



# General Assembly

Distr.: General  
3 August 2012

Original: English

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## Human Rights Council

### Twenty-first session

Agenda item 9

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

## **Report of the Working Group of Experts on People of African Descent on its eleventh session**

### **Addendum**

### **Draft Programme of Action for the Decade for People of African Descent\***

#### *Summary*

The Working Group of Experts on People of African Descent elaborated the present draft Programme of Action for the Decade for People of African Descent (2013–2023) as requested by General Assembly resolution 66/144. The draft is firmly anchored in the Durban Declaration and Programme of Action, the Outcome document of the Durban Review Conference, the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the Durban Declaration and Programme of Action (General Assembly resolution 66/3) and the International Convention on the Elimination of All Forms of Racial Discrimination. It is based on contributions received from Member States and other stakeholders, as well as comments made during the eleventh session of the Working Group. It gives an overview of the current human rights situation of and the challenges faced by people of African descent, thereby strengthening the rationale for the Decade. It proposes “recognition, justice and development” as themes for the Decade and identifies priority areas and specific recommendations, including in the areas of education and awareness-raising around the history, experiences and contributions of people of African descent to global development; the participation and inclusion of people of African descent in all areas of society; discrimination in the administration of justice; the adoption of special measures; the promotion of the right to development and measures against poverty; access to quality education, employment, housing and health; and addressing multiple forms of discrimination. It also proposes an international strategy,

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and coordination mechanisms at the national, regional and international levels. Owing to the special and unique nature of discrimination often faced by people of African descent, particularly related to the legacies of colonialism, slavery and the transatlantic slave trade, the Working Group deems it appropriate to make a careful distinction between their situation and that of other groups who also face racial and other forms of discrimination. It also sees the need to construct and delineate specific juridical categories that make it possible to address their needs adequately and overcome the obstacles they face. Therefore, in line with a recommendation from the Committee on the Elimination of Racial Discrimination, the Working Group recommends the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent by 2015 for the approval by the Human Rights Council.

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## **I. Introduction**

### **A. Background**

1. The General Assembly, in its resolution 66/144, adopted at its sixty-sixth session, encouraged the Working Group to develop a programme of action, including a theme for adoption by the Human Rights Council, with a view to proclaiming the decade starting 2013 the Decade for People of African Descent.

2. In developing this draft Programme of Action, the Working Group stresses the centrality of the Durban Declaration and Programme of Action and is committed to acting within the context of its full and effective implementation, especially its recommended strategies to address the legacies of slavery, the transatlantic slave trade and colonialism, which have largely determined the present condition of people of African descent. The Durban Declaration and Programme of Action is very clear about the causes and consequences of the current condition of people of African descent, stating in paragraph 13 that:

“slavery and the slave trade are a crime against humanity and should always have been so, especially the transatlantic slave trade and are among the major sources and manifestations of racism, racial discrimination, xenophobia and related intolerance”

“Africans and people of African descent, Asians and people of Asian descent and indigenous peoples were victims of these acts and continue to be victims of their consequences”.

3. In that light, the Working Group has developed the present Draft Programme of Action for the Decade for People of African Descent, to be submitted for adoption to the twenty-first session of the Human Rights Council and subsequently to the sixty-seventh session of the General Assembly.

4. The Working Group stresses that the Decade should build on the International Year for People of African Descent in 2011 during which many events and forums took place, particularly in the Caribbean and Latin America, including the High-Level Ibero-American Summit to Celebrate the International Year for People of African Descent in Salvador, Brazil, the World Summit of African Descendants in La Ceiba, Honduras, the International Meeting of Afro-Descendants and Revolutionary Transformations in Latin America and the Caribbean in Caracas, the Bolivarian Republic of Venezuela, and events in Europe and in North America organized by civil society actors. Subsequent to these various events, Member States, international organizations and civil society recommended launching a decade for people of African descent.

5. In addition to being firmly anchored in the Durban Declaration and Programme of Action, the present Draft Programme of Action is based on provisions contained in the International Convention on the Elimination of All Forms of Racial Discrimination, the Outcome Document of the Durban Review Conference, the political declaration contained in General Assembly resolution 66/3; conclusions and recommendations adopted by the Working Group, general recommendations made by human rights treaty monitoring bodies, particularly general recommendation No. 34 (2011) on racial discrimination against people of African descent, No. 32 (2009) on the meaning and scope of special measures in the International Convention on the Elimination of Racial Discrimination and No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system adopted by the Committee on the Elimination of Racial Discrimination; country and thematic reports prepared by the Special Rapporteur on contemporary forms of

racism, racial discrimination, xenophobia and related intolerance, the Independent Expert on minority issues and other relevant special procedures of the Human Rights Council. In addition, the Working Group has taken into account the responses to the questionnaire requesting inputs for the elaboration of the present draft Programme of Action, circulated in February 2012, to Member States, United Nations bodies, programmes, funds and specialized agencies, regional organizations, national human rights institutions and civil society. The Working Group has also drawn from presentations and comments made by panellists and participants during its eleventh session and comments received in June 2012 on the first draft Programme of Action. Relevant studies made at the regional level by the Inter-American Commission on Human Rights and the European Commission against Racism and Intolerance were also taken into account.

6. The Working Group would like to extend a special thanks to all stakeholders participated in the drafting process, providing important and insightful suggestions and contributions. The Working Group notes with appreciation the numerous steps and advances towards and measures to respect, protect, promote and fulfil the rights of people of African descent that States have already taken and the invaluable role that other actors including non-governmental organizations (NGOs) have played in these processes.

7. A compilation of the submissions received is available for consultation in the secretariat of the Working Group of Experts on People of African Descent. The list of stakeholders that provided replies to the questionnaire seeking views for the elaboration of the draft Programme of Action for the Decade and written comments to the first draft of the Programme of Action is contained in annex I.

## **B. Overview of the current human rights situation of people of African descent**

8. In line with the definition contained in general recommendation No. 34 of the Committee on the Elimination of Racial Discrimination, people of African descent are those referred to as such in the Durban Declaration and Programme of Action and who identify themselves as of African descent. People of African descent comprise a heterogeneous group with diverse histories, experiences and identities. The circumstances in which these people live and the problems they face differ from country to country and region to region. Nevertheless, it is possible to highlight a series of general and global cross-cutting issues that must be addressed.

