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

## **Report of the Permanent Forum on People of African Descent on its first and second sessions\***

### *Summary*

In accordance with General Assembly resolution 75/314, the first session of the Permanent Forum on People of African Descent was held in Geneva from 5 to 8 December 2022. Pursuant to the same resolution, the second session was held in New York from 30 May to 2 June 2023 on the theme of realizing the dream: a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent. The present report contains a summary of the deliberations of the Permanent Forum during its first and second sessions and its conclusions and recommendations.

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\* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



## **I. Introduction**

1. The Permanent Forum on People of African Descent held its first session in Geneva from 5 to 8 December 2022 and its second session in New York from 30 May to 2 June 2023. Both sessions were held in a hybrid manner. The sessions were attended by representatives of Member States, United Nations mechanisms, bodies, specialized agencies, funds and programmes, regional organizations, national human rights institutions and other relevant national bodies, non-governmental organizations, community-based organizations, academics and experts on issues relating to people of African descent.
2. The present report is submitted in accordance with General Assembly resolution 75/314, in which the Assembly requested the Permanent Forum to submit an annual report to the Human Rights Council and the Assembly on its activities. The report is focused on the deliberations, conclusions and recommendations of the two sessions.

## **II. Background**

3. In November 2014, the General Assembly decided, in its resolution 69/16 on the programme of activities for the implementation of the International Decade for People of African Descent, to establish a forum to serve as a consultation mechanism. In December 2018, the Assembly decided in its resolution 73/262 that the modalities, format and substantive and procedural aspects of the permanent forum would be concluded by Member States and observer States, with further consultations with people of African descent.
4. The Permanent Forum was formally operationalized in August 2021 by General Assembly resolution 75/314, pursuant to which the Permanent Forum was established as a consultative mechanism for people of African descent and other relevant stakeholders as a platform for improving the safety and quality of life and livelihoods of people of African descent, as well as an advisory body to the Human Rights Council. Its membership was fully constituted on 8 March 2022.
5. It was mandated, *inter alia*, to contribute to the full political, economic and social inclusion of people of African descent in the societies in which they live as equal citizens without discrimination of any kind and to consider the elaboration of a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent.

## **III. Update on activities undertaken by the Permanent Forum**

6. From 5 to 8 September 2022, members of the Permanent Forum participated in the commemoration of the International Day for People of African Descent in Cartagena de Indias, Colombia. The Permanent Forum also held a preparatory meeting to decide on the programme of work for its first session and its methods of work and to finalize a submission to the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on the human rights of people of African descent.
7. In August 2022, the Permanent Forum issued a call for inputs on the draft United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent. On 9 September 2022, in line with General Assembly resolution 76/226, the Permanent Forum presented its preliminary views,<sup>1</sup> based on the inputs received, to the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.
8. On 30 August 2022, on the International Day for People of African Descent, the Permanent Forum issued a statement highlighting the interconnectedness of the past with the

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<sup>1</sup> See <https://www.ohchr.org/sites/default/files/documents/issues/racism/forum-people-african-descent/declaration/2022-10-13/ppad-prelim-submission-declaration-pad.pdf>.

present.<sup>2</sup> On 21 March 2023, on the International Day for the Elimination of Racial Discrimination, the Permanent Forum issued a media statement jointly with all the United Nations anti-racism mechanisms calling for strong political will to advance the global anti-racial discrimination agenda.<sup>3</sup>

9. The Permanent Forum held its first annual session in Geneva from 5 to 8 December 2022. In addition to the general debate, five thematic discussions were held, namely, on the fight against systemic racism: future policymaking for people of African descent; the inclusion of people of African descent in the sustainable development agenda: the case for climate justice; the inclusion of people of African descent in the sustainable development agenda: the case for reparatory justice; connecting the past and the future: a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent; connecting the past and the future: equality for all people of African descent; and the future work of the Permanent Forum: feedback from participants. More than 700 participants from across the world attended the session. In addition, 39 side events were held.

10. The Permanent Forum held its second annual session in New York from 30 May to 2 June 2023. The overarching theme of the session was realizing the dream: a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent. In addition to the general debate, five thematic discussions were held, namely, on global reparatory justice; Pan-Africanism for dignity, justice and peace; transnational migration; recognizing and addressing systemic and structural racism: a data-driven and evidence-based approach; and health, well-being and intergenerational trauma. Approximately 900 participants from more than 85 countries attended the session. In addition, more than 60 side events were held.

11. Members of the Permanent Forum also participated in several commemorations and meetings organized by Members States, United Nations entities and civil society organizations during the reporting period.

## IV. Summary of deliberations

### A. First session

12. The session began with a cultural performance, which was followed by a high-level segment that included statements from the Secretary-General; the Vice-President of Colombia, Francia Márquez; the United Nations High Commissioner for Human Rights; the President of the Human Rights Council; the Executive Director of the United Nations Population Fund (UNFPA); the Director-General of the World Trade Organization; the Executive Director of the Joint United Nations Programme on HIV/AIDS; and the Minister of Housing and Diversity and Inclusion of Canada, Ahmed Hussen.

13. Following the high-level segment, members of the Permanent Forum unanimously appointed Epsy Campbell Barr as Chair, Alice Angèle Nkom as Vice-Chair and Michael McEachrane as Rapporteur.

14. The first thematic discussion was on the fight against systemic racism: future policymaking for people of African Descent. It was moderated by Permanent Forum member Elías Murillo Martínez and featured the following panellists: the Chair of the Working Group of Experts on People of African Descent, Catherine Namakula; the Chair of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, Yvonne Mokgoro; and Permanent Forum member Justin Hansford.

15. Ms. Namakula stated that the erasure of the precolonial history of Africa, the attacks on the right to life and security of people of African descent in the context of law enforcement, discriminatory migration policies and reprisals against people of African descent seeking

<sup>2</sup> See <https://www.ohchr.org/en/statements/2022/08/statement-united-nations-permanent-forum-people-african-descent>.

<sup>3</sup> See <https://www.ohchr.org/en/statements/2023/03/systemic-racism-racial-discrimination-and-xenophobia-have-undermined-human>.

redress were factors contributing to systemic racism. She added that specific action against racism must be measured by clear indicators and a universal racial justice index. Ms. Campbell Barr stressed the importance of addressing systemic racism in combination with the 2030 Agenda for Sustainable Development. She noted that people of African descent had been left behind due to the legacies of colonialism, which continued to affect all aspects of their lives as the structures perpetrating systemic racism established during the colonial era had not been dismantled. She identified political commitment as an essential driver for dismantling systemic racism and creating a new social contract that was fully inclusive of people of African descent. Ms. Mokgoro said that the collection, publication and analysis of data disaggregated by race and ethnic origin were essential for reversing the invisibility of people of African descent and highlighting the systemic racism of which they were victims, including its manifestations in law enforcement and criminal justice. She emphasized that States had an obligation under international law to eliminate all forms of racial discrimination, including systemic racism, and that this implied the reform of institutions, legislation, policies and practices that might not be discriminatory in purpose, but were discriminatory in outcome and effect. Mr. Hansford supported the call for disaggregated data for the purposes of addressing systemic racism. He outlined the threat posed to the international anti-racist movement by the beliefs that systemic racism and inequities existed by accident and not by design; that racism was an aberration of societies rather than a feature of them; and that racism was merely a domestic issue and not an international one and part of global economic structures. Such beliefs were part of a culture of denial that must be overcome.

