimination in the administration of justice faced by people of African descent since the mandate of the Working Group was not poverty or injustice in general, but people of African descent, that is, those victims affected by slavery and the slave trade.

38. Ms. Gupta said that it was important that justice system workers such as lawyers and social workers be reflective of the client base. It was necessary to keep statistics and databases on who exactly was being arrested, convicted and sentenced in order to identify at what point racial bias entered.

39. The observer for China said that it was important to change mentality in order to change action and he recommended that further study be conducted along those lines.

40. Then observer for the African Society of Comparative and International Law said that it would be useful to consider case studies from different parts of the world. He added that poverty was a root cause of discrimination faced by people of African descent in the justice system.

41. The observer for Mundo Afro said that displaced and rural Afro-Latin communities in Latin America faced enormous barriers in accessing the justice system. He recommended a comprehensive approach to the justice system and an ombudsman, which had helped to reduce some disparities in some Afro-Latin contexts.

42. Mr. Jabbour asked whether there was a link between elected judges and discrimination faced by people of African descent in the justice system. Ms. Taylor-Thompson stated that indeed there was a significant link between the electoral process of the judiciary and the choice to impose certain punishments.

43. The observer for Espacio Latino-Americano stated that discrimination in the justice system was not solely a question of poverty, as middle class or wealthy people of African descent faced discrimination in the justice system as well. Discrimination was due to race and was a result of slavery and colonialism. She noted that the matter of private police and paramilitaries was a factor to be considered in some countries as well.

44. The observer for Mexico stated that migrants were victims of racial discrimination as well, so it was vital to have a global view while maintaining some specificity. The observer for Egypt said that the Working Group must stay focused on the victims, that is, people of African descent and measures to be taken at the national level to improve their daily lives in health, education, technology, housing and access to justice.

45. At the fifth meeting, the Working Group saw a video presentation on the criminal justice system and access to justice. The Group then considered recommendation 22: "... study and/or compile further information on the issue of racial discrimination faced by people of African descent in areas such as jury selection, representation in the criminal justice system, judicial appointments and access to legal and judicial training".

46. Mr. Othmani noted that through a network of police and prison officials, Penal Reform International was preparing a training manual with UNICEF on juvenile justice and one with OHCHR on police training. In addition, the organization was developing a programme of mobile training teams to train prison officials in Rwanda.

47. Two observers for the African Society of Comparative and International Law said that there were problems of racial discrimination in the justice system in the French island of Martinique. One stated that virtually the whole justice system, including the trial of cases under French law, was administered by judges, lawyers and legal professionals from the mainland. The system, in her view, was imposed from outside. She presented a particular case which included deportations and the arrest of counsel who was trying to have the case dismissed.

48. The second observer for the African Society of Comparative and International Law said that everything in Martinique was structured so that colonialism and discriminatory laws would persist. Lawyers were attacked if they called the legitimacy of this system into question. Sentences were generally heavier in Martinique than in France and a language barrier hampered access to justice for many.

49. The observer for France replied that the justice system was not perfect and that much was being done to improve the administration of justice in Martinique. She explained that in France, in the interest of impartiality, judges never served in the region where they were from; that this was a basic principle of the administration of justice throughout the Republic and not limited to Martinique. In Martinique, all French citizens had the right to participate in the drafting of laws. She added that the Working Group was perhaps not the appropriate forum to discuss the colonial system.

50. Mr. Jabbour commented that the issue of jury selection required further attention and study. He also mentioned that it would be useful to hear more about the situation in the Caribbean at future sessions. Mr. Frans stated that structural racism manifested itself in many ways and it was necessary to look in-depth at how to dismantle the system. There was a need for more studies and to listen to more “stories of survival”.

51. The observer for Ethiopia said that it was important to explore the origins of criminal behaviour, which were usually social exclusion and economic marginalization. The question was how to address the origins of criminal behaviour. This matter was often linked to the political will of States, which raised the issue of how to develop the political will of States to deal with these questions.

52. The observer for the Association of World Citizens raised the issue of inter-ethnic violence within prisons and noted the importance of ongoing training to achieve dialogue and resolution.

53. The observer for the African Society of Comparative and International Law said that it was important to discuss the issues of racism in an open forum and that he had learned a great deal. He reiterated that a very small percentage of the population, so called “settlers”, controlled entire social, economic and judicial spheres in Martinique, and the situation was similar in French Guyana and Guadeloupe.

54. The observer for Costa Rica pointed to the importance of this dialogue and of learning about problems in countries other than one’s own. He added that he deeply regretted the “blatant absence” of observers representing certain Member States and that something must be done soon to address this.

55. The observer for Uruguay agreed that the absence of many observer Governments was deplorable, but the most effective means of redressing this was to achieve progress in order to encourage their participation. He outlined two key recommendations arising from the Uruguay-OHCHR workshop on affirmative action: (a) States should ratify international treaties and conventions and accept the competence of international bodies to accept individual petitions; and (b) international law should be expanded to include provisions on new manifestations of racism.