9. Racism and structural and institutional discrimination against people of African descent, rooted in the infamous regime of slavery, the slave trade and colonialism and reinforced by the context of globalization, are evident in the situations of inequality, marginalization and stigmatization affecting those people worldwide. They are manifested, inter alia, in their grouping among the poorest of the poor in many countries, often inhabiting the regions, districts and areas, both rural and urban, with the most precarious infrastructure and being more exposed to crime and violence; low levels of participation and underrepresentation in political and institutional decision-making processes; barriers in access to and completion of quality education, which results in the intergenerational transmission of poverty; inequality in access to labour markets; a disproportionate presence

in prison populations; limited social recognition and valuing of their ethnic and cultural diversity; and intolerance against religions of African origin.<sup>1</sup>

10. Many people of African descent facing racism, racial discrimination, xenophobia and related intolerance on the grounds of race, colour, descent or national or ethnic origin suffer multiple or aggravated forms of discrimination based on other related grounds such as age, sex, language, religion, political or other opinion, social origin, property, birth or other status. Women of African descent have historically suffered and continue to suffer compounded discrimination based on racial or ethnic origin, socioeconomic status and gender. This multiple discrimination manifests in situations of limited access to education, employment and security, and vulnerability to gender-based violence. Furthermore, they often suffer higher rates of maternal mortality due to limited access to maternal health care.<sup>2</sup> Multiple forms of discrimination are also a recurring reason for the denial or deprivation of nationality and therefore a cause of statelessness.

11. The relationship between race, social and economic status and citizenship means that migrants, refugees and asylum seekers of African descent around the world are often in particularly vulnerable situations. Many experience violations related both to xenophobia as foreigners and racism based on their African descent. They often encounter barriers in access to employment and work in informal and precarious jobs, often in dangerous conditions. Access to health services, education, housing and social security is also particularly limited for many such migrants.

12. Public and political discourse and its impact on immigration policies often results in migrants and indeed nationals facing racial discrimination and being used as scapegoats for economic and social difficulties faced by societies, particularly in relation to the availability of jobs, housing and health services. Within such discourse, they are often portrayed as criminals and security threats, which enflames mistrust, fear and resentment resulting in further discrimination, racism and xenophobic attitudes and often manifested in violent acts.<sup>3</sup> Migrants in an irregular situation, refugees and asylum seekers are particularly targeted. In some countries, people of African descent are also often disproportionately represented among groups of internally displaced persons.

13. Institutional discrimination in justice systems often impacts upon people of African descent. The impossibility of accessing domestic judicial remedies and complaint mechanisms, be they administrative or judicial, is a factor contributing to the persistence of racism. In addition, the absence of judicial guarantees and the lack of sensitivity of justice system operators with respect to racial discrimination, contribute to even deeper resignation on the part of the discriminated groups, and help perpetuate patterns of exclusion and impunity.<sup>4</sup>

14. Young men of African descent face alarmingly high rates of police violence. Racial profiling continues to be widely applied as a selective and discretionary mechanism for detaining and investigating and this practice is inextricably linked to the overrepresentation of people of African descent in arrest rates, and in prison populations.

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<sup>1</sup> See general recommendation No. 34 of the Committee on the Elimination of Racial Discrimination and the Inter-American Commission on Human Rights, report on the situation of people of African descent in the Americas, OEA/Ser.L/V/II. Doc.62, 2011.

<sup>2</sup> See, Committee on the Elimination of Discrimination against Women, *Pimentel v. Brazil*, communication No. 17/2008, Views adopted on 25 July 2011.

<sup>3</sup> See report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, A/HRC/7/19.

<sup>4</sup> *Ibid.* and Inter-American Commission on Human Rights, OEA/Ser.L/V/II. Doc.62.

15. The discrimination that people of African descent face perpetuates cycles of disadvantage which hinder human development. Yet in accordance with the Declaration on the Right to Development, they should be guaranteed equal right to full, active and meaningful participation in development decision-making, and to benefit equally and fairly from development gains. Article 6 embodies non-discrimination and the elimination of obstacles to development resulting from failure to observe civil and political rights, as well as economic, social and cultural rights.

16. The situation of people of African descent in many cases remains largely invisible, with a lack of official disaggregated statistical data to demonstrate the extent of discrimination. Furthermore, there is limited recognition of their histories, heritage and contributions to nations' development in education curricula, popular culture or the media, and images of people of African descent often reinforce negative stereotypes informed by deep-rooted discriminatory attitudes. Insufficient recognition and respect have been given to the efforts of people of African descent to seek redress for their present conditions, including through calls "of the moral obligation on the part of all concerned States to take appropriate and effective measures to halt and reverse the lasting consequences of those practices".<sup>5</sup> This should include reparations. The Working Group hopes that it will see progress in this regard during the Decade.

17. It is expected that the Programme of Action for the Decade for People of African Descent will contribute to achieving equality and non-discrimination and strengthening the rule of law and democracy. It should be a useful tool to pave the way for future work by all States in all regions of the world, the international community and civil society for the promotion and protection of all human rights of all people of African descent. Further efforts are needed by States to protect people of African descent from racial discrimination and to ensure their equal enjoyment of all human rights. As such the Working Group calls on all relevant actors to work together at national, regional and international levels to achieve the goals set forth in the Draft Programme of Action.

## II. Normative framework for the Decade

18. Non-discrimination and equality before and of the law constitute fundamental principles of international human rights law and underpin the Universal Declaration of Human Rights and the main international human rights treaties and instruments. Furthermore, the International Court of Justice held that the prohibition of racial discrimination constituted an obligation *erga omnes*.

19. The right to equality and non-discrimination requires States to guarantee non-discrimination in the exercise of human rights; they must therefore strive to guarantee human rights on the basis of equality of access, opportunity and results, in fact and in law, for all persons, including people of African descent. States have the obligation to prevent and punish the violation of human rights by any State or non-State actor and adopt all necessary measures, including special measures, to remove obstacles that may impinge upon the enjoyment of human rights.

20. The principal normative framework for the Decade will be the Durban Declaration and Programme of Action, the International Convention on the Elimination of All Forms of Racial Discrimination, the Outcome Document of the Durban Review Conference and the political declaration contained in General Assembly resolution 66/3 adopted by consensus. Other relevant human rights instruments such as the International Covenant on Civil and

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<sup>5</sup> Durban Declaration, para. 102.

Political Rights and the International Covenant on Economic Social and Cultural Rights are also essential for achieving the aims and objectives of the Decade.

### **III. Theme**

21. The suggested theme for the Decade is “Recognition, Justice, Development,” which the Working Group considers as interdependent and mutually reinforcing.