16. In the ensuing discussions, participants affirmed that people of African descent suffered from social, cultural and economic inequalities emanating from systemic racism. While stating that disaggregated data was an essential tool for addressing systemic racism, they highlighted that the collection of disaggregated data was not sufficient without proper structures to use the data in policymaking. They also identified education as key in the fight against systemic racism, stressing that equity for people of African descent would not be achieved without public knowledge of the histories and legacies of colonialism and enslavement. Speakers also stressed the importance of the Durban Declaration and Programme of Action in addressing systemic racism.

17. The second thematic discussion was on the inclusion of people of African descent in the sustainable development agenda: the case for climate justice. Ms. Nkom moderated the panel discussion, which featured as panellists Permanent Forum members June Soomer and Gaynel Curry and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ashwini K.P.

18. Ms. Soomer stated that environmental injustice and climate disasters disproportionately affected people of African descent in the Caribbean. She highlighted that extractive colonialism had prevented the development of sustainable subsistence farming and encouraged commercialized farming, with little to no concern for ecology. It had forced the formerly enslaved to build their homes on marginalized lands away from the prime plantation lands, relegating them to precarious places where they were now victims of flooding. She concluded that colonialism was an historical and ongoing driver of the climate crisis and she called for climate justice. Ms. Curry said that the current realities of climate change hampered the socioeconomic growth of people of African descent in the Caribbean and made illusive a regional realization of the Sustainable Development Goals. Climate disasters had often led to the deviation of expenditure away from planned development initiatives towards disaster reconstruction and high-interest debt. The Special Rapporteur noted that climate injustice was a consequence of historical and structural racism, exploitative economic models, legacies of colonialism and the trade in enslaved Africans. An intersectional analysis of environmental and climate-related human rights violations should recognize that environmental racism and climate injustice interacted with other forms of social exclusion, such as discrimination on the grounds of race, gender, age and disability.

19. During the ensuing discussion, participants noted the lack of recognition of and indicators on people of African descent in the Sustainable Development Goals. Participants affirmed that climate change, in particular climate disaster, resulted in seemingly endless patterns of recovery and rebuilding, which compounded growing debt at the expense of human rights and placed a disproportionate burden on the most vulnerable populations.

Participants noted that climate change was leading to increased migration and expressed concerns regarding the treatment faced by migrants of African descent and the lack of safe migration routes for climate refugees.

20. The third thematic discussion was on the inclusion of people of African descent in the sustainable development agenda: the case for reparatory justice. It was moderated by Permanent Forum member Martin Kimani. The panellists were the Chair of the Committee on the Elimination of Racial Discrimination, Verene Shepherd; Mr. McEachrane; and Ms. Soomer.

21. Ms. Shepherd stated that, in the Caribbean, the outcome of centuries of colonial exploitation and underdevelopment had left States unable to end hunger and poverty among vulnerable populations. She identified the situation of Haiti as directly resulting from colonial policies and said that reparatory justice was being called for as a means of repairing the impact and legacies of colonialism that continued to affect people of African descent. She alluded to the exclusion of colonial territories in the industrialization process. Mr. McEachrane affirmed that, from a human rights perspective, reparatory justice was about rectifying and transforming systemic and structural injustices established by past injustices and crimes against humanity, including enslavement, apartheid and native genocide. Reparatory justice held States responsible for their contributions to structural inequities within and among countries and should be understood as indispensable for achieving sustainable development. Ms. Soomer stated that the annihilation of Indigenous Peoples, the enslavement philosophy focused on the commercialization and dehumanization of enslaved people of African descent and the extraction venture focused on the enrichment of Europe had established a case for reparatory justice. The fight for reparations was a cry for economic justice, repayment and repair and for truth and reconciliation, including the acknowledgement of crimes against humanity. She highlighted the specific oppression of Black women during enslavement and the need to ensure that they were at the heart of the reparatory justice movement.

22. In the ensuing discussion, participants highlighted the importance of including reparatory justice in the United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent and encouraged African States to support calls for reparatory justice. Participants also called for the accountability of religious groups and the private sector for their role in colonialism and enslavement. The situation of poverty and deprivation of resources in Haiti was repeatedly presented as an example of the necessity for reparations.

23. The fourth thematic discussion, on the theme of connecting the past and the future: a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent, was moderated by Mr. Hansford. The panellists were a member of the Committee on the Elimination of Racial Discrimination, Gay MacDougall; Mr. Murillo Martínez; and Permanent Forum member Hongjiang Huang.

24. Ms. MacDougall recalled the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the United Nations Declaration on the Rights of Indigenous Peoples as lessons for the drafting of the declaration on the promotion, protection and full respect of the human rights of people of African descent. She said that the declaration should include an homage to African descent origins, a recognition of the importance of the Durban Declaration and Programme of Action and a recognition of the historic injustices of enslavement, colonization and dispossession. The declaration should include the notions of identity, recognition, equality and non-discrimination; the right to life and security, including physical and mental health; the right to culture and history; the rights to participation and self-determination; the right to equality in the distribution of economic goods and progress; and the right to justice. Mr. Huang stated that the declaration should serve to ensure equality, justice and dignity for people of African descent. He called on the drafters to be mindful of regional concerns and multiple and intersectional forms of racial discrimination, including the specific concerns of such vulnerable groups as women, girls, children, migrants, persons with disabilities and LGBTQI+ persons. The declaration must send a strong message underlining the common responsibility of the international community in addressing systemic racism, racial discrimination, xenophobia and related intolerance against people of African descent. The declaration should also highlight the need to ensure

the right to development and equal access to education, employment, health care, housing, criminal justice, policymaking, land and resources and to bridge development and digital gaps. It should also address collective rights, the reversal of the burden of proof in crimes of racial discrimination, the right to practise religions of African origin, the right to use traditional knowledge and the right to cultural identity and self-determination. Mr. Murillo Martínez stated that several issues relating to people of African descent needed to be reflected in the draft declaration, in particular their recognition as peoples and their right to self-determination; modern forms of racism and racial discrimination, including algorithmic bias, predictive surveillance and, more generally, the inappropriate use of artificial intelligence tools; and the right to reparation for the consequences of colonialism, the transatlantic slave trade and the enslavement of people of African descent.