56. The observer for Nigeria raised a point of order, commenting that as discussions were still ongoing, this was not the time to consider specific recommendations or proposals. He agreed that representation by observer Governments was important and that perhaps the Governments that had failed to attend could be contacted and urged to send representatives, as had been done by the Working Group on Contemporary Forms of Slavery.

57. Ms. Taylor-Thompson commented on the underrepresentation of people of African descent as jurors or decision-makers in justice systems. This underrepresentation, along with the overrepresentation of people of African descent in prison, called into question the integrity of the justice system and its verdicts. There was often a connection between the ethnic or racial background of a juror and his or her perception of the guilt of the accused. Her recommendations included: that States develop mechanisms to ensure that a cross-section of the community was represented in juries; that States support community oversight bodies; that States develop and adopt affirmative selection to ensure that all citizens serve on juries; and that unanimous verdicts be required in cases so that all parties are heard.

58. At the sixth meeting, the observer for South Africa (on behalf of the African Group) stated that the programme of work of the Working Group must address the “conditions of hopelessness” in the daily lives of people of African descent. The observer for Ethiopia added that it was important to consider the historical background of people of African descent because it was linked to their continued marginalization.

59. The observer for Sweden commented on the low participation of national institutions in the sessions of the Working Group, especially in view of the fact that they had a lot to contribute on the thematic issues being addressed during the third session. She also raised the issue of the session’s emphasis on the Anglo-Saxon judicial court tradition, which was not relevant to many civil law (continental legal) jurisdictions; it was important for the Working Group to make “universal” recommendations. She also queried whether the fact that jurors received no remuneration had any implications for the underrepresentation of people of African descent on juries. She wondered how it could be firmly established that the bias of prosecutors was the sole reason for the elimination of potential jurors of African descent. She asked how “unanimous verdicts”, as recommended by Ms. Taylor-Thompson, could be put into practice.

60. The observer for the Syrian Arab Republic advised that it was important to be critical about one’s own legal system as well as criticize others. Ms. Taylor-Thompson agreed, adding that the role of judges in non-jury systems must also be explored. Remuneration was indeed a factor in the underrepresentation of people of African descent on juries and it was the role of the State to make serving on juries less of an economic burden. She added that the inclusion by prosecutors of potential jurors on the basis of employment was, in effect, often a racial indicator by proxy.

61. Both the observer for Uruguay and the observer for the African Society of Comparative and International Law agreed with the observer for Sweden that it was important for the Working Group to make “universal” recommendations applicable to all jurisdictions, whether the legal system was based on the civil/continental or Anglo-Saxon tradition. States should acknowledge that freedom, liberty, dignity and justice knew no colour.

62. The observer for the Association of World Citizens raised the issue of training law students and internships for young lawyers on these access-to-justice issues. Ms. Souleliac agreed that internships for young lawyers were a very good idea.

63. The observer for the December 12th Movement stated that reparations for past injustices, especially those due to the trans-Atlantic slave trade, was a question of fundamental justice. Owing to the short notice about the holding of the meeting, many NGOs, especially those of people of African descent, were unable to attend.

64. The observer for the Espacio Afro-Americano raised some concerns about the programme of work and the selection of themes for the Working Group's sessions. She commented on the very low participation of NGOs owing to short notice and related funding constraints. The Chairperson-Rapporteur reported that the date of the Working Group had been decided by the Bureau of the Commission on Human Rights, but that the matter merited further consideration.

65. At the seventh meeting, Mr. Kasanda introduced recommendation 24 of the Working Group concerning "studies on violence disproportionately affecting people of African descent, including police violence". He presented his paper entitled "Preliminary observations on violence affecting Africans and people of African descent in some regions of the world" (E/CN.4/2003/WG.20/Misc.10). He stated that while the causes of the violence varied, historically based stereotypes about racial groups had led to a situation where race was criminalized and crime was racialized. He outlined forms of police violence, including excessive force during arrest and detention and unlawful interrogation, and the use of cruel and unusual punishment, which affected the life and liberty of people of African descent. The effects of such violence were counterproductive to the achievement of the objectives of policing and inimical to the rule of law and the protection of human rights. What was required was representation of people of African descent in policing and accountability to ensure the absence of impunity.

66. Ms. Gupta stated that there was a strong police presence in communities of people of African descent and a strong link between slavery-era violence and police violence today. She outlined some high-profile cases in the United States about coerced confessions and excessive police force. She screened a video for the Working Group which presented a case study on police excess in a town in the United States which pointed to the need for corroboration of police accounts with respect to evidence, laws against racial profiling, sanctions against prosecutors who broke the law, training and recruitment of African American police officers, community policing and civilian review boards.

67. The Chairperson-Rapporteur then invited Ms. Zlătescu to present her paper on "Persons of African descent and the media" (E/CN.4/2003/WG.20/Misc.11), as she would not be present the following week when the theme would be discussed. Ms. Zlătescu said that the discourse of the media could, and actually did, have negative effects, but it also had the ability to combat racist phenomena and attitudes by adhering to a system of values and principles and assuming social responsibilities, the roots of which were to be found in the very impact that the media had upon the public. She referred to the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination in that regard. She stated that codes of ethics and self-regulating mechanisms addressing not just criminality but also morality on the part of those involved in the profession of journalism, including trade unions, employers and professional organizations, was important.