#### **A. Recognition**

22. Recognition of people of African descent as a distinct group is essential to increasing their visibility and thus to the realization of their rights. People of African descent must be recognized in national constitutions and legislation. Special attention must be paid to the collection of data to assess their situation, which should be disaggregated in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees.<sup>6</sup> Respect for the culture, identity, history and heritage of people of African descent should be guaranteed and is essential for States to acknowledge and address the discrimination faced by people of African descent.

#### **B. Justice**

23. The notion of justice recognizes that people of African descent have historically been and continue to be victims of violations of their human rights. It is therefore necessary to ensure the full and effective implementation of relevant human rights instruments; combat the widespread impunity for manifestations and practices of racism and racial discrimination against people of African descent and ensure equal access to justice and equal protection of the law at all stages of law enforcement, from interaction with the police, to presentation of court cases and sentencing.

24. Concerning reparations for slavery and the transatlantic slave trade, the Durban Declaration recognizes and reaffirms the right of individual victims to seek just and adequate reparation or satisfaction for any damage suffered as a result of racial discrimination (para. 104) and affirms that “telling the truth about history [is an essential element] for international reconciliation and the creation of societies based on justice, equality and solidarity” (para. 106). Further, the Declaration notes “that some States have taken the initiative to apologize and have paid reparation, where appropriate, for grave and massive violations committed” (para. 100) and calls on those that have not yet expressed remorse or presented apologies to contribute to the restoration of the dignity of the victims (para. 101) and cites that taking appropriate steps to address the lasting consequences is a “moral obligation” (para. 102).

25. International human rights law<sup>7</sup> has recognized the need for special measures to remedy or compensate for the effects of past injustice and structural discrimination in order to avoid the perpetuation of such discrimination and as a means of guaranteeing substantive equality and the enjoyment of fundamental rights.

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<sup>6</sup> See Durban Declaration, para. 44.

<sup>7</sup> See general recommendation No. 32 of the Committee on the Elimination of Racial Discrimination.

## C. Development

26. Paragraph 158 of the Durban Programme of Action “recognizes that ... historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparities, instability and insecurity that affect many people in different parts of the world, in particular in developing countries” and recognizes “the need to develop programmes for the social and economic development of these societies and the diaspora, within the framework of a new partnership based on the spirit of solidarity and mutual respect” in areas such as debt relief, poverty eradication, market access and the promotion of foreign direct investment. The draft Programme of Action therefore considers development for people of African descent in two ways. Firstly, the role that people of African descent have played in global development must be recognized both in terms of the contribution that the African continent has historically made to worldwide development, including during the transatlantic slave trade, and the contributions that Africans and the African diaspora have made and continue to make to the development of nations. Secondly, in a period of economic and financial crisis, a human rights-based approach should be integrated into all development activities where the realization of rights including the fight against poverty and access to education, health, employment and political participation are the goals of development. The Declaration on the Right to Development recognizes that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom, without any kind of discrimination. It should also be stressed that repairing the damage done by slavery and the slave trade will contribute to development.

27. The historic and continued underdevelopment that has plagued people of African descent throughout the world must be reversed and specific attention must be paid to this group in initiatives to realize the Millennium Development Goals and post-2015 international and national development objectives.

## IV. Objectives

28. Based on the given mandate and with due consideration to the current and historic situation of people of African descent and the imperatives outlined in the Durban Declaration and Programme of Action, it is recommended that the Programme of Action for the Decade should have the following key objectives:

(a) To ensure the right to the full enjoyment by people of African descent in all regions of the world of all human rights and fundamental freedoms, as recognized in the Universal Declaration of Human Rights, through the effective implementation of the Durban Declaration and Programme of Action, the Outcome Document of the Durban Review Conference, the International Convention on the Elimination of All Forms of Racial Discrimination, and other relevant international and regional human rights instruments;

(b) To eliminate racism, racial discrimination, xenophobia and related intolerance and promote full and effective equality for people of African descent particularly through special measures/affirmative action and in a manner that is culturally relevant;

(c) To create for people of African descent an appropriate tool for empowerment which guarantees their meaningful participation and inclusion in development processes; in social, economic, cultural, political and civil life; and in decisions that affect their lives;

(d) To increase the visibility of people of African descent by ensuring the collection of disaggregated data and research, and sensitizing them and wider society about their human rights, cultures and contributions to the development of societies and their histories including the history and ongoing consequences of slavery, the slave trade, the transatlantic slave trade and colonialism;

(e) To urge international financial and development institutions and the operational programmes and specialized agencies of the United Nations to give greater priority to and allocate appropriate funding for programmes addressing the development challenges of the affected States and societies, in particular those on the African continent and in the diaspora;<sup>8</sup>

(f) To adopt and strengthen international, regional and national legal framework on the rights of people of African descent, particularly as recommended by the Committee on the Elimination of Racial Discrimination, through the adoption of a United Nations declaration on the promotion and full respect of the human rights of people of African descent.

## **V. Priority areas for the Decade for People of African Descent**

### **A. Recognition**

#### **1. The right to equality**

29. States should take the necessary steps to give full effect to the right to equality and non-discrimination of people of African descent:

(a) Recognizing the interdependence of rights and the importance of a holistic approach to achieving equality and non-discrimination, take necessary steps to remove all obstacles that prevent the equal enjoyment of economic, social, cultural, civil and political rights by people of African descent and promote the effective implementation of relevant national and international legal framework;

(b) Undertake a comprehensive review of domestic legislation, with a view to (i) identifying and abolishing provisions that entail direct or indirect discrimination; (ii) recognizing where relevant people of African descent in national constitutions; (iii) adopting comprehensive anti-discrimination legislation ensuring its effective enforcement. Reform of existing norms is an obligation, and also an important tool for shedding light on the situation of people of African descent and helping to raise awareness and alter historical patterns of marginalization and exclusion;

(c) Adopt and implement projects, programmes and any initiative designed to ensure full and equal enjoyment of human rights and fundamental freedoms by people of African descent, including national action plans against racial discrimination;

(d) Establish and maintain a body or a system of coordinated bodies to promote racial equality. States must ensure the independent status and competences of such bodies in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), as well as ensuring adequate funding and transparent procedures for the appointment and removal of their members;

(e) Provide training and capacity-building for national human rights institutions and other relevant governmental bodies to ensure principles of equality and non-

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<sup>8</sup> Durban Programme of Action, para. 159.

discrimination and issues affecting people of African descent are addressed through their work. Relevant Government bodies should carry out activities to promote and protect the rights of people of African descent within their programmes.