25. Participants stressed that the declaration represented an historical commitment of the world to people of African descent. They emphasized the need to establish an inclusive process reflective of all people of African descent, with a particular emphasis on a gender perspective. Participants also emphasized that the draft declaration should include both individual and collective rights; the right to recognition and visibility; the right to reparation; the rights to education, health care, employment and housing; the right to access justice; the right to family integrity; and the right to practise and transmit ancestral cultures and religions.

26. The fifth panel discussion was on connecting the past and the future: equality for all people of African descent, and was moderated by Mr. Huang. The panellists were Ms. Curry; the Chair of the Working Group of Experts on People of African Descent, Barbara Reynolds; and Ms. Nkom.

27. Ms. Curry focused her intervention on women of African descent. She stated that Black women were marginalized by the compounded effects of racism and sexism. While acknowledging the progress achieved on women's rights, including through international instruments and mechanisms, she noted that the Sustainable Development Goals treated women as a homogenous group. She emphasized the long path ahead for achieving gender equality. Ms. Reynolds stated that children of African descent faced lower birth registration, thereby eliminating them from the consideration of government plans, budgets and programmes for essential services. Adolescents of African descent were often victims of negative stereotyping and were disproportionately subjected to police profiling, illegal search and seizure, arrests and harsh sentencing. In addition, poor schooling, health care and housing and a lack of acquired social skills resulted in children leaving school without basic education or life skills. Ms. Nkom noted that people of African descent were also discriminated against, excluded and incarcerated for their gender identity or sexual orientation and that this was a fundamental violation of human rights. She stressed the importance of acknowledging LGBTQI+ persons of African descent as vulnerable, along with women, young people, persons with disabilities and migrants.

28. In the ensuing discussion, participants shed light on the identities disproportionately affected by the political order, namely, LGBTQI+ persons, women, children and migrants. LGBTQI+ persons of African descent faced specific and serious forms of discrimination, which might go as far as to criminalize their identity. Women of African descent faced inequality in the enjoyment of human rights, not only with respect to men, but also with respect to other women. Children of African descent were, in many instances, robbed of their physical, emotional and psychosocial well-being by being subjected to racism and racial discrimination at a young age. Migrants of African descent, while on their journeys, were often exposed to a high risk of being separated from their families and being enslaved and exploited and even of losing their lives. Persons with disabilities and human rights defenders of African descent were also victims of multiple forms of discrimination. Participants expressed concerns regarding these vulnerable groups in the context of the coronavirus (COVID-19) pandemic, which had exacerbated existing social disparities. They recalled that education and disaggregated data were essential tools for combating the invisibility of these groups.

29. The first session closed with the presentation of preliminary conclusions and recommendations by the Rapporteur, followed by general statements from participants and a cultural performance.

## B. Second session

30. The session opened with a cultural performance followed by a high-level segment, with the participation of the Secretary-General; the President of the General Assembly; the President of the Human Rights Council; the United Nations High Commissioner for Human Rights; the Assistant Director-General for Social and Human Sciences at the United Nations Educational, Cultural and Scientific Organization; the President of Brazil, Luiz Inácio Lula da Silva; the Minister of Racial Equality of Brazil, Anielle Franco; and the Administrator of the Environmental Protection Agency of the United States of America, Michael Stanley Regan.

31. Following the high-level segment, the members of the Permanent Forum unanimously reappointed Ms. Campbell Barr as Chair, Ms. Nkom as Vice-Chair and Mr. McEachrane as Rapporteur.

32. The first panel was focused on global reparatory justice and was moderated by Ms. Soomer. The panellists were Mr. Hansford; the Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action, Edna Maria Santos Roland; a professor of law at the University of California, Los Angeles, and former holder of the mandate of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Tendayi Achiume; the Chair of the National Platform on Dutch Slavery Past, Barryl Biekman; and an associate professor at the National University of Colombia, Claudia Mosquera.

33. Mr. Hansford emphasized the centrality of reparations as a form of justice and called for monetary compensation, restitution, repatriation, reconnection with culture and identity and reparation for moral suffering. He asserted that people of African descent should play an active role in the determination of the substance of reparations, including what type of repair was appropriate for particular societies. Ms. Roland pointed out the need for global action and the engagement of all States to combat racism and address the consequences of enslavement and trafficking. Ms. Achiume spoke about her 2019 report, which she had presented to the General Assembly, highlighting the responsibility of States to provide reparations.<sup>4</sup> She asserted that global reparatory justice must include accountability and rehabilitation measures, the eradication of persistent systems of injustice affecting people of African descent and guarantees of non-repetition. Ms. Biekman highlighted the progress made in the Kingdom of the Netherlands towards acknowledging the crimes against enslaved Africans but regretted the lack of progress in pursuing reparations. Ms. Mosquera drew attention to the global nature of reparatory justice, emphasizing the involvement of multiple actors that had benefited from the transatlantic trade in enslaved Africans. She noted that restorative justice went beyond financial or symbolic reparations and required a decolonial and structural approach.

34. During the interactive discussion, some speakers reaffirmed the urgent need for reparatory justice to address historical injustices faced by people of African descent. Speakers underlined the recognition of the right to reparations in accordance with international law and standards. They stressed the pressing need for a comprehensive and long-term approach to reparatory justice that extended beyond affirmative action and addressed the deep-rooted inequalities and discrimination stemming from historical harms.

35. The second panel, which addressed Pan-Africanism for dignity, justice and peace, was moderated by Permanent Forum member Mona Omar and featured the following panellists: Ms. Nkom; the Permanent Observer of the African Union to the United Nations, Fatima K. Mohammed; the Ambassador of Barbados to the Caribbean Community, David Comissiong; the President of the transnational advocacy organization Global Black, Amara C. Enyia; and the President and Chief Executive Officer of the African Renaissance and Diaspora Network, Djibril Diallo.

36. Ms. Nkom emphasized the significance of Pan-Africanism as a global movement aimed at liberating African people and people of African descent from colonialism, enslavement and discrimination. Unity and the embodiment of African values, including

<sup>4</sup> [A/74/321](#).

dignity, compassion, justice, love, respect, forgiveness and solidarity, were emphasized as strategic and long-standing practices among Africans and people of African descent. Ms. Mohammed also highlighted the principles of dignity, justice and peace in Pan-Africanism, emphasizing the alignment of the African Union with those values. Agenda 2063: The Africa We Want of the African Union was described as a strategic framework for long-term development focused on addressing historical injustices, empowering Africans, promoting regional integration and respecting human rights. Mr. Comissiong underscored the rich history of Pan-Africanism, emphasizing the historical significance of State-centred Pan-Africanism as a tool for development. He also highlighted the interconnectedness of the Caribbean and African regions and recent efforts to strengthen economic and diplomatic relations. Ms. Enyia noted the resurgence of Pan-Africanism and the need to shape institutions and structures to fulfil the vision that had given rise to that movement. She stressed the significance of operational unity and collaboration to address challenges, including the removal of barriers to free movement and the fostering of relationships within and beyond the African continent. The Permanent Forum was a platform that could facilitate such efforts. Mr. Diallo underscored the importance of aligning Agenda 2063 and the 2030 Agenda with the realities of people, focusing on initiatives to address violence against women, among other issues; enhance higher education; and improve communication strategies.