68. Following her presentation, the Working Group returned to the topic of violence disproportionately affecting people of African descent. Mr. Othmani cited the Code of Conduct for Law Enforcement Officials (1979), stating that the training of officials was very important.

69. The observer for Costa Rica stated that police violence was not confined to the United States, and it was unfortunate that the panellists were not regionally representative. Grass-roots community policing seemed to work well and was a good practice that should be encouraged in all jurisdictions. The observer for Venezuela expressed an interest in community, or “proximity” policing and asked whether there were studies demonstrating its effectiveness.

70. The observer for Chile, commenting on Ms. Zlătescu’s paper, stated that it would have been useful to have referred to paragraphs 140 to 147 of the Durban Programme of Action concerning the issue of communications and the media.

71. At the eighth meeting, the observer for the African Society of Comparative and International Law stated that there were problems of police violence in Martinique. While the national police force was composed mainly of people of African descent, the gendarmerie was predominantly of European origin and were sent from mainland France. They were housed in their own barracks and, she asserted, “colluded with the settlers in raids, monitoring and intimidation”.

72. The observer for France replied that the division between local police and gendarmerie was not specific to Martinique, but was the practice throughout France. Explicit cases of discrimination should be reported officially and followed up. There were many criticisms and some were justified, but solutions to the problems should be offered as well.

73. The observer for South Africa observed that it was not helpful at this stage to focus on specific experiences and testimonies. It was a time to deal with recommendations and to propose what concretely should be done to address the problems.

74. The observer for Mundo-Afro referred to paragraph 138 of the Durban Programme of Action and the training of criminal justice officials. He cited the failure of prison systems to rehabilitate and the lack of human rights training as significant problems.

75. The observer for the African Society of Comparative and International Law stated that the situation of police violence and impunity was also a problem in Guadeloupe. He reminded the Working Group that no Government was obliged to accept recommendations made by the Working Group and that solutions to many of the problems must come from within the communities concerned.

76. The observer for the African Society of Comparative and International Law stated that the working methods and scheduling of the Working Group were matters of concern. He recommended that a set time period be allotted each year (January-February), as that would provide certainty and predictability in planning and preparation. It would also be useful to publish the notification of the session in the official United Nations calendar of meetings. Finally, he proposed linking the session of the Working Group to that of the Intergovernmental Working Group on the Effective Implementation of the Programme of Action, in order to “provide synergy and fresh memories”.

77. The observer for Brazil stated that the experts, in diagnosing the problems of violence, might wish to make stronger connections with the Special Rapporteur on torture and the Special Rapporteur on extrajudicial, summary or arbitrary executions. The observers for Mexico and Uruguay agreed, citing the recommendations of the Uruguay workshop and the recommendations of CERD. Mr. Frans agreed, noting that the Working Group should draw on previous human rights reports and mechanisms and connect and build on the work of regional organizations like the European Commission against Racism and Intolerance, the European Monitoring Centre on Racism and Xenophobia and the European Network against Racism.

78. The observer for the African Society of Comparative and International Law made three concrete recommendations concerning Martinique: (a) a small commission of experts should be sent to the Caribbean for an on-site visit; (b) the principle of non-discrimination (positive actions) should be established for people of African descent in the region; (c) the bicentenary of the Haitian revolution in 2004 should be commemorated appropriately.

79. At the ninth meeting, Mr. Kasanda introduced recommendation 27 of the Working Group concerning "... a study be undertaken on the media and people of African descent that would focus in part on stereotypes, negative imagery and issues of invisibility. The study should also focus on how the media makes and can continue to make positive contributions to combating racial stereotypes and prejudice and to enriching cultural diversity and multicultural societies." The Chairperson-Rapporteur introduced the panellists for this theme: Lionel Morrison of the International Federation of Journalists; Mohammad-Mahmoud Ould Mohamedou of the International Council on Human Rights Policy; Patrick Gasser of the Union of European Football Associations; and Boël Sambuc of the Commission fédéral Suisse contre le racisme (Swiss Federal Commission against Racism).

80. Mr. Morrison presented his paper entitled "How the media can grasp diversity" (E/CN.4/2003/WG.20/Misc.12). He explained that the European news media, like much of the general population, still had to embrace the concept of a multiracial/multicultural society. He described how the media covered "race" issues through often implicit discourse, the invisibility of racial minorities, the perception that people of African descent were the source of problems, and the inability to question or challenge racist ideas. The media sometimes did more than simply report; it generated, or constructed "racism." He gave examples in some European countries to illustrate those issues.

81. He argued that media had a responsibility and an obligation to combat racism and xenophobia, and that the absence of voices of people of African descent in the media must be tackled. He discussed codes of conduct for the media and illustrated the role of the International Federation of Journalists in trying to address some of those issues.