## 2. Education on equality and awareness-raising

30. Recognizing the contribution of the African Continent and people of African descent to the development, diversity and richness of world civilizations and cultures which constitute the common heritage of humankind, States should, in collaboration with relevant United Nations bodies and agencies, particularly the United Nations Educational, Scientific and Cultural Organization (UNESCO) and international donors:

(a) Preserve and promote greater knowledge of and respect for people of African descent's heritage, culture and history, including the transatlantic slave trade, and increase their visibility and recognition of people of African descent and the African Continent contributions to their respective societies and to global development, emphasizing them as survivors or resisters, whilst also recognizing them as victims of human rights violations under international law;

(b) Recalling paragraph 99 of the Durban Declaration, in which States concerned are called upon "to honour the memory of the victims of past tragedies and affirm that, wherever and whenever these occurred, they must be condemned and their recurrence prevented", adopt measures to preserve, protect and restore the intangible patrimony and spiritual memory of sites and places of the slave trade and slave resistance, giving increased visibility to this history and culture through museums, monuments, visual arts and other means, such as the permanent memorial at the United Nations headquarters to honour the memory of the victims of slavery and the transatlantic slave trade;

(c) Revise and develop specific curricula and corresponding teaching materials which respect and recognize the history, including the transatlantic slave trade. Such curricula should be incorporated into formal and informal education at the early childhood, primary, secondary, post-secondary and adult education levels. People of African descent should have the opportunity to contribute to the development of such curricula;

(d) Through intercultural education, dialogue and awareness-raising measures work towards the elimination of sociocultural ideas inherited from the period of slavery and colonialism, which perpetuate racism and racial discrimination against people of African descent and their continued invisibility at all levels of society;

(e) Make history a compulsory subject at the primary and secondary educational levels, thereby giving children of African descent a connection with their past and a sense of cultural identity;

(f) Support radio, television and Internet programmes about history and cultures of people of African descent and promote more positive and inclusive representations which increase their visibility within society and challenge negative stereotypes and resultant discrimination;

(g) Promote research on past and present conditions of people of African descent and compile existing information on their contribution to their respective societies in order to foster the development of national identity from a democratic perspective, recognizing diversity and promoting knowledge and understanding of the causes and consequences of racism, racial discrimination and xenophobia.

(h) Special attention should be given to the training of Government officials, including law enforcement officers, such as the police, lawyers, judges and migrant and prison officials, the Armed Forces, teachers and curriculum developers, international civil servants, development officers, peacekeepers, the media, parliamentarians, civil society

organizations and other groups which are in a particular position to affect the rights of people of African descent. Such training should aim at ending negative representations of Africans and African descendants that cause racism and racial discrimination;

(i) Consider establishing a national day for people of African descent and for the commemoration of the victims of the slave trade in consultation with people of African descent. Other relevant days, such as the International Day for the Remembrance of the Slave Trade and its Abolition (23 August), the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade (25 March), African Liberation Day (25 May), and the International Day for the Elimination of Racial Discrimination (21 March) should also be commemorated;

(j) Share and exchange good practices from countries and regions that address the legacy of slavery and build inclusive, intercultural and multi-ethnic societies.

### **3. General recommendation No. 34 of the Committee on the Elimination of Racial Discrimination**

31. Recalling the Committee's general recommendation No. 34, which recognizes that people of African descent live in many countries of the world, either dispersed among the local population or in communities, where they are entitled to exercise, without discrimination, individually or in community with other members of their group, as appropriate, the following specific rights:

(a) The right to property and to the use, conservation and protection of lands traditionally occupied by them and to natural resources in cases where their ways of life and culture are linked to their utilization of lands and resources;

(b) The right to their cultural identity, to keep, maintain and foster their mode of life and forms of organization, culture, languages and religious expressions;

(c) The right to the protection of their traditional knowledge and their cultural and artistic heritage;

(d) The right to prior consultation with respect to decisions which may affect their rights, in accordance with international standards.

### **4. Information-gathering**

32. In accordance with paragraph 92 of the Durban Programme of Action, States should:

(a) Collect, compile, analyse, disseminate and publish reliable statistical data at the national and local levels and undertake all other related measures which are necessary to assess regularly the situation of individuals and groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance;

(b) Such statistical data should be disaggregated in accordance with national legislation. Any such information shall, as appropriate, be collected with the explicit consent of the victims, based on their self-identification and in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees. This information must not be misused;

(c) The statistical data and information should be collected with the objective of monitoring the situation of marginalized groups, and the development and evaluation of legislation, policies, practices and other measures aimed at preventing and combating racism, racial discrimination, xenophobia and related intolerance, as well as for the purpose of determining whether any measures have an unintentional disparate impact on victims. To that end, it recommends the development of voluntary, consensual and participatory strategies in the process of collecting, designing and using information;

(d) The information should take into account economic and social indicators, including, where appropriate, health and health status, infant and maternal mortality, life expectancy, literacy, education, employment, housing, land ownership, mental and physical health care, water, sanitation, energy and communications services, poverty and average disposable income in order to elaborate social and economic development policies with a view to closing the existing gaps in social and economic conditions.

## **5. Participation and inclusion**

33. States must facilitate full participation and inclusion of people of African descent in all political, economic, social and cultural aspects of society, including all levels of decision-making processes and in the advancement and economic development of the country in which they live, as well as their country of origin. To this end, States are requested to:

(a) Undertake capacity-building and awareness-raising campaigns in communities to encourage active participation in electoral processes;

(b) Consult and involve people of African descent in the development and implementation of laws, policies and programmes that concern them;

(c) Implement activities and programmes to strengthen leadership among people of African descent;

(d) Undertake initiatives for participation which should be carried out with special consideration for the meaningful participation of women and young people of African descent.

## **B. Justice**

### **1. Administration of justice**

34. Much of the unjust treatment experienced by people of African descent stems from the triple effects of colonialism, slavery and the transatlantic slave trade. States must therefore introduce all the necessary steps to ensure equality before the law, notably in the enjoyment of the right to equal treatment before the tribunals and all other organs administering justice, including:

(a) Assuring for people of African descent effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination;<sup>9</sup>

(b) Criminalizing all acts of racism in particular the dissemination of ideas based on racial superiority or hatred, incitement to racial hatred, violence or incitement to racial violence, but also racist propaganda activities and participation in racist organizations. States are also encouraged to incorporate a provision in their criminal legislation to the effect that committing offences for racial reasons generally constitutes an aggravating circumstance;<sup>10</sup>

(c) Fully implementing general recommendation No. 31 of the Committee on the Elimination of Racial Discrimination, particularly:

<sup>9</sup> Art. 6 of the International Convention on the Elimination of All Forms of Racial Discrimination,

<sup>10</sup> Ibid, art. 4.