37. During the ensuing discussion, participants acknowledged Pan-Africanism as a global movement aimed at liberating Africans and people of African descent and strengthening connections and links among them. The potential of the Permanent Forum to raise the visibility of Agenda 2063 and empower individuals of African descent was also recognized. Several participants highlighted the importance of the United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent.

38. The third panel addressed the challenges faced by people of African descent in the context of transnational migration and was moderated by Ms. Curry. The panellists were Ms. Omar; Ms. McDougall; Ms. Reynolds; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ms. Ashwini K.P.; and an associate professor at the Pennsylvania State University, Maha Maruan.

39. Ms. Omar emphasized the significant impact of migration on global peace and security. She highlighted the need for practical approaches to address the challenges faced by African migrants, including racial discrimination, linguistic barriers, unemployment and negative societal perceptions. Ms. McDougall drew attention to the mistreatment of Black migrants. She expressed deep concern about collective expulsions, human rights violations, assault, sexual violence, trafficking and other abuses faced by Haitians at borders and detention centres and along migration routes. Ms. Reynolds discussed the push-and-pull factors of migration and the challenges faced by migrants, including xenophobia, stereotyping and the difficulties encountered during their journeys. She also described the seriously concerning situation of Haitian migrants as they navigated through various countries. The Special Rapporteur drew attention to the systemic, State-sponsored nature of racial discrimination in transnational migration, including the use of such technologies as digital borders, machine learning, biometrics and predictive analytics. Such technologies, when integrated into identification systems, surveillance drones and decision-making processes, enabled racially discriminatory practices, human rights violations and the exploitation of vulnerable individuals. Ms. Maruan discussed the challenges faced by undocumented West and Central African migrant women in the western and central Mediterranean area, including assault, trafficking, sexual violence and the lack of a stable income. The combination of oppressive border policies, restrictive immigration and refugee laws and patriarchal systems further increased their vulnerability. She emphasized the urgent need for updated policies to protect the rights of migrant women in transit and destination countries around the Mediterranean Sea.

40. During the interactive discussion, several speakers raised concerns about the treatment and vulnerability of migrants, specifically members of ethnic, religious and sexual minorities. They emphasized the need to address the intersectionality of migration and racism and the connections between global migration and reparations. The widespread mistreatment of refugees and migrants of African descent was recognized as a legacy of colonialism, enslavement and the continuation of systemic racism.

41. The fourth panel was focused on the need for a data-driven and evidence-based approach to recognizing and addressing systemic and structural racism. It was moderated by Mr. Murillo Martínez. The panellists were Mr. McEachrane; the Director of Policy, Advocacy and Network Development at the European Network against Racism, Ojeaku Nwabuzo; a professor from the National Institute for Advanced Studies, Quito, John Antón Sánchez; a professor at the School of Education, Howard University, Helen Bond; and the former UNFPA Regional Director for Latin America and the Caribbean Region, Harold Robinson.

42. Mr. McEachrane stressed that people of African descent should have a human right to the comprehensive recognition and monitoring of and effective redress for systemic and structural racism at both the domestic and international levels. He argued that the recognition of such a right, with the help of disaggregated data collection, would make States accountable for creating non-discriminatory systems and structures and would contribute to transformative change. Ms. Nwabuzo emphasized the importance of comprehensive data collection to address hate crimes and racial discrimination. She pointed out the rise of far-right ideologies and political movements in Europe, which contributed to harmful narratives and discrimination, and noted that current data collection methods failed to capture those issues effectively and lacked a broad racial-justice perspective. Mr. Anton Sánchez noted that the use of statistics had been instrumental in combating racism. He highlighted the need to interpret statistics on people of African descent as an expression of identity and agency and advocated for a more comprehensive examination of socioeconomic exclusion and the inclusion of self-recognition and ethnoracial acknowledgment in census assessments. Ms. Bond stressed the need for comprehensive data to inform policies and approaches aimed at combating systemic and structural racism. She highlighted challenges in data collection, including the lack of standardized methods, the limited public availability of data and the absence of centralized storage for some data. Mr. Robinson emphasized the importance of data for addressing structural racism, particularly for people of African descent in the Caribbean and Latin America, and stressed the need for data in confronting racial discrimination and inequalities rooted in colonial legacies. While acknowledging the progress made in the inclusion of race in census data in Latin American countries, he identified major gaps in such intersecting areas as gender, land ownership, health and disability.

43. During the ensuing discussion, several participants emphasized the importance of data collection in advocating for reparations and understanding the root causes of inequality, exclusion and systemic and structural racism. Some participants noted that accurate and comprehensive data and the creation of equity indicators were essential for policy recommendations and for identifying and dismantling discrimination in such areas as education, employment, health, the environment, housing and political representation. The critical role of data collection practices that incorporated the narratives of people of African descent in achieving Sustainable Development Goals was also emphasized.

44. The final panel was moderated by Mr. Huang and was focused on health, well-being, and intergenerational trauma. It featured the following panellists: Ms. Campbell Barr; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Tlaleng Mofokeng; the Chief, Equity, Gender, Human Rights and Cultural Diversity Unit at the Pan American Health Organization (PAHO), Jessie Schutt-Aine; a midwife at Mimosas Midwives, United Kingdom of Great Britain and Northern Ireland, Elsie Gayle; and feminist, activist, teacher and counsellor Sergia Galván Ortega.

45. Ms. Campbell Barr emphasized the urgency of implementing health-care policies to prevent negative health outcomes for people of African descent. Ethnic protection policies, cultural sensitivity and listening to the community's needs were crucial for ensuring proper interventions and improving the life expectancy of people of African descent. The Special Rapporteur highlighted that disaggregated health data and analysis that took into account such intersecting factors as race, gender and sexuality were crucial for understanding the impact of systemic racism, including colonial histories and legacies, on the right to health. Achieving health equity required decolonizing the global health system, recognizing Indigenous and traditional practices and ensuring accountability and access to justice for

violations of the right to health. Ms. Schutt-Aine identified racism, inequity, gender discrimination and social marginalization as key factors leading to poorer health outcomes for people of African descent in the Americas. She asserted that PAHO was committed to reducing health inequities and improving health for people of African descent through coordinated action, the collection of disaggregated data, the addressing of access barriers and racism and discrimination and the integration of health systems. Ms. Gayle highlighted the hidden complexities and lasting impacts of structural issues in maternity care. The migration of skilled midwives from low-income to high-income countries further depleted the health-care workforce in some countries, while in their new countries, they often faced systemic barriers. Ms. Galván Ortega highlighted the pervasive inequalities facing people of African descent in Latin American countries, including poverty, unemployment, high maternal and child mortality and a lack of access to vaccines. She emphasized that limited disaggregated data posed a challenge to understanding the health impacts of systemic racism and that there was a need for political commitment to effect structural change in health care, development and healing for people of African descent.