82. Mr. Mohamedou presented his paper entitled "Media and the problem of racism" (E/CN.4/2003/WG.20/Misc.5). He said that the media had a special role to play - primarily by virtue of the position they occupied in society and their (self-attributed) mission. While there were serious limitations to the commonality of interests of human rights organizations and media outlets, the dilemma for human rights organizations was to keep the media interested without trivializing or sensationalizing the issues they wanted to see aired. Racism was witnessed in the media in a variety of ways: systemic and/or systematic underrepresentation of groups that suffered from racism; stereotyping of particular communities and inaccurate representation of

their situation and problems; insufficient scope and depth and cliché-ridden coverage of community issues; usage of coded language and phraseologies that reinforced a racial subtext; and denial of racism, stating that it was confined merely to extreme and explicit discrimination. The main weakness of the media was that racism (and rights) issues, although included in the reporting, were not articulated as such.

83. Mr. Gasser introduced his paper entitled “Unite against racism” (E/CN.4/2003/WG.20/Misc.7). He spoke about the manifestation of racism in sport and the fact that racism in sports like football was often an expression of group identity as it represented struggles and attitudes that were behind ideas about belonging and not belonging. He spoke about effective media sports campaigns against racism. He stated that media campaigns were a major force in combating racism among fans. He argued that governing bodies like UEFA were well placed to take the lead in tackling less visible angles of racism in football such as attitudes and policies on hiring, resource allocation, recruitment, competition structure, access to venues, etc. which influenced minority participation at all levels and helped reinforce broader social patterns of exclusion.

84. Ms. Sambuc presented her paper entitled “*Le racisme dans les médias et sur l’Internet à l’encontre des personnes d’ascendance africaine*” (E/CN.4/2003/WG.20/Misc.6). She discussed the issue of “visibility” and presented examples of how people of African descent were perceived in society. She also discussed the matter of social construction and the often negative perception of people of African descent and how that too was often reflected in media. She spoke about remedies such as national legislation, codes of conduct and self-regulating bodies for the media. She also recalled paragraph 147 of the Durban Programme of Action which called for increased international cooperation to address the issue of racism on the Internet.

85. The Working Group held a wide-ranging discussion on the matter of the media and people of African descent.

86. The observer for Senegal asked how the representation of people of African descent in journalism and in the media profession could be improved. The experts and many observers agreed that the issue of people of African descent and the media should be maintained on the agenda of future sessions of the Working Group.

87. At the eleventh meeting, the Working Group addressed the theme of access to education and information technology (recommendation 51). Zakiya Carr-Johnson of the International Human Rights Law Group gave an overhead-projector presentation on “Promoting affirmative action in the Americas: progress and challenges” based on her paper of the same name (E/CN.4/2003/WG.20/Misc.8). She recalled that the Durban Programme of Action urged Governments to implement policies of affirmative action to ensure equal access to education. She presented case studies of Brazil, Uruguay and the United States where high levels of segregation in schools created de facto decreased access to quality education. She encouraged exchanges of lessons learned and gave the example of an “affirmative action affinity group” composed of technical experts, lawyers and human rights advocates. She proposed: data collection by States disaggregated by race, gender and class; community and media support for affirmative action; public education and training for Governments; and, technical support groups and the exchange of data.

88. Ms. Carr-Johnson said that it would be very useful for Governments to provide further support for the promotion of affirmative action by elaborating and distributing widely in each region a set of model survey indicators used for collecting the disaggregated data. She also urged more effective regional workshops on affirmative action.

89. The observer for Switzerland outlined a number of educational projects undertaken by his/her Government concerning people of African descent. These initiatives, which intended to address the root causes of racism, included an intercultural theatre exchange between Burkina Faso and Switzerland, the "Seeing the other" awareness-raising campaign, the "*ubuntu*" African project, an exhibition entitled "Being Black in Switzerland", and a special edition of the "Outlook Africa" publication which covered the phenomenon of anti-Black racism in Switzerland, France and Germany and the 2001 World Conference.

90. Members of the Human Rights Education Team of OHCHR briefed participants about the work of the Office in human rights education and training. They discussed the plan of action for the United Nations Decade for Human Rights Education, 1995-2004, under which the Office included anti-discrimination issues in its information-sharing and networking and on its web site, as well as in its production of human rights training materials. They presented the ACT (Assisting Communities Together) project, which supported national and local human rights initiatives (including anti-discrimination projects and cultural events in schools).

91. The observer for Brazil commended the idea of model survey indicators recommended by Ms. Carr-Johnson. She outlined a number of affirmative action initiatives being taken by her Government, including affirmative action for admission to two State universities and pedagogical training to encourage the teaching of the history of people of African descent.

92. The observer for UNAIDS stated that as approximately 42 million people globally were affected by HIV/AIDS, access to education and knowledge was central and she outlined many strategies and approaches taken by her organization to address it. Vulnerability to HIV/AIDS was decreased by increased literacy and public education was important to address underlying stigma and discrimination.

93. Mr. Frans supported the proposal for regional model surveys and stated that it was important that students be informed about racism in the school system as that correlated with racism in the media, housing and other sectors. Mr. Martins stated that an equal society could not be built on an unequal educational system. He argued that increasing access to primary education was relatively easy compared to increasing the access of people of African descent to post-secondary or university education. Access to post-secondary education was hampered by the system of inbuilt competitive selection marked by structural inequalities. Only effective affirmative action policies for people of African descent could address such structural inequalities.