- (i) Facilitating access to justice for people of African descent who are victims of racism, by supplying the requisite legal information about their rights; promoting, in areas where people of African descent live, institutions such as free legal help and advice centres, and centres for reconciliation and mediation; granting victims effective judicial cooperation and legal aid, including the assistance of counsel and an interpreter free of charge;
  - (ii) Instructing competent services to receive people of African descent who are victims of acts of racism in police stations in a satisfactory manner, so that complaints are recorded immediately, investigations are pursued without delay and in an effective, independent and impartial manner, and files relating to racist or xenophobic incidents are retained and incorporated into databases;
  - (iii) Seeking to eliminate the potential discriminatory effects of certain domestic legislation on terrorism, immigration, nationality, banning or deportation of non-citizens from a country, as well as legislation that has the effect of penalizing without legitimate grounds certain groups or membership of certain communities, including people of African descent, and in any case respecting the principle of proportionality in its application;
  - (iv) Pursuing national strategies with the objective of eliminating laws that have an impact in terms of racial discrimination, particularly those which target people of African descent indirectly by penalizing acts which can be committed only by them, or laws that apply only to non-nationals without legitimate grounds or which do not respect the principle of proportionality; and developing, through appropriate education programmes, training in respect for human rights, as well as sensitization to intercultural relations for law enforcement officials, police personnel, and persons working in the system of justice to eliminate discriminatory practices including institutional racism;
  - (v) Taking the necessary steps to prevent questioning, arrests and searches which are in reality based solely on the physical appearance of people of African descent, or any profiling which exposes them to greater suspicion. To that end, it is vital both to modify institutionalized stereotypes concerning people of African descent and to apply appropriate sanctions against law enforcement officials who act on the basis of racial profiles;
  - (vi) Preventing and punishing violence, acts of torture, cruel, inhuman or degrading treatment and all violations of human rights affecting people of African descent which are committed by State officials, particularly police and army personnel, customs authorities, and persons working in airports, penal institutions and social, medical and psychiatric services;
  - (vii) Ensuring that people of African descent, like all other persons, enjoy all the guarantees of a fair trial and equality before the law, as enshrined in the relevant international human rights instruments and specifically the right to presumption of innocence, the right to assistance of counsel and to an interpreter; the right to an independent and impartial tribunal and guarantees of fair punishment and the enjoyment of all the rights to which prisoners are entitled under the relevant international norms.
- (d) Bring to justice all offenders involved in trafficking and designing anti-trafficking campaigns, setting up special protection mechanisms, such as sheltered housing and special residence permits for women who want to escape from traffickers, and ensuring that social inclusion programmes for victims of trafficking are established;

(e) Special attention should be given to the training and sensitization of police, prison officials, lawyers, judges and other justice officials.

## 2. Special measures

35. The adoption of special measures, such as affirmative action, is essential to alleviating and remedying disparities in the enjoyment of human rights and fundamental freedoms affecting people of African descent, protecting them from discrimination and overcoming persistent or structural disparities and de facto inequalities resulting from historical circumstances.<sup>11</sup> As such States should:

(a) Develop or elaborate national action plans to promote diversity, equality, social justice, equality of opportunity and the participation of all. Through, among other things, affirmative or positive actions and strategies, these plans should aim at creating conditions for all to participate effectively in decision-making and realize civil, cultural, economic, political and social rights in all spheres of life on the basis of non-discrimination;<sup>12</sup>

(b) Supported by international cooperation as appropriate, consider positively concentrating additional investments in health-care systems, education, public health, electricity, drinking water and environmental control, as well as other affirmative or positive action initiatives, in communities of primarily African descent;<sup>13</sup>

(c) Establish, on the basis of statistical information, national programmes, including affirmative or positive measures, to promote access to basic social services, including primary education, basic health care and adequate housing for people of African descent;<sup>14</sup>

(d) Design, promote and implement at the national, regional and international level strategies which may include special and positive measures, for furthering equal social development and the realization of the civil and political, economic, social and cultural rights of people of African descent, including through more effective access to the political, judicial and administrative institutions;<sup>15</sup>

(e) Adopt measures to achieve appropriate representation in educational institutions, housing, political parties, parliaments and employment, especially in the judiciary, police, army and other civil services, which in some cases might involve electoral reforms, land reforms and campaigns for equal participation.<sup>16</sup>

## C. Development

### 1. Right to development and measures against poverty

36. States should take measures to realize the right to development for people of African descent as required by the 1986 Declaration on the Right to Development, taking into

<sup>11</sup> See general recommendations Nos. 34 and 32 of the Committee on the Elimination of Racial Discrimination, as well as reiterated in observations and recommendations made by the Committee to State parties.

<sup>12</sup> Durban Programme of Action, para. 99.

<sup>13</sup> *Ibid.*, para. 5.

<sup>14</sup> *Ibid.*, para. 100.

<sup>15</sup> Durban Declaration, para. 107.

<sup>16</sup> *Ibid.*, para. 108.

account<sup>17</sup> the need to redress historical injustices through development programmes. Recognizing that poverty is both a cause and a consequence of discrimination, States should also take a rights-based approach to poverty alleviation which eliminates discrimination including:

(a) Implementing development initiatives which aim to realize the rights of people of African descent, in a manner appropriate to their culture and identity. Approaches should recognize the interdependence and interrelatedness of rights, taking a holistic approach to development and ensuring the full, active and meaningful participation of people of African descent throughout development programme cycles;

(b) Undertaking all necessary measures for the realization of the right to development of people of African descent through ensuring equality of opportunities in their access to basic resources, education, technology, health, services, food, housing, employment, markets, loans and the fair distribution of income;

(c) States, in accordance with international human rights standards and their respective domestic legal framework, should resolve problems of ownership of ancestral lands inhabited for generations by people of African descent and promote the productive utilization of land and the comprehensive development of these communities, respecting their culture and their specific forms of decision-making.

(d) Adopting measures to preserve, protect and restore traditional knowledge of people of African descent;

(e) Guaranteeing the benefits of wider sustainable development initiatives are enjoyed fairly by people of African descent contributing effectively to the improvement of quality of life, and prevent those aspects of globalization which may lead to racial discrimination;

(f) Working with international organizations, including financial institutions, to ensure that development projects address the economic and social situation of people of African descent;

(g) Cooperating to create an enabling international environment for ensuring investment, aid and trade policies which can further positive development outcomes for people of African descent and minimize harmful impacts, through human rights impact assessment and monitoring and evaluating such policies.