46. During the ensuing discussion, participants stressed the serious issue of inequality in access to health care for people of African descent. Participants noted that racism stemming from the historical legacies of enslavement and oppressive systems had a damaging effect on the health and well-being of people of African descent. Some participants called for the implementation of a cultural approach to health care that prioritized the traditional health care of Black communities. Participants stressed the need for reparations and government policies that addressed health disparities at all levels, including attention to environmental factors, incentives for health-care providers in underserved areas, increased funding for public and reproductive health services and the empowerment of individuals to advocate for their own health.

47. The second session closed with remarks by the Vice-President of Colombia, Mr. Márquez; the Executive Director of UNFPA; the Assistant Secretary-General for Human Rights; and Representative Sheila Jackson Lee of the United States House of Representatives. Ms. Curry and Mr. McEachrane presented the preliminary conclusions and recommendations, followed by general statements from participants and a cultural performance.

## V. Conclusions and recommendations

48. **The Permanent Forum expresses its appreciation to all those who contributed to the sessions, including the Member States, the United Nations agencies, funds and programmes, the experts of the United Nations anti-racism mechanisms and the representatives of civil society. The Permanent Forum also extends its thanks to all the high-level dignitaries who participated in the sessions.**

### A. Draft declaration

#### Conclusions

49. **The Permanent Forum attaches great importance to the drafting of a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent that complements, develops and fills in the gaps in the existing human rights instruments in relation to people of African descent. It affirms that the declaration will be a vital tool to guarantee dignity, inclusion, equity and reparatory justice for Africans and people of African descent. The Permanent Forum values the clear commitment to the declaration of various delegations and other stakeholders and the active participation of representatives of civil society in the drafting process. It recognizes the ongoing process of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, to which the Permanent Forum has submitted its preliminary observations.**

50. **The Permanent Forum reaffirms its critical role in engaging civil society in the drafting of the declaration. It is fully committed to conducting broad-based and**

comprehensive consultations with civil society across the different regions of the world to solicit their contributions to the elaboration of the declaration.

51. The Permanent Forum maintains that, while the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action remain the cornerstones in addressing racial discrimination against people of African descent, there is a further need to comprehensively recognize, monitor and effectively address systemic and structural racial discrimination at the local, national, regional and global levels. The Permanent Forum affirms the need to include both collective and individual rights to effectively address systemic and structural racial discrimination against people of African descent; to protect, in some social contexts, the collective, cultural, religious, territorial, environmental and other rights of people of African descent; and to include and empower people of African descent in the development, implementation and monitoring of policies that concern them.

52. The Permanent Forum welcomes with special interest the contributions made by representatives of civil society to the elaboration of the declaration, including with respect to cultural and linguistic rights, such as the rights to preserve cultural heritage, native languages and ancestral knowledge; the right to self-determination; the collective rights of peoples and communities of African descent; the right of peoples of African descent to their lands, territories and resources; the right of Indigenous Peoples of African descent to free, prior and informed consent in relation to decisions that affect their rights and territories; the right to family integrity for families of African descent; and the right to justice and reparations.

53. The Permanent Forum affirms that the declaration should consider the voices and perspectives of women, young people, older persons, LGBTQI+ persons, persons with disabilities and other vulnerable groups.

54. The Permanent Forum confirms the significance of the full and effective implementation of the Durban Declaration and Programme of Action as it relates to people of African descent in addressing the legacies of colonialism, the transatlantic trade and trafficking in enslaved Africans and enslavement and combating systemic and structural racism, white supremacist ideology and the racial discrimination, xenophobia and related intolerance faced by people of African descent. The Permanent Forum encourages further inquiry into the history, legacy and structural continuity of the Indian Ocean slave trade to inform the commitment of the United Nations to promoting global education and understanding of the root causes and consequences of enslavement and human trafficking and the ongoing efforts to promote human rights and social and economic justice.

55. The Permanent Forum looks forward to a broader deliberation with the Intergovernmental Working Group and stands ready to submit substantive contributions to the elaboration of the declaration, together with other United Nations anti-racism mechanisms.

#### **Recommendations**

56. The Permanent Forum urges Member States to attach greater importance to the drafting of the declaration and to include in it the right of people of African descent to comprehensive recognition, monitoring and effective addressing of systemic and structural racism at the domestic and international levels. It also urges Member States to include both collective and individual rights.

57. The Permanent Forum calls upon Member States to support it in organizing regional consultations with representatives of civil society and other relevant stakeholders to enable them to contribute to the elaboration of the declaration.

## B. Second International Decade for People of African Descent

### Conclusions

58. The Permanent Forum calls for an extension of the International Decade for People of African Descent to a second decade, for the period 2025–2034.

### Recommendations

59. The Permanent Forum urges the General Assembly to proclaim the second International Decade for People of African Descent with a view to taking further action to bring about the full recognition of and justice and development for people of African descent, bearing in mind the end of the first decade in 2024.

60. The Permanent Forum recommends that the second International Decade for People of African Descent focus on reparatory justice, recognition and equity and address systemic and structural racial discrimination at the local, national, regional and global levels.

## C. Global reparatory justice

### Conclusions

61. In identifying and analysing best practices, challenges, opportunities and initiatives to address, as appropriate, the issues highlighted in the provisions of the Durban Declaration and Programme of Action relevant to people of African descent, the Permanent Forum affirms that, from a human rights perspective, reparatory justice is primarily about rectifying and transforming systemic and structural injustices established by past injustices and crimes against humanity and, in their place, establishing social and global justice in the sense of the full and equal enjoyment of human dignity and rights and non-discrimination. During the sessions of the Permanent Forum, halting and reversing the lasting consequences of enslavement, colonialism, genocide and apartheid were seen as key to addressing systemic and structural racism against people of African descent, both internationally and domestically. Participants expressed grave concern about the situation of such countries as Haiti, which had been subjected to violence and had been penalized and forced to pay reparations for its pioneering abolition of enslavement and colonialism; this history was a primary cause of its current social and economic crisis.