94. The Working Group held a wide-ranging discussion on the issues raised by the presentations on access to education. Many participants agreed that there was a need to understand that access to education included quality education, as well as free and universal education. Access to education also included extracurricular activities and the teaching of history and traditions of and to people of African descent.

95. The observer for Ethiopia remarked that it was important to assess the impact of economic exclusion and economic marginalization because where there was economic disadvantage, access to quality education was only for those who could afford it.

96. The observer for Senegal said that affirmative action for people of African descent could only be a temporary solution. While lauding the many initiatives taken by Switzerland, it was also important to focus on raising awareness among perpetrators of racism. The observer for Switzerland thanked the Working Group and many observers for their appreciation and stated that all the programmes were intended to address the victims as well as the perpetrators of racism.

97. The observer for the African Society of Comparative and International Law spoke about access to education for people of African descent in Germany. She said that while in law everyone had access to education, in practice, discrimination tended to arise in the highly selective and discretionary process in which teachers recommended individual students for university. Discrimination could also be manifest in criticism of the German language abilities of students of African descent and in the fact that being bilingual was not considered an asset in the system. She urged European Governments to implement EU directives 2000/43 and 2000/78 intended to eliminate discrimination in education.

98. At the twelfth meeting, Angela Haynes of Minority Rights Group International presented her paper "Realizing the right to education for people of African descent in Latin America" (E/CN.4/2003/WG.20/Misc.9). She discussed the experiences of people of African descent in formal education in Latin America and the role of the State in providing education.

99. She stated that the eight Millennium Development Goals of the United Nations, which defined the primary development objectives, provided a significant opportunity to achieve the right to education for people of African descent. Two relevant targets were ensuring that by 2015, all children everywhere would be able to complete primary schooling (goal 2), and promoting gender equality and empowering women by eliminating gender disparity in primary and secondary education, preferably by 2005 and in all levels of education no later than 2015 (goal 3). She noted that the goals could only be achieved at the national level if communities of people of African descent benefited.

100. Mr. Frans stated that an important question was how to get people of African descent into higher education if their performance rates tended to be lower because of lower-quality education. Continuing education and supplementary education could be the key.

101. The observer for Haiti stated that affirmative action policies were insufficient without financial policies to support the people of African descent in education, since many of them had to support their families as well.

102. The observer for South Africa said that while the outcomes and targets of numerous international summits and conferences were welcome, they could not be met without political will, funding, and the enhancement of international cooperation as stated in the final paragraph (219) of the Durban Programme of Action.

103. Some observers mentioned that people of African descent faced difficulties in some European countries in participating in the elaboration of national plans of action against racism; there was a “discordance between national realities on the ground and the rhetoric”. Mr. Frans stated that it was important for people of African descent to be included in the development and monitoring of national action plans and that perhaps a special workshop by the European Network against Racism on people of African descent and the production of national action plans could be convened.

104. Ms. Carr-Johnson stated that in studying people of African descent and access to education, it was difficult to separate issues of race, class and gender because they were inextricably linked, and that any analysis of the situation must consider all three together. She agreed that while affirmative action was helpful, it had to be paired with economic incentives (educational grants, bus passes) to be successful. She answered a question posed by Mr. Jabbour by stating that black universities had been beneficial in the United States and that exchange programmes with Latin American countries should be considered.

105. Ms. Haynes reinforced the importance of the collection of data disaggregated by race, class and gender, as this would give a true picture of the social and economic development of people of African descent in a given country and region. While political will varied according to country or region, States should be persuaded to take action because inequalities in Latin American countries affected national economic growth. In order to meet the Millennium Development Goals, everyone must be included and universality must be the target.

106. Mr. Martins cautioned that higher-level education on the basis of “merit” was problematic, as merit was a concept that could be “culturally manipulated”. On the basis of the MDGs, it would take about 500 years to address the disparities between people of African descent and the rest of the population. The gap was not closing, but rather widening, and for that reason, affirmative action policies were necessary. He had recently completed a report for the International Labour Organization on discrimination in the labour market in Brazil, which found that with the same educational level, there was still a gap in earnings between black and white workers caused by “sheer racism in the labour market” with exactly the same education, women of African descent earned only 40 per cent of the wages of their white male counterparts.

107. At its thirteenth meeting, the Chairperson-Rapporteur introduced the draft set of conclusions and recommendations prepared by the members on the basis of the discussions at the third session. The Working Group heard comments from observers on the draft.

108. An NGO observer noted that the knowledge, values and oral traditions of people of African descent should be valued and that this human knowledge should not be underrated in the face of modernization.

109. At the fourteenth meeting, the Working Group heard further comments on the draft. There was also a discussion about the concept, role and working methods of the Working Group, and whether it should elaborate recommendations or concrete short-term and long-term proposals to address the daily lives and social and economic realities of victims. There were several interventions from the floor. It was mentioned that there should be a stronger link between the Working Group and the five independent eminent experts in respect of issues facing people of African descent.