## **2. Education**

37. States should take all necessary measures to give effect to the right of people of African descent, particularly children and young people, to free primary education and access to all levels and forms of quality public education without discrimination. States should:

(a) Ensure quality education is accessible and available in areas where communities of African descent live, particularly rural and marginalized communities, with attention to improving the quality of public education;

(b) Take measures to ensure that public and private education systems do not discriminate against or exclude children of African descent, and that they are protected from direct or indirect discrimination, stigmatization and violence from peers or teachers. To this end, training and sensitization should be provided to teachers and measures should

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<sup>17</sup> See Durban Programme of Action, para. 158.

be taken to increase the number of teachers of African descent working in educational institutions;

(c) Counter all forms of symbolic violence and indirect discrimination faced by children and young people of African descent in education systems by removing negative stereotypes and imagery in teaching materials;

(d) Promote more inclusive education systems and take measures to reduce the school dropout rate for children of African descent with greater support and attention to families and ensuring that curricula are accessible and culturally relevant, including providing education in their own language where necessary; Ensure human rights education for people of African descent and adopt programmes that promote empowerment and self-esteem for children and youth;

(e) Promote access to new technologies that would offer people of African descent, particularly women, children and young people, adequate resources for education, technological development and long-distance learning in local communities;

(f) Guarantee a smooth transition from early childhood to primary and secondary educational facilities without discriminatory competitive placement systems (e.g. common entrance examinations).

### 3. Employment

38. States should take measures to ensure that people of African descent, including migrant workers, are not subject to discriminatory conditions of labour, and, inter alia, employment or salary. States should:

(a) Ensure that the workers' rights of people of African descent particularly migrants are respected and protected including those related to fair wages and equal remuneration for work of equal value without distinction of any kind, and to the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control, social security, including social insurance, access to education, health care, social services and respect for their cultural identity;<sup>18</sup>

(b) Support and encourage trade unions to work with African diaspora civil society to ensure respect for their rights as workers;

(c) Adopt or increase the effectiveness of legislation that prohibits all discriminatory practices in employment and the labour market that affects people of African descent;

(d) Implement special measures to promote the employment of people of African descent in public administration, as well as in private companies including affirmative action policies such as quota systems;

(e) Support and encourage business and entrepreneurship by people of African descent through training, capacity-building and facilitating access to credit, particularly for women;

(f) Collect, compile, analyse, disseminate and publish reliable quantitative and qualitative data which reveals patterns of access to labour markets, participation and positions in diverse sectors with particular attention to migrants and women of African descent.

<sup>18</sup> See *ibid.*, para. 30 (g).

#### **4. Housing**

39. Recognizing the poor and insecure housing conditions in which many people of African descent live, States should develop and implement policies and projects aimed at ensuring they gain and sustain a safe and secure home and community in which to live in peace and dignity. States should:

(a) Implement special measures to ensure people of African descent have access to necessary services, potable water and sanitation, avoiding the segregation or ghettoization of people of African descent into low standards of housing;

(b) Implement initiatives to support the development and improvement of poor housing conditions particularly in slum areas and informal settlements. To this end, States should involve people of African descent communities as partners in housing project construction, rehabilitation and maintenance;

(c) Take measures to ensure security of legal security of tenure, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility, location and cultural adequacy and prevent the forced eviction of people of African descent from their homes in both urban and rural contexts.

#### **5. Health**

40. States must enhance measures to fulfil the right of people of African descent to enjoy the highest attainable standard of physical and mental health, with a view to progressively achieving the full realization of this right and eliminating disparities in health status, which might result from racial discrimination, including;

(a) Involving people of African descent in designing and implementing health-based programmes and projects;

(b) Ensuring that quality health services are available and accessible without discrimination, particularly in rural and marginalized areas with large populations of people of African descent;

(c) Undertaking training and sensitization initiatives with health service providers to eliminate racial discrimination and ensure that services are provided in a culturally appropriate manner;

(d) Ensuring health education material and information is available in a wide variety of languages and accessible to people of African descent including those most vulnerable.

#### **D. Multiple forms of discrimination**

41. States should adopt and implement laws, policies and programmes which provide effective protection for and review and repeal all policies and laws that could negatively affect people of African descent facing multiple or aggravated forms of discrimination based on related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth or other status deriving from the Durban Declaration and Programme of Action (see paragraph 2 of the Declaration). States should pay particular attention to:

(a) Ratifying and implementing legislation that has particular relevance for the rights of women and girls of African descent including International Labour Organization (ILO) Convention No. 189 (2011) concerning decent work for domestic workers;

- (b) Mainstreaming a gender perspective in designing and monitoring public policies, taking into account the specific needs and realities of women and girls of African descent and adopting a holistic approach to ensure their rights;
- (c) Paying special attention to the multiple forms of discrimination and exploitation that migrants women of African descent face in the workplace, particularly those in informal work situations in sectors such as domestic service, and agriculture, and adopt and implement legislation that protects their rights;
- (d) Implementing mass media and information campaigns to eliminate racist and sexist stereotypes and prejudices against women of African descent. Human rights education and specific gender and equality issues must be incorporated into training for law enforcement officials, the media and health and education personnel;
- (e) Giving special attention to the health needs and rights of women of African descent, including the right to sexual and reproductive health, trauma treatment and counselling for women in especially difficult circumstances;
- (f) Adopting special measures to ensure equality in the exercise of children's rights, in particular corresponding to the areas that most affect their lives including access to quality education, housing, health services, social protection and development;
- (g) Undertaking initiatives specifically aimed at protecting the rights of children of African descent in vulnerable situations, such as unaccompanied migrant and refugee children, children with disabilities, children living and working in the streets, children in conflict with the law and children in situations of armed conflict;
- (h) Adopting special measures to address the specific violence that boys and girls of African descent face and combating the sexual exploitation and trafficking of children of African descent, particularly as it intersects with racial discrimination, poverty and gender inequality faced by many girls of African descent;
- (i) Taking measures to protect children of African descent from economic exploitation (particularly in peri-urban areas of major cities) and from performing any work which exposes them to physical and mental harm, violence and abuse that limit their enjoyment of their right to education;
- (j) Signing and ratifying or acceding to the core instruments on migrants rights protection, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO Conventions No. 97 (1949) concerning Migration for Employment (Revised) and No. 143 (1975) concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, and ensuring effective implementation;
- (k) Ensuring that information on health, employment, housing and other services is accessible and available in all relevant languages and in a manner consistent with the cultures of migrants of African descent;
- (l) Working with the media while maintaining full respect for freedom of opinion and expression, to develop codes of conduct which include measures to prevent inaccurate and negative stereotypical depictions of migrants, refugees and asylum seekers which can cause or exacerbate xenophobic and racial hatred and violence and guaranteeing victims equal access to justice, including in the context of racist crimes;
- (m) Refraining from taking discriminatory measures and from enacting or maintaining legislation that would arbitrarily deprive persons of their nationality, especially if such measures and legislation render a person stateless. Ensuring that all migrant children, regardless of the migratory status of their parents, have access to birth registration;