62. The Permanent Forum affirms that reparation is a cornerstone of justice in the twenty-first century and that there can be no effective sustainable development agenda without it. As recognized in the Durban Declaration and Programme of Action, full human dignity and rights for people of African descent require comprehensive reparatory justice. The Permanent Forum affirms that enslavement, the transatlantic trade in enslaved Africans, apartheid and colonialism were crimes against humanity and constituted genocide. The trauma and structural impacts of these crimes remain manifest in disparities in health, well-being and the enjoyment of human rights. The Permanent Forum encourages Member States to take specific action to educate themselves and the public on the histories and legacies of colonialism and enslavement; recognize the ways in which Member States have contributed to or suffered from these histories and legacies; and eliminate all forms of systemic and structural racial discrimination at the local, national, regional and global levels. Member States should treat this issue as a matter of justice, not charity or aid, and in so doing, ensure that the will, participation and needs of people of African descent play a central role.

63. The Permanent Forum recognizes that there is no specific mechanism within the United Nations that deals with reparations claims for the transatlantic trade in enslaved Africans, colonialism, apartheid, hundreds of years of African enslavement and the multiplicity of related injuries and damages to Africans and people of African descent in the various countries of the world.

64. The Permanent Forum also recognizes the existing efforts for reparatory justice within the context of the Durban Declaration and Programme of Action, including but not limited to those of the Caribbean Community. It will seek to cooperate in such efforts as necessary and appropriate to achieve reparatory justice for people of African descent.

#### Recommendations

65. The human rights, legal and institutional grounds for pursuing reparatory justice at the United Nations, including through the International Court of Justice, should be examined to clarify the possibilities for pursuing reparatory justice at the United Nations and to identify possible gaps, including through the following measures:

(a) The General Assembly is encouraged to consider commissioning an independent international study, which could be carried out in collaboration with the Committee on the Elimination of Racial Discrimination, the relevant special procedures of the Human Rights Council and an international team of scholars and experts, to clarify and consolidate international law on reparatory justice for people of African descent;

(b) United Nations organs and specialized bodies and agencies are encouraged to seek the assistance of the International Law Commission to carry out a comprehensive study on the question of reparations for people of African descent. The Commission has already demonstrated interest in the question. As the topic is critical for so many countries and people, the Permanent Forum calls upon all States to support the initiation of such a study by the Commission and urges them to speak in favour of it in the Sixth Committee. The Permanent Forum also calls upon the Commission to include the reparations study in its current programme of work and to appoint a special rapporteur for the Commission with a view to assisting Member States to codify and progressively develop international reparatory justice law;

(c) The Human Rights Council is urged to consider organizing a panel discussion on addressing the grave human rights situation in Haiti through reparatory justice to sustainably address the humanitarian crisis in the country and the related historical legacies in a manner that puts the will, well-being and the future of the Haitian people at the centre of such efforts. This could be a step towards the establishment of an independent international commission of inquiry under the Council on the subject;

(d) The General Assembly and other relevant United Nations organs and specialized agencies are urged to consider requesting an advisory opinion from the International Court of Justice on the legal question of reparatory justice for the histories and legacies of colonialism, apartheid, genocide and enslavement. Member States could also encourage the issuance of such opinions by other competent legal bodies, such as the Inter-American Court of Human Rights and the European Court of Human Rights.

66. To further promote reparatory justice, the Permanent Forum recommends that the following measures be taken within the United Nations:

(a) The establishment of a fund for the development of people of African descent to address the lasting consequences of enslavement, colonialism, apartheid and genocide;

(b) The establishment of a United Nations reparatory justice commission, which would include representation by the Member States of the Caribbean, to facilitate specific action on reparatory justice, sustainable development and equity within and among countries;

(c) The convening of a United Nations global summit on reparatory justice;

(d) The establishment of a specialized international tribunal within the United Nations to address reparations for enslavement, apartheid, genocide and colonialism, in coordination with other United Nations anti-racism mechanisms.

67. The Permanent Forum also recommends that Member States take the following measures:

(a) Promote research, education and public awareness-raising on the histories and legacies of colonialism and the enslavement of Africans and people of African descent;

(b) Provide data and information on steps taken towards reparatory justice for people of African descent;

(c) Support the Permanent Forum to formulate, with development and funding agencies, measures to fund and promote the economic development of people of African descent as a means of achieving reparatory justice and providing opportunities to change the realities of people of African descent;

(d) Create an international fund for the restitution and return of cultural property and artefacts taken from Africa and the Americas, which could be utilized for the creation of museums and other forms of memorialization.

## **D. Pan-Africanism for dignity, justice and peace**

### **Conclusions**

68. Pan-Africanism was and still is a global movement for the liberation of Africans and people of African descent from colonialism, enslavement, subjugation and systemic and structural racial discrimination at both the domestic and international levels. The Permanent Forum holds that a twenty-first century Pan-Africanism needs to be grounded in equality, non-discrimination and the rule of law. It must address impunity and be inclusive of all people, including women, older persons, young people, persons with disabilities, migrants and LGBTQI+ persons. It must also promote environmental justice and sustainability. The Permanent Forum welcomes initiatives taken by the African Union and the Caribbean Community to put these principles into action and invites them to further collaborate with each other and with the Permanent Forum and all other relevant stakeholders. The Permanent Forum recognizes the pioneering Pan-Africanism of the Haitian people and that the neocolonial costs imposed on Haiti have contributed to its current crisis. The Permanent Forum acknowledges the Pan-Africanism espoused in the Declaration of Rights of the Negro Peoples of the World as a forerunner to the United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent.

69. The Permanent Forum recognizes the intergovernmental frameworks and instruments that promote the full inclusion and prosperity of people of African descent. These include, but are not limited to, the Constitutive Act and Agenda 2063 of the African Union and the recognition in the Agenda of the African diaspora.

### **Recommendations**

70. The Permanent Forum recommends that Member States establish an informal Pan-African group of States to build bridges of solidarity between Africa and the African diaspora and that they support, consult on and discuss with the Permanent Forum such key Pan-African issues as reparatory justice, sustainable development, education, cultural exchange and racial discrimination.

71. The Permanent Forum suggests the organization of periodic dialogues with the African Union on working together towards the realization of Agenda 2063 and on the diaspora as the sixth region of the African Union and looks forward to presenting its work at the annual summits of the African Union and the Caribbean Community.

## **E. Sustainable development agenda**

### **Conclusions**

72. In achieving sustainable development and effectively addressing structural inequities within and among countries, including the inequitable impact of climate change and environmental degradation on people of African descent, it is critical that climate justice be included in the conversation. Moreover, the participation of the Permanent Forum and people of African descent in the climate change agenda and the debates organized in the context of the Conference of the Parties to the United Nations Framework Convention on Climate Change is essential. The Permanent Forum conceptualizes climate justice similarly to the way in which it conceptualizes reparatory justice and holds that, from a human rights perspective, climate justice is primarily a matter of rectifying structural injustices, including in the global economy. The Permanent Forum also notes the importance of addressing the concerns of the growing number of climate refugees displaced in the context of climate change and related disasters who are African or of African descent.