110. At the fifteenth meeting, the Working Group considered a revised set of conclusions and recommendations. Mr. Kasanda made a closing statement in which he recapitulated the main presentations and points made during the meeting and thanked participants for their comments, ideas and constructive working spirit. He briefly discussed the organization of future work of the Working Group, which would include consultations with the African Union, the European Union and other intergovernmental organizations, as well as possibly one or two regional round tables. The report of the third session, as well as the conclusions and recommendations of the Working Group, would be submitted to the Commission on Human Rights at its sixtieth session.

### **III. CONCLUSIONS AND RECOMMENDATIONS OF THE WORKING GROUP OF EXPERTS ON PEOPLE OF AFRICAN DESCENT**

111. At its third session, the Working Group agreed on the set of conclusions and recommendations set out below, and in accordance with its mandate proposes them to the Commission on Human Rights:

*The Working Group of Experts on People of African Descent,*

*Having convened* its third session from 29 September to 10 October 2003 at the United Nations Office at Geneva,

*Having taken into account* the recommendations that were made at its first and second sessions (see E/CN.4/2003/21),

*Having considered* the different presentations made by the panels on the administration of justice, the media and education and the statements and submissions from States, United Nations specialized agencies and non-governmental organizations,

*Having taken into account* the outcomes of other seminars and workshops organized by the Office of the High Commissioner for Human Rights where issues relating to people of African descent were considered,

*Submits* the following recommendations to the Commission on Human Rights for consideration at its sixtieth session:

#### **Administration of justice**

1. Steps should be taken to ensure that people of African descent who lack adequate resources have free legal aid and that public defenders have the required competence and adequate cultural training.

2. Racial equality and diversity should be promoted in the recruitment and training of law enforcement personnel.

3. A review should be undertaken of training programmes for immigration officials with a view to identifying and avoiding discriminatory practices against people of African descent or other national or ethnic groups and determining whether legislation or bad practice is the source of any discrimination.

4. The procedure for the selection of juries should be fair, transparent and equitable and people of African descent should be proportionately represented.

5. People of African descent should be adequately represented in judicial appointments at all levels and have adequate access to legal and judicial training.

6. Where applicable, disaggregated data on arrests, prosecutions and sentencing should be collected and published to enable States and other stakeholders to monitor the situation of people of African descent in the administration of the justice system and to determine whether they are the victims of discrimination.

7. Law enforcement agencies should adhere strictly to international human rights standards of conduct as stated, for example, in the Code of Conduct for Law Enforcement Officials, adopted by the General Assembly in its resolution 34/169 of 17 December 1979.

8. The elimination of violence, including police violence, which affects people of African descent requires political will on the part of States and other stakeholders, as well as the allocation of the necessary resources for human rights training. Police and officials of other agencies within the criminal justice systems should adhere strictly to recognized good practices as enshrined in the relevant international human rights documents.

9. The United Nations should find an appropriate way to celebrate the bicentenary of the independence of Haiti, which the Working Group recognizes as an important landmark in the struggle of people of African descent for freedom, justice and human dignity.

10. States should consider ratifying the international human rights treaties and conventions, preferably without reservations of any kind, and accept the competence of international bodies to receive and process petitions from individuals claiming violations of their rights under those instruments. In particular, States should accede to the International Convention on the Elimination of All Forms of Racial Discrimination, with a view to universal ratification by the year 2005, and consider making the declaration under article 14.

11. States should provide more education for people of African descent on the ways in which they can become victims of discrimination and raise the awareness of the general public about these issues, in order to ensure better protection and defence of the human rights of people of African descent.

12. States should establish monitoring mechanisms within the criminal justice system to investigate and prevent discriminatory behaviour by law enforcement officials, taking special measures to monitor and sanction officials involved in racist conduct. Procedures should be introduced for hearing complaints of discrimination in matters concerning officials of the criminal justice system and special units established to hear such cases.

13. States should promote crime-control mechanisms based on the use of alternatives to imprisonment in order to reduce the possibility that torture and other cruel or inhuman treatment can be committed.

14. States should reform their judicial procedures with a view to ensuring that no legal value is attached to statements other than those obtained under the rules of due process, as recognized in international human rights instruments.

15. States should study cases of torture to determine whether the victims were targeted because of racial and/or gender discrimination. Rehabilitation centres for victims of torture should publish data on this subject. States should establish such centres where they do not exist.

### **The media**

16. The Working Group underlines the importance of responsibility, objectivity, credibility and quality within the media\* in order to avoid race-biased reporting and articles. The media should choose the language it uses carefully and avoid “loaded” or negative terminology.

17. States should establish press ombudspersons or institutions such as “quick-response” mechanisms that can respond to stereotypes in the media and provide information to counter them.

18. All media associations and unions should adopt codes of conduct and establish mechanisms to monitor their application.

19. Training and sensitization on the issue of racism and the media should be included in the curriculum at schools of journalism.

20. The media should recruit people of African descent at all levels so as to reflect the diversity of society and, to this end, adopt affirmative action measures when needed.

21. National, regional and international media associations should consider establishing awards for outstanding coverage of issues relating to people of African descent.