(n) Respecting and implementing humanitarian obligations relating to the protection of refugees, asylum seekers, returnees and internally displaced persons;

(o) Recognizing that older persons of African descent face increased risk of discrimination and vulnerability, and adopting measures to ensure they have access to pensions, social security or relevant social protection schemes and to culturally relevant and sensitive health care;

(p) Ensuring full promotion and protection of people of African descent with disabilities, particularly equal access to health, education and employment, and adopt measures for their inclusion in social, economic, political and cultural life, with particular attention to ensuring their participation in the design of programmes and policies that concern them.

## **VI. Target groups and other actors**

42. The Decade should be perceived as an international initiative, which will bring together several actors at the international, regional and national levels, including United Nations bodies, the specialized agencies, all Member States, intergovernmental organizations and relevant NGOs, as well as people of African descent to (a) raise public awareness of the situation of people of African descent through active communications; (b) bring in international experience and expertise to help make progress on challenging issues; (c) develop legal mechanisms to acknowledge and effectively address racism against people of African descent; (d) memorialize the transatlantic slave trade; (e) launch initiatives for affirmative action policies and collection of disaggregated data; (f) learn and exchange experiences and (g) bring international attention to the need to repair the damage done to people of African descent by slavery and the transatlantic slave trade;

43. Activities carried out under the Decade should be designed to bring its objectives to as wide an audience as possible, through campaigns, events, research, development of legislation and policies, and through both formal and non-formal education.

44. The general public should be the subject of far-reaching information initiatives designed to inform them of the histories, contemporary experiences and human rights situation of people of African descent, as well as their role in development at both international and national levels.

45. Relevant civil society actors, including NGOs, workers' and employers' organizations, labour unions, the mass media, religious organizations, community organizations, the family, independent information, resource and training centres and others should be mobilized for the purpose of incorporating inclusive education which challenges racism and discrimination into non-formal programmes.

46. Governments should take all necessary measures to combat new forms of racism (structural racism in particular) by constantly adapting methods and approaches, especially in the legislative, administrative, educational and information fields and by promoting affirmative measures in legislation and development of the policies.

47. The international community, in general, and the United Nations, in particular, should continue to give the highest priority to programmes for combating specific racism and racial discrimination directed towards people of African descent and intensify their efforts, during the Decade, to provide assistance to all Governments, organizations and individuals actively involved in the promotion of the objectives of the Decade.

48. Due regard should be given at all times to the close involvement and participation of people of African descent in the decisions taken and work done as part of the Decade.

## VII. Strategies at the international level

49. The international community in general and in particular relevant United Nations programmes, funds, specialized agencies and other bodies; international financial and development institutions; regional organizations and other international mechanisms within their areas of competence should give the highest priority to addressing the human rights and development challenges faced by people of African descent, by inter alia implementing sustainable programmes and measures and allocating appropriate funding. They should therefore:

(a) Address the issues related to people of African descent from the perspective of equality and non-discrimination and as a cross-cutting issue across their respective areas of work and ensure that initiatives, research and measures are adopted to realize all their rights and freedoms;

(b) Create mechanisms to monitor the situation of people of African descent with a particular focus on patterns of discrimination and its effect on the enjoyment of economic, social, cultural, civil and political rights.

(c) Adopt human rights-based development programmes in their fields of competency which address the rights of people of African descent, including access to education, employment, health, housing, land and labour;

(d) Use the Decade as an opportunity to engage with people of African descent on the issue of reparation and reconciliation for slavery, the slave trade and the transatlantic slave trade in captured African people;

(e) Introduce initiatives to ensure that the Millennium Development Goals and future development objectives post-2015 take full consideration of the situation and rights of people of African descent;

(f) Monitor, evaluate and measure the impact of such activities on people of African descent through the use of appropriate indicators and collection of reliable disaggregated data;

(g) Encourage United Nations specialized agencies to develop studies and reports, regarding the themes of the Decade such as the Food and Agriculture Organization (FAO), the World Bank Group, ILO, the World Health Organization (WHO), UNESCO, and the following United Nations programmes, funds and offices such as the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), Office of the United Nations High Commissioner for Refugees and OHCHR and regional commissions. Such studies could be used to inform a mid-term review of the Decade to monitor the progress made, share learning practices between key actors and inform plans and policies for the remaining five years of the Decade and beyond;

(h) Encourage ILO to carry out activities and programmes to combat racism, racial discrimination, xenophobia and related intolerance against people of African descent including migrants in work-related areas and to support actions of States, employers' organizations and trade unions in this field;

(i) Invite UNESCO to provide support to States in the preparation of teaching materials and tools for promoting teaching, training and educational activities relating to rights of people of African descent and their contribution to societies and their history;

(j) Encourage OHCHR to continue its fellowship programme for people of African descent during the Decade;

(k) International human rights treaty monitoring bodies and thematic and country-specific special procedures of the Human Rights Council, where relevant, should systematically monitor the human rights situations of people of African descent and request disaggregated information on this group during reporting, periodic sessions and country visits;

(l) Encourage OHCHR to continue its work on the development of a database containing good practices which has positive impact on addressing racial discrimination faced by people of African descent and invite States to share experiences, learning and practices to improve and systematise policies and programmes;

(m) Encourage the media to represent the diversity of a multicultural society and play a role in fighting racism, racial discrimination, xenophobia and related intolerance faced by people of African descent.

(n) Invite the General Assembly to consider:

(i) Requesting the Working Group on People of African Descent in collaboration with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Committee on the Elimination of Racial Discrimination to elaborate a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent by 2015 for the approval by the Human Rights Council;

(ii) Establishing as a result of the Decade a United Nations permanent forum for people of African descent to serve as consultation mechanism for representative organizations of people of African descent and other interested stakeholder;

(iii) Inviting UNESCO to create an archive of African memory to provide a user-friendly platform of knowledge about people of African descent history and contribution to the development of nations.