73. Women of African descent and the recognition of their rights and leadership are priorities for the Permanent Forum. The 2030 Agenda does not mention people of African descent and it subsumes women of African descent under a broader discussion of women's rights. The Permanent Forum looks forward to strong and specific references to the rights of women of African descent in the draft United Nations declaration. Specific reference should be made to their right to maternal and sexual and reproductive health; their right to a life free from violence, stigma, stereotyping and gender entrapment; their right to access land and productive resources, quality education at all levels and decent employment; and their right to political participation and leadership.

### **Recommendations**

74. The Permanent Forum requests that the high-level political forum on sustainable development include, in its thematic discussions, systemic and structural racial discrimination at both the domestic and international levels and include reparatory justice and climate justice.

75. The Permanent Forum calls for the meaningful participation of people of African descent in decision-making in global and national climate governance, especially regarding issues of sustainable social, economic and environmental development; climate change mitigation and environmental destruction; post-disaster relief; climate justice; and systemic and structural racial discrimination.

76. The Permanent Forum urges the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change to ensure the sufficient inclusion of non-governmental organizations working to uphold the rights of people of African descent in the negotiation process.

## **F. Evidence-based approach to addressing systemic and structural racism**

### **Conclusions**

77. The Permanent Forum affirms the urgent need for Member States to collect data on people of African descent disaggregated by race, sex, gender, age, geographic location, employment and economic status and to identify and track disparities; to hold themselves accountable for the human rights situation of people of African descent and for the measurable achievement of the Sustainable Development Goals, racial justice indicators and policy targets; and to review the effectiveness and impacts of policies and laws that affect people of African descent.

78. The Permanent Forum emphasizes the importance of data-driven policies, including special measures, to address the inequities faced by people of African descent. Member States have the obligation to provide disaggregated data as a means to monitor,

recognize and address systemic and structural racial discrimination against people of African descent at both the domestic and international levels.

79. The Permanent Forum provides a platform for consultations on the need to recognize and effectively address systemic and structural racism against people of African descent. It affirms that systemic and structural racism may have a compounded impact on the enjoyment of human rights and the well-being of people of African descent. It notes that when societies are racially stratified, whether socially, culturally, politically, economically, psychologically or institutionally, or are structured, organized or patterned so that people of African descent, on average, do not have equal access to or enjoyment of human rights, such situations need to be holistically recognized and addressed. It is inadequate to treat systemic and structural racism against people of African descent solely as individual acts, events, policies or laws.

80. The Permanent Forum emphasizes that a right to the comprehensive recognition of systemic and structural racial discrimination as it affects people of African descent needs to include the broader social, international and historical contexts of systemic and structural racism.

81. The Permanent Forum acknowledges that the comprehensive monitoring and promotion of the enjoyment of human rights by people of African descent must be approached through a systemic and structural racial-justice lens and must include:

- (a) Evidence-based indicators of the equal enjoyment of dignity, rights and non-discrimination across all areas of society;
- (b) Comprehensive disaggregated data collection across all areas of society;
- (c) The mainstreaming of evidence-based equity considerations in all relevant policymaking across all areas of society.

82. The Permanent Forum welcomes more inclusive spaces for people of African descent, which are pertinent to reducing societal stigma and racism. More needs to be done to realize human rights for all people of African descent in terms of addressing intersectionality and additional contexts affecting vulnerable groups.

83. The Permanent Forum notes the potentially positive aspects of digital technologies and artificial intelligence in enhancing the collection and analysis of data to monitor racial discrimination and inform policymaking. However, it is concerned that inequities are being reproduced in the digital transformation of artificial intelligence. The Permanent Forum urges the encouragement and enabling of the development of responsible and inclusive technology to address the risks of digital transformation and artificial intelligence. This means developing technology that is fair, equitable and inclusive by engaging with United Nations mechanisms for this purpose, supporting research and development, raising awareness and holding technology developers accountable.

#### Recommendations

84. The Permanent Forum recommends the development of official United Nations guidelines and a handbook for a comprehensive human rights-based and data-driven approach to recognizing and addressing systemic and structural racism against people of African descent. The guidelines should be developed in close collaboration with other United Nations anti-racism mechanisms.

85. The Permanent Forum urges the United Nations agencies, funds and programmes to collaborate closely with it to expedite the development of disaggregated data-collection practices, analyses and evidence-based projects on people of African descent and their intersectionalities.

86. The Permanent Forum calls for the coordination of disaggregated data collection on people of African descent across the United Nations agencies, funds and programmes. The Statistics Division is encouraged to compile such data for presentation on an online interactive dashboard.

87. The Permanent Forum encourages the establishment of an online repository for the collection and sharing of policy measures and community-based initiatives to address systemic racism, with a view to sharing best practices among Member States.

88. The Permanent Forum recommends that, at the international level, the General Assembly and the Human Rights Council take short- and long-term initiatives towards monitoring, recognizing and effectively addressing systemic and structural racism against Africans and people of African descent across the world. Such initiatives should take into consideration the ways in which the histories and legacies of colonialism and enslavement have shaped the international order, including the global economy and relationships of power at the United Nations and other institutions of global governance. Such initiatives could include:

(a) The drafting of guidelines for data collection on racial inequities in the global economy, especially as they pertain to Africans and people of African descent. This could be undertaken by the Permanent Forum in collaboration with the United Nations Conference on Trade and Development, the regional commissions of the Economic and Social Council and relevant United Nations anti-racism mechanisms and bodies;

(b) A commemoration by the General Assembly of the fiftieth anniversary of the adoption of the Declaration on the Establishment of a New International Economic Order and of the Charter of Economic Rights and Duties of States, with a focus on their recognition of structural inequities in the global economy and their continued relevance to addressing them, especially as they affect Africans and people of African descent;

(c) The recognition by Member States, in their efforts to establish a new international economic and financial order, of equity and the right to development for people of African descent and other marginalized and excluded peoples and communities through the eradication of structural racism and discrimination.

89. The Permanent Forum encourages Member States, specialized United Nations entities and other relevant stakeholders to promote equitable access for people of African descent to artificial intelligence, including by providing technology transfer and taking action to prevent the deepening of inequalities and algorithmic bias.

90. The Permanent Forum encourages the Commission on the Status of Women and other relevant intergovernmental, international and regional mechanisms to address the human rights of women and girls of African descent as a substantive element of their work.

91. The Permanent Forum strongly encourages the inclusion of indicators and data on racial disparities, especially as they affect people of African descent and their often multiple and intersecting forms of discrimination, in the monitoring and implementation of the Sustainable Development Goals.

## **G. Transnational migration**

### **Conclusions**

92. Freedom of migration is a key issue for people of African descent. The lack of equitable, non-discriminatory, safe, orderly and regular freedom of migration for people of African descent and their right to seek refuge was reflected in the discussions at both sessions of the Permanent Forum and is one of its concerns. A holistic and transnational approach is needed to resolve the human rights crises relating to the migration of people of African descent.