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\* The term “media” includes print and electronic media as well as the Internet and advertising.

### **Access to education**

22. States should continue to pursue equality with regard to access to education through, *inter alia*, the promotion and implementation of affirmative action measures, as a follow-up to the Durban Declaration and Programme of Action.

23. The mechanisms of access to higher education should include effective measures, including affirmative action based on race, aimed at increasing the participation of people of African descent, to reflect the diversity of society, as well as to take into account the historical exclusion of people of African descent from higher education.

24. The Working Group recommends that, wherever applicable, measures should be taken to provide scholarships and education loans for people of African descent in order to increase their access to education.

25. Appropriate international and regional organizations should work with States to develop a model survey instrument for collecting disaggregated data to assist States to analyse and determine the types of policies and affirmative action needed to combat racial discrimination and provide equal access to education, health, housing and employment; the Working Group invites States and international and regional organizations to consult with it on this subject.

26. States should promote educational programmes to raise awareness and understanding of the benefits of cultural diversity.

27. More regional workshops like the workshop on affirmative action policies for people of African descent in Latin America and the Caribbean (Montevideo, May 2003), organized by OHCHR in cooperation with the Government of Uruguay, should be held. The Working Group encourages States to implement the recommendations of this workshop.

28. States should adopt, implement and adequately fund appropriate and comprehensive education and prevention programmes, accessible to all, in the area of health, including HIV/AIDS.

29. States should revise school curricula and textbooks so that they reflect the diversity of society and ensure that they do not contain stereotypes about or discriminatory references to specific ethnic groups.

30. School curricula and textbooks should also accurately reflect the contribution of Africans and people of African descent to world history and civilization, as well as their role in historical events at the national and regional levels, and teacher-training programmes should include information relating to this subject.

31. States should facilitate the participation of people of African descent in the design, implementation, monitoring and evaluation of education programmes at all levels.

32. Institutes of African studies should include in their programmes information about people of African descent in the diaspora; where such institutes do not exist, the Working Group encourages States and universities to consider establishing such institutions.

33. States should mainstream the rights of people of African descent into the education strategies for achieving the Millennium Development Goals and adopt positive measures to achieve this objective.

34. States should collect disaggregated data on people of African descent in the field of education and make reference to these data when reporting on the progress made in the achievement of the Millennium Development Goals.

35. States should monitor the impact of education programmes designed primarily for people of African descent. Where programmes do not achieve their objectives, remedial measures should be taken in consultation with the affected communities.

36. States should develop appropriate guidelines and training on the rights of people of African descent for teachers and others engaged in education-related activities.

37. States should allocate sufficient resources to provide training for people of African descent in the official language or languages used in education and, where appropriate, provide for bilingual education.

### **Organization of and participation in future sessions of the Working Group**

38. The Working Group of Experts, having been in existence for almost one and a half years and having reached its full membership of experts from all five regions, have come to an understanding that in order to do justice to the mandate given to it by the Commission on Human Rights, it would be necessary to take the following steps as soon as possible and certainly before the expiration of its present mandate:

(a) Consolidate its cooperation with other United Nations bodies such as UNICEF, UNDP, WHO, ILO and UNESCO;

(b) Initiate consultations with the following bodies: African Union, European Union, Council of Europe, Organization of American States, Organization of the Islamic Conference, League of Arab States, Association of South-East Asian Nations, and international financial institutions including the World Bank and the International Monetary Fund;

(c) Convene regional round tables in order to engage in dialogue and listen to ideas, experiences and practices of national governmental human rights commissioners, institutions and official agencies, and representatives of civil society;

(d) Convene thematic seminars in connection with the regional round tables and consultations.

In addition, special activities should be undertaken to celebrate Human Rights Day (10 December), the International Day for the Elimination of Racial Discrimination (21 March), the bicentenary of the Haitian revolution and the commemoration of a United Nations day to honour the memory of those who fought against slavery. Resources should be made available by OHCHR to enable the Group to undertake activities (a)-(e) above.

## **ANNEXES**

### **Annex I**

#### **AGENDA**

At the first meeting of the first session, on 29 September 2003, the Working Group, in accordance with its mandate, adopted the following agenda:

1. Opening of the session.
2. Adoption of the agenda.
3. Organization of work.
4. Implementation of the mandate of the Working Group, as established in Commission on Human Rights resolution 2002/68 and approved by Economic and Social Council decision 2002/270 and amended by Commission on Human Rights resolution 2003/30:

“(a) To study the problems of racial discrimination faced by people of African descent living in the diaspora and to this end gather all relevant information from Governments, non-governmental organizations and other relevant sources, including through holding public meetings with them;

- (i) To make proposals on the elimination of racial discrimination against people of African descent in all parts of the world;
- (ii) To address all the issues concerning the well-being of Africans and people of African descent contained in the Durban Declaration and Programme of Action;

“(b) To propose measures to ensure full and effective access to the justice system by people of African descent;

“(c) To submit recommendations on the design, implementation and enforcement of effective measures to eliminate racial profiling of people of African descent;

“(d) To elaborate short-, medium- and long-term proposals for the elimination of racial discrimination against people of African descent bearing in mind the need for close collaboration with international and development institutions and the specialized agencies of the United Nations system to promote the human rights of people of African descent, inter alia through:

- (i) Improving the human rights situation of people of African descent by devoting special attention to their needs, inter alia through the preparation of specific programmes of action;
  - (ii) Designing special projects, in collaboration with people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between these populations and experts in these areas;
  - (iii) Developing programmes intended for people of African descent allocating additional investments to health systems, education, housing, electricity, drinking water and environmental control measures and promoting equal opportunities in employment, as well as other affirmative or positive action initiatives, within the human rights framework.”
5. Adoption of recommendations.
6. Closing of the session.