## **VIII. Coordination of the Decade**

50. In recognition of the fact that action at the national and local levels is crucial to the effective promotion and protection of rights of people of African descent, as is an effective international coordination structure, this Programme of Action lays out coordination plans at the following levels.

### **A. National level**

51. National focal points for implementation of the Programme of Action should be designated in States with populations of people of African descent. Such focal points may consist of specially constituted committees, including representatives of relevant Government agencies and NGOs (including people of African descent organizations) or, alternatively, existing appropriate structures or national human rights institutions.

52. National focal points, appropriately funded by States, should be involved with the development and/or the implementation of national plans of action, coordinating with regional and international bodies involved in implementing the objectives of the Decade and reporting to OHCHR on progress made towards the realization of the strategic goals of the Decade.

53. National focal points should serve as a conduit for channelling international and regional input, information and support to the local and grass-roots level in their respective countries.

54. States shall be encouraged to establish national human rights resource and research centres capable of engaging in research, training of trainers, preparation, collection, translation and dissemination of material related to the history and current situation of people of African descent, and organization of conferences, workshops and courses.

55. Civil society should (a) be encouraged to form national, regional and international networks to share learning, experiences and good practices, raise awareness of the situation of people of African descent and carry out joint advocacy and development initiatives; and (b) develop capacity-building programmes intended for people of African descent with a particular focus on developing leadership skills.

## **B. International and regional levels**

56. The Working Group recommends that the Human Rights Council:

(a) Invite the General Assembly to convene a mid-term World Summit on people of African descent involving the Member States, the United Nations specialized agencies, programmes and funds and civil society in order to assess the progress achieved part way through the Decade for People of African Descent and to adjust plans and strategies for the remaining years as appropriate;

(b) Request the Secretary-General to appoint the High Commissioner for Human Rights as the Coordinator of the Decade in order to follow up on the implementation of the provisions of the Programme of Action for the Decade. A progress report on the implementation of these provisions will be presented by the Secretary-General to the General Assembly biannually, taking into account information and views provided by States, relevant human rights treaty monitoring bodies, special procedures of the Human Rights Council and other mechanisms of the United Nations, international, regional and NGOs, including organizations of people of African descent and national human rights institutions;

(c) Invite the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action to adopt as a standing agenda item the implementation of the Programme of Action for the Decade for people of African descent and to act as a reporting mechanism for the Decade;

(d) Request that an inter-agency meeting with active participation of the Working Group be organized immediately after the proclamation of the Decade, with a view to planning working meetings and other activities;

(e) Request the High Commissioner for Human Rights to establish a project for the Decade of People of African descent to assist the funding of projects and programmes which promote the goals of the Decade and ensure the participation of people of African descent to the Working Group and the Permanent Forum.

## Annex I

*[English/French/Spanish only]*

### **List of stakeholders that provided replies to the questionnaire for the Draft Programme of Action for the Decade**

#### **Member States**

Bolivia, Brazil, Colombia, Costa Rica, Cuba, Greece, Guatemala, Mexico, Portugal, Slovenia, Spain and Uruguay

#### **International and Regional Organisations, United Nations programmes, funds and bodies**

CERD; Inter-American Commission on Human Rights; Office of the Resident Coordinator of the United Nations in Brazil; Organisation of American States, Department of International Law, Secretariat of Legal Affairs; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Special Rapporteur on Extreme Poverty; United Nations High Commissioner for Refugees; United Nations Educational, Scientific and Cultural Organization (UNESCO); United Nations Children's Fund Regional Office for Latin America and the Caribbean. National human rights institutions: Australian Human Rights Commission; Comisión Nacional de Derechos Humanos de México, Defensoría de los Habitantes, Costa Rica; Defensoría del Pueblo, Panama; Procuraduría para la Defensa de los Derechos Humanos, Nicaragua

#### **Non-governmental organizations, including academic institutions**

African Canadian Legal Clinic; African Diaspora, African European Women's Movement Sophiedela; ÁGERE Cooperação em Advocacy; African Hebrew Israelites of Jerusalem, Dimona; African Heritage Magazine; African Union 6th Region Facilitators; African World Studies Institute; Ancient African Market place; Association Relwendé pour le Développement; BlackEconomics; Caribbean Diaspora Association; Caribbean Rastafari Organisation; Centro de Desarrollo Étnico (CEDET); Centro de Estudos Feminista e Assessoria (CFEMEA); Commemoration Committee; Comunidade Bahá'í of Brazil; Congress Against Racism; Consejo Nacional Afro Boliviano; Coordenação Nacional de Entidades Negras; CRIOLA; Dream Africa; Educafro; Expressions d'Afrique; Federation of African Diaspora Organizations: Un Bondru; Federation of Black, Migrant & Refugee Women's Organizations & Youth Department Tiye; Federación Española de Afrodescendientes; Instituto da Mulher Negra (GELEDE); International NGO Congress; Global Migration Policy Associates; Grupo de Estudios étnico-raciales, Universidad del Valle, Colombia; Ichitoughanaim, Council for the Advancement of Rastafari; IYPAD Barbados NGO Chapter; Federal University of Rio de Janeiro; Law Keepers; Minority Rights Group International; Mundo Afro; National Commission against Discrimination of Panamá; National Monument Dutch Slavery Past; Network/Experts & Civil Society African (Diaspora) Non-State Actors; Our African Heritage; Pan-African Diaspora Union; Pan-African Strategic & Policy Group; Parents Association, St John's School; Red de Organizaciones de Mujeres Afro Guatemaltecas; Slavery Past; Sub-Committee for the Elimination of Racism; Sub-Regional Diaspora Council Coalition; Office of African Nova Scotian Affairs; Pan-Africanist of Black Communities; Universal Day of Hope Trust.

## Annex II

*[English/Spanish only]*

### **List of stakeholders that provided written comments on the first Draft Programme of Action for the Decade**

#### **Member States and Regional Groups**

African Group, Brazil and European Union.

#### **Non-governmental organisations**

African-European Women's Movement "Sophiedela," African Union Diaspora 6<sup>th</sup> Region Facilitators; BlackEconomics; December 12<sup>th</sup> Movement; Federation of Black, Migrant & Refugee Women's Organization & Youth Department "Tiye International"; Institute of Social Medicine and Community Health; International Association Against Torture; International Youth and student Movement for the United Nations; IYPAD Barbados NGO Chapter; National Monument Dutch Slavery Past; Pan-African Strategic & Policy Group; Plataforma Cumbre Mundial de Afrodescendientes and The Drammeh Institute.

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