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

Written statement* submitted by African Centre for Democracy and Human Rights Studies, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 August 2020]

* Issued as received, in the language(s) of submission only.

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Black Lives Matter

The African Centre for Democracy and Human Rights Studies (ACDHRS) and its United States of America-based associate the Pan-African Forum on Rights and Development (PAFRD) strongly condemn the abhorrent police killing of George Floyd on 25th May 2020 in Minneapolis, United States of America (USA). The merciless and humiliating murder of Mr. Floyd, an unarmed African-American, spells out the dehumanization in which people of Africa-descent find themselves in the USA. Racism and discrimination, which are ingrained in the white supremacist culture that dominate the USA, are the combined factors that led to this tragic murder. USA-based human rights advocacy groups expressed concerns that the USA Criminal Justice System is inherently unjust, and it has been designed and systematically abused by white supremacist to oppress, incriminate, and destroy the lives of millions of African-Americans and people of colour in general. Reforming the USA Criminal Justice System and ending police brutality require profound reform at all levels of government, and that race sensitive training of law enforcement forces, including human rights education, should be a main component of such reform. ACDHRS and PAFRD fully support the “Statement on the Protests against Systemic Racism in the United States” issued on 5th June 2020 by some 68 independent experts of the Special Procedures of the United Nations (UN) Human Rights Council.¹

Racial inequalities in the USA have been observed in all walks of life and sectors such as public health, education, housing, labour market, work conditions and benefits, business, and economic opportunities. Mr. Andrew Cuomo, Governor of New York State, qualified incidents of police brutality in the USA as “... a continuum of cases and situations that have been going on for decades and decades ...” He further compared police treatment of African-Americans as “chapters in a book,” entitled “...Continuing Injustice and Inequality in America.”² Some USA medical groups - the American Academy of Pediatrics, American Medical Association (AMA) and American College of Physicians – emphasized that racism is a public health issue and called for an end of police brutality. In its 2019 policy statement about the impact of racism on child and adolescent health, AMA recognized that: “... physical or verbal violence between law enforcement officers and the public, particularly among Black and Brown communities where these incidents are more prevalent and pervasive, is a critical determinant of health and supports research into the public health consequences of these violent interactions.”³

ACDHRS and PAFRD salute those millions of peace-loving people of the world who expressed their outrage for the abhorrent racial crimes frequently meted out to people of African descent anywhere. The public protests in Western Europe, Africa and Asia and the removal and destruction of statues and monuments that celebrate the racist colonial past of the United Kingdom of Great Britain and Northern Ireland, France and Belgium and their notorious history with the Trans-Atlantic slave trade, has placed the Black Lives Matter campaign in its correct international context. The UN High Commissioner for Human Rights condemned the killing of George Floyd declaring it “... the latest in a long line of killings of unarmed African-Americans by US police officers and members of the public,” adding that she is “... dismayed to have to add George Floyd’s name to that of Breonna Taylor, Eric Garner, Michael Brown and many other unarmed African Americans who have died over the years at the hands of the police -- as well as people such as Ahmaud Arbery and Trayvon

¹ Statement on the Protests against Systemic Racism in the United States, 5 June 2020, Independent Experts, Special Procedures, United Nations Human Rights Council, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25927&LangID=E>.

² Zach Seemayer, EDT, May 31, 2020 Andrew Cuomo Says 'I Figuratively Stand With the Protestors' Following George Floyd's Death, <https://www.wusa9.com/article/entertainment/entertainment-tonight/andrew-cuomo-says-i-figuratively-stand-with-the-protestors-following-george-floyds-death/603-9f83d4ba-168f-4951-8dd0-7bbe5b65227e>.

³ Jacqueline Howard, Racism is a public health issue and 'police brutality must stop,' medical groups say, CNN, 1 June 2020, <https://edition.cnn.com/2020/06/01/health/racism-public-health-issue-police-brutality-wellness-bn/index.html>.

Martin who were killed by armed members of the public.”⁴ London Mayor Sadiq Khan said: “The death of George Floyd has rightly ignited fury and anguish not just in the USA but around the world. No country, city, police force or institution can be complacent about racism and the impact this has.”⁵

The African continent expressed its utter outrage for the gruesome killing of George Floyd, which prompted USA Embassies in Harare, Kampala and Nairobi etc. to issue statements indicating that they are “deeply troubled” by the death of George Floyd and that “[g]overnment officials should not operate with impunity in any country.”⁶ The Chairperson of the African Union Commission strongly condemned the “murder” of George Floyd and extended his “... deepest condolences to his family and loved ones.” He recalled the historic Resolution on Racial Discrimination in the USA issued by African Heads of State and Government, at the Organisation of Africa Unity’s First Assembly held in July 1964,⁷ and reaffirmed “... the African Union’s rejection of the continuing discriminatory practices against Black citizens of the United States of America.”⁸

Particularly commendable is the Congressional Black Caucus decision to introduce and defend the George Floyd Justice in Policing Act of 2020, which is a bold step to hold police accountable, change policing culture and build trust between law enforcement and the African-American communities.⁸ ACDHRS and PAFRD believe that the Violent Crime Control and Law Enforcement Act of 1994, especially its provision “Three Strikes, You’re Out” which limit the right to parole and ordains life imprisonment for persons convicted of a felony for the third time, including two or more violent crimes or serious felonies, has significantly contributed to police abuses against African-Americans and disenfranchised the universally recognized human rights of its victims, including civil and political rights. It is, therefore, crucial that competent USA authorities study the impact of the 1994 Act and undo its negative effects on matters of racial equality.