93. The Permanent Forum expresses its deep concern about the political instrumentalization of xenophobia and the rise of the harmful ideologies of demographic replacement and reconversion and their implications for democratic stability, peace and international security.

94. The Permanent Forum highlights that racism, structural discrimination and inequities in transnational migration disproportionately affect Africans and people of African descent, particularly women of African descent and Black African migrants crossing North Africa and the Mediterranean Sea. The Permanent Forum acknowledges the crimes of enslavement, colonialism and neocolonialism as root causes of Haitian migration.

95. The Permanent Forum affirms that seeking asylum is a human right and stresses that the international community has a responsibility to ensure safe, orderly, regular, accompanied and equitable forms of migration for Africans and people of African descent. The Permanent Forum recognizes that transnational migration is increasingly becoming a global problem that requires global policy solutions, review and mainstreaming, and calls upon the international community to act in accordance with the 2030 Agenda, the Global Compact for Safe, Orderly and Regular Migration and other relevant international agreements.

#### Recommendations

96. The Permanent Forum calls upon Member States to put an end to arbitrary detention, deportations and pushbacks, to separate civil migration systems from criminal legal systems and to ensure that migration processes are purely administrative, in accordance with international human rights standards and laws.

97. The Permanent Forum recommends that the International Organization for Migration, in consultation with Member States, include disaggregated data on racial disparities in national and international migration regimes, especially as they affect Africans and people of African descent. The data should include:

(a) Approximate numbers of African migrants and migrants of African descent and migration trends in various regions in the context of global flows of migration, including deaths and the locations of deaths of migrants;

(b) The causes of the transnational migration of Africans and people of African descent;

(c) Inequities in freedom of movement, including in access to visas for Africans and people of African descent in different countries;

(d) The status of refugees of African descent in different parts of the world, including the status of de facto protection of refugee rights and vulnerability to cruel, inhumane and degrading treatment, exploitation and violence.

98. The Permanent Forum recommends the publication of periodic review reports that include policy recommendations based on the collection of such data.

## H. Health, well-being and intergenerational trauma

#### Conclusions

99. The Permanent Forum is concerned about the intergenerational and transgenerational trauma and other health disparities caused by the legacies of colonialism, enslavement and apartheid and the barriers to accessing health care encountered by people of African descent. The Permanent Forum is also deeply concerned about the impact of racism and racial discrimination on the physical and mental health of people of African descent as evidenced by disproportionately worse health outcomes, including higher rates of infant and maternal mortality, asthma, heart disease, diabetes and high blood pressure, which were further aggravated by the COVID-19 pandemic. Taking into account the combination of economic, social and environmental factors, the Permanent Forum believes that robust policies and practical measures are urgently required. Timely and accurate data on health inequities, the promotion of medical education and capacity for people of African descent, the development of “culturally safe” structures and processes in health-care systems and

research and legislation on intergenerational and transgenerational trauma are also essential.

### Recommendations

100. The Permanent Forum recommends that Member States consider:

(a) Adopting specific programmes and policies for people of African descent that are accountable for ensuring universal health coverage, including mental health services;

(b) Supporting the development of culturally safe structures and processes within national systems and private organizations involved in health care, including safe and culturally appropriate midwifery practices;

(c) Promoting research, education and policymaking to address health disparities and intergenerational and transgenerational trauma caused by the histories and legacies of systemic and structural racial discrimination, including the establishment of health infrastructure for people of African descent as an act of reparation.

101. The Permanent Forum recommends that the World Health Organization (WHO), with the participation of other United Nations entities, Member States and civil society organizations, establish a task force on racial disparities in the areas of health and intergenerational trauma.

102. The Permanent Forum also recommends that WHO, PAHO and other relevant stakeholders consider producing a report on the health status of people of African descent, including the impact of racism and racial discrimination.

103. The Permanent Forum further recommends that WHO consider including race and ethnicity in its work as a fourth cross-cutting theme along with equity, gender and human rights.<sup>5</sup>

## I. Resources and accessibility

### Conclusions

104. The Permanent Forum emphasizes the importance of establishing an inclusive and participatory process for amplifying the voices of all people of African descent from all parts of the world. The Permanent Forum needs to work with a broad and geographically inclusive range of civil society representatives and aim to include them in all thematic discussions at its annual sessions, with a view to drawing more contributions from them. Bearing in mind the diversity of people of African descent, including cultural and ethnic diversity, and in terms of sexual orientation, gender identity, gender expression and sex characteristics and age, disability, geographic origin, migratory status, social and economic conditions and religious and spiritual persuasion, the full inclusion and intersections of these and other grounds should be reflected in the human rights work of the United Nations anti-racism mechanisms, including the Permanent Forum, to ensure the full and equal inclusion of all people of African descent.

105. The Permanent Forum is concerned that, to implement the full scope of its mandate, it is crucial that it be fully supported with adequate resources. This includes adequate funding and other support for broad, inclusive and geographically equitable civil society participation in its annual sessions.

106. The Permanent Forum expresses its deep concern about the structural barriers and obstacles it faces in the implementation of its mandate, such as the financial and human resources constraints of the secretariat; a lack of access to meeting rooms by

<sup>5</sup> See <https://www.who.int/activities/advancing-gender-equity-and-human-rights-through-programmes-and-policies> and [https://www.who.int/publications/m/item/integrating-equity--gender--human-rights-and-social-determinants-into-the-work-of-who--roamap-for-action-\(2014-2019\)](https://www.who.int/publications/m/item/integrating-equity--gender--human-rights-and-social-determinants-into-the-work-of-who--roamap-for-action-(2014-2019)).

participants, in particular for representatives of civil society; a lack of interpretation services in Portuguese; and the difficulty of obtaining visas, among other issues.

107. The Permanent Forum affirms its readiness to broaden the participation and amplify the voices of civil society by developing robust civil society networks and holding intersessional and pre-sessional consultations and encourages the establishment of civil society-led regional and thematic committees linked to the Permanent Forum and its annual sessions.

#### **Recommendations**

108. The Permanent Forum requests the additional support from Member States required to implement its broad mandate and calls upon them:

(a) To strengthen the secretariat of the Permanent Forum, provide support to organize an annual intersessional meeting of the Permanent Forum, facilitate regional consultations with a view to contributing to the elaboration of the draft declaration, increase the number of funded civil society participants in the sessions of the Permanent Forum and enable the implementation of the broad scope of its mandate;

(b) To ensure that the Permanent Forum is an open and inclusive platform, and that accessibility to the annual sessions is expanded to all civil society partners and stakeholders, in particular vulnerable groups, including older persons, persons with disabilities, young people and LGBTQI+ persons, and that hybrid forms of the sessions be further developed to provide greater access;

(c) To provide sufficient resources for Portuguese and international sign language interpretation and for documentation in simplified language and in Braille to be made available at the sessions and to create an application for digital interaction.

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