## **Annex II**

### **LIST OF PARTICIPANTS**

#### **A. Members**

Mr. Peter Lesa Kasanda (Chairperson-Rapporteur)  
Mr. Joe Frans  
Mr. Georges Nicolas Jabbour  
Mr. Roberto Borges Martins  
Ms. Irina Moroianu-Zlătescu

#### **B. States Members of the United Nations represented by observers**

Algeria, Barbados, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Haiti, Ireland, Italy, Jamaica, Japan, Kenya, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Morocco, Nicaragua, Nigeria, Peru, Spain, Russian Federation, Senegal, South Africa, Sweden, Switzerland, Syrian Arab Republic, Tunisia, United Arab Emirates, Uruguay, Venezuela, Zambia

#### **C. Non-member States represented by observers**

Holy See

#### **D. United Nations bodies and specialized agencies and other Intergovernmental organizations represented by observers**

African Union, Office of the High Commissioner for Human Rights, UNAIDS

#### **E. National institutions**

Swiss Federal Commission against Racism

#### **F. Non-governmental organizations in consultative status with the Economic and Social Council (general consultative status, special consultative status and Roster)**

African Society of International and Comparative Law, Brahma Kumaris World Spiritual University, December 12th Movement International Secretariat, International Movement Against All Forms of Discrimination and Racism, International Movement for Fraternal Union Among Races and Peoples, Minority Rights Group International, World Association of Citizens, World Council of Churches

**G. Non-governmental organizations specifically accredited to the  
World Conference against Racism, Racial Discrimination,  
Xenophobia and Related Intolerance**

Movement against Racism and for Friendship Among Peoples, Mundo Afro, World Alliance of YMCA

**H. Panellists and presenters**

Ms. Zakiya Carr-Johnson, Mr. Patrick Gasser, Ms. Mariam Gohara, Ms. Vanita Gupta, Ms. Angela Haynes, Mr. Oruno Denis Lara, Mr. Mohammad-Mahmoud Ould Mohamedou, Mr. Lionel Morrison, Mr. Ahmed Othmani, Ms. Boël Sambuc, Ms. Anne Souleliac, Ms. Kim Taylor-Thompson.

**Annex III**

**LIST OF DOCUMENTS**

<i>Symbol</i>	<i>Title and author</i>
E/CN.4/2003/WG.20/2	Provisional agenda of the third session  “La révolution haïtienne et la conquête des droits des descendants des victimes de la traite négrière, du système esclavagiste et du système colonial aux caraïbes-amériques” by Mr. Oruno D. Lara
E/CN.4/2003/WG.20/Misc.1	“PRI Experience: Legal Aid and Access to Judicial and Legal Training” by Mr. Ahmed Othmani
E/CN.4/2003/WG.20/Misc.2	“La lutte contre les discriminations dans le cadre de l’accès au droit et à la justice” by Ms. Anne Souleliac
E/CN.4/2003/WG.20/Misc.3	“Understanding and Addressing Racial Discrimination in Representation” by Ms. Kim Taylor-Thompson
E/CN.4/2003/WG.20/Misc.4	“Assembly Line Justice: Mississippi’s Indigent Defense Crisis” by the National Association for the Advancement of Colored People-Legal Defense and Educational Fund (NAACP-LDF)
E/CN.4/2003/WG.20/Misc.5	“Media and the Problem of Racism” by Mohammad-Mahmoud Ould Mohamedou
E/CN.4/2003/WG.20/Misc.6	“Le racisme dans les médias et sur l’Internet à l’encontre des personnes d’ascendance africaine” by Ms. Boël Sambuc
E/CN.4/2003/WG.20/Misc.7	“Unite against Racism” by Mr. Patrick Gasser
E/CN.4/2003/WG.20/Misc.8	“Promoting Affirmative Action in the Americas: Progress and Challenges” by Ms. Zakiya Carr-Johnson
E/CN.4/2003/WG.20/Misc.9	“Realising the Right to Education for People of African Descent in Latin America” by Ms. Angela Haynes
E/CN.4/2003/WG.20/Misc.10	“Preliminary observations on violence affecting Africans and people of African descent in some regions of the world” by Mr. Peter Lesa Kasanda
E/CN.4/2003/WG.20/Misc.11	“Persons of African descent and the media” by Ms. Irina Moroianu-Zlătescu
E/CN.4/2003/WG.20/Misc.12	“How the media can grasp Diversity” by Mr. Lionel Morrison.

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