ACDHRS and PAFRD applaud the decisions taken by Mayors and Police Chiefs in multiple USA cities and municipalities to enact reforms in police practices, including banning the use of chokeholds to subdue suspects. We commend Mayors and Police Chiefs who condemned the barbaric killing of George Floyd and expressed solidarity with his family, notably Minneapolis’s Chief Medaria Arradondo who qualified Mr. Floyd’s killing as a “violation of humanity” and “... of the oath that the majority of men and women that put this uniform on, this goes absolutely against it.”⁹

ACDHRS and PAFRD welcome the concerns expressed by some major USA-based corporations, including Apple, Uber, Facebook, JPMorgan Chase, BlackRock, Amazon, Nike, Netflix, Intel, US Google, YouTube, Snap and International Business Machines (IBM) about police brutality and racial prejudice in the USA. Also welcome are decisions by some USA entertainment industry and sports leagues to ban films and practices that consolidate racial prejudices. ACDHRS and PAFRD call on these groups to translate their concerns into

⁴ UN Human Rights Chief urges “serious action” to halt US police killings of unarmed African-Americans, 28 May 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25910&LangID=E>.

⁵ The real virus is racism: London protesters ignore coronavirus risk to call for end to racial violence, 31 May 2020, <https://broradio.fm/sky-news/thousands-of-people-gathered-in-central-london-on-sunday-as-the-protests-in-american-cities-spread-to-the-uk/>.

⁶ Robbie Gramer, African Leaders, Joined by U.S. Embassies, Condemn Police Killing in Minneapolis, Foreign Policy, 29 May 2020, <https://foreignpolicy.com/2020/05/29/africa-countries-condemn-george-floyd-minneapolis-killing-diplomatic-fallout-racial-injustice-police-violence/>.

⁷ Statement of the Chairperson following the murder of George Floyd in the USA, Addis Ababa, 29 May 2020, <https://au.int/en/pressreleases/20200529/statement-chairperson-following-murder-george-floyd-usa>.

⁸ Congressional Black Caucus, Washington, 8 June 2020, Transformative legislation supported by 166 Representatives, 35 Senators, <https://cbc.house.gov/news/documentsingle.aspx?DocumentID=2195>.

⁹ Gemma Carr, Mailonline, 1 June 2020, Minneapolis’s Chief of Police said the killing of unarmed black man George Floyd was a ‘violation of humanity’. <https://www.dailymail.co.uk/news/article-8375759/Minneapolis-police-chief-says-Floyds-death-violation-humanity.html>.

concrete actions to combat racism, racial injustice and discrimination.¹⁰ ACDHRS and PAFRD fully support the families of African-Americans killed by police in their quest for justice and endorse their demands on the UN Human Rights Council to entertain matters of discrimination and racial prejudice against African-Americans in the USA¹¹ and in this respect we call on the USA government to fully and unconditionally collaborate with the UN human rights system.

In conclusion:

1. The torture to death of Mr. George Floyd in the hands of 4 Minneapolis policemen is the tip of the iceberg of the impunity with which multiple hate crimes are committed against people of African descent in the USA.
2. The USA should continue to implement nationwide policy for social justice, equality and recognition of the historical injustice faced by and the suffering of African-Americans.
3. The USA should generalize changes in the existing police practices that ordain unfair treatment of minorities supported by legislative reform that duly protect people of colour from abuses at all levels of government: federal, state, and local.
4. The USA should eliminate persistent racial disparities that exist in jobs, wages, social benefits and economic well-being by introducing long-term and targeted projects to facilitate access of African-Americans to opportunities for sustained socio-economic development, including fair conditions to access capital and investment opportunities.

Pan-African Forum on Rights and Development, an NGO without consultative status, also shares the views expressed in this statement.

¹⁰ Sarah Todd, Senior reporter, Quartz and Quartz at Work, June 3, 2020, CEOs are finally talking about racism. Will it change anything? <https://qz.com/work/1864328/ceo-statements-on-race-matter-more-than-you-think/>.

¹¹ Jamey Keaten /AP, 9 June 2020, Civil Rights Groups Urge U.N. Human Rights Council to 'Urgently' Meet on U.S. Police Violence, <https://time.com/5850445/un-human-rights-council-us-police-violence/>.