



# HUMAN RIGHTS COUNCIL - 48<sup>th</sup> SESSION

## Item 9: Interactive dialogue with the Working Group of Experts on People of African Descent

04 October 2021

- *Environmental justice, the climate crisis and people of African descent – Annual Report of the Working Group of Experts on People of African Descent (A/HRC/48/78)*

### Opening remarks

**Ms. Dominique Day**, Chair of the Working Group of Experts on People of African Descent: in December, the Working Group adopted [Operational Guidelines on the inclusion of people of African descent in the 2030 Agenda](#). According to the report, People of African descent worldwide face environmental racism in the siting of landfills, toxic waste dispensaries, extractive industries, industrial and mining areas, factories and power plants and in other environmentally hazardous activities. TNCs develop lucrative endeavours that disregard or deny serious or deadly impact to local populations. Governments evade responsibility for the collateral consequences of the climate crisis for people of African descent. Efforts to address the climate crisis must take a human rights approach that centers impacted communities. Public goods, public services, and public administration are less available to people of African descent, irrespective of country's level of development. Truth-tellers have faced reprisals. **One study showed that in a region heavily impacted by both environmental racism and the climate crisis, reparations for people of African descent who had been enslaved would have decreased the impact of COVID-19 in that region by 31-68%.** Redress and repair require accountability. States should consider the [CARICOM 10-point action plan for reparations](#) for guidance in this regard. The Working Group calls upon all Governments to protect the right to a healthy environment in partnership with impacted communities of African descent globally. An assessment of racial impact should be a part of human rights due diligence efforts for all climate and environmental action. Climate financing should be localized to support community-led solutions.

### Interactive Dialogue

#### **Delegations that took the floor during the Interactive Dialogue (23 statements)**

EU, Peru (*on behalf of Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Panama, Peru*), Cameroon (*on behalf of the Group of African States*), Ecuador, Senegal, Indonesia, South Africa, Venezuela, Kenya, Cuba, Russia, USA, Peru, Brazil, China, Pakistan, Panama, Malawi, Mauritania, Tunisia, Egypt, Chad, Mauritius.

**EU:** Within the EU there are discussions on ways to improve access to justice in environmental matters through a revision of the Aarhus Regulation. **Peru on behalf of a group of countries:** Afro-descendants should be part of the climate solution; *what are the experiences on traditional knowledge of Afro-descendant populations that can contribute to the identification and implementation of mitigation and adaptation measures to climate change?* **Cameroon on behalf of African Group:** supported the recommendation for States to implement the CERD, the DDPA and the Programme of Activities for the International Decade for People of African Descent. **Ecuador:** [report of the visit of the WG to Ecuador in December 2019](#) is a reference of the most relevant achievements and challenges for Ecuador. **Senegal:** climate change has a disproportionate impact on the rights of people of African descent due to the historical and structural racism. **Indonesia:** persistent inadequacies to reduce greenhouse gas emissions has the heaviest impact on States in the global South that has been subject to historic exploitation, discrimination, and marginalization. **South Africa:** *what could be done to convince policy makers of states and multi-national corporation to heed the call for respect for and protection of the human rights of people of African descent, and other disadvantaged communities, when considering the placement of environmentally hazardous industries?* **Venezuela:** the full incorporation of ecosocialism is a fundamental element of Bolivarian Socialism, in the face of the crisis of the predatory system of capitalism. **Kenya:** the development of a UN declaration on the rights of people of African descent is important. **Cuba:** reiterated its firm commitment to the recognition of the African legacy in our societies. **Russia:** work on climate should be carried out separately - under the UN Framework Convention on Climate Change.



### Replies to questions and comments

**Ms. Dominique Day, Chair of the WG:** The Durban Declaration offered language and framework to ensure racial equality and equity, and remains highly relevant but political will is needed in this regard. *On the question of Peru:* representatives of Quilombo (Brazil) talked about how protection of biodiversity in the Amazon had really become a major focus of the Afro-Brazilian population, looking at countering agrobusiness. *On the questions of South Africa and Indonesia:* two key points here: 1) oversight of agrobusiness and big businesses is part of the states' protection role; these business are incredibly exploitative; it is little to no oversight by states; 2) we have to model the respect that we would like to see more broadly and we have to ask that our protection responsibilities extend not merely to the convenient actors, but also to the TNC, which must be accountable to states to continue their operations.

**USA:** *How will the WG amplify the efforts of the Permanent Forum and the panel of experts to investigate systemic racism in policing against people of African descent?* **Peru** is drawing up its first National Policy of the Afro-Peruvian People. **Brazil:** noted that the so-called "environmental racism" is not internationally recognized terminology; the discussion should take fully into account all the principles of international environmental commitments. **China:** seriously concerned that in the US, UK, Canada, Australia and other countries, Africans and people of African descent, Asians and Asians, and Muslims have been endangered by systemic racism, racial discrimination and hate crimes. **Pakistan** supported technology transfer and technical support mandates for developing countries. **Panama:** welcomed the guidelines provided by the Task Force to effectively guarantee environmental justice. **Malawi:** the impact of environmental crisis is predominantly pervasive in the Global South. **Mauritania:** people of African descent are often forced to live in areas vulnerable to environmental degradation. **Tunisia:** it is necessary to work jointly in order to develop environmental policies that can promote economic alternatives that contribute to the development of environmentally safe livelihoods for all. **Egypt:** African countries and countries affected by the legacy of colonialism should be supported in enhancing their capacity to resist climate change; reparations should be provided for the harm inflicted on people of African descent.

### NHRIs and NGOs that took the floor during the Interactive Dialogue (7):

Friends World Committee for Consultation, American Civil Liberties Union, Minority Rights Group, Advocates for Human Rights, Meezaan Center for Human Rights, International Organization for the Elimination of All Forms of Racial Discrimination, Africans in America for Restitution and Repatriation Inc

**Minority Rights Group:** concerned that decisions (so-called 30x30 plan) are being proposed at the international level without proper involvement of Afro-descendant communities. **Advocates for Human Rights:** U.S. should stop deportations of the Haitians until there are mechanisms to protect their human rights. **Meezaan Center for Human Rights:** *how the international community can effectively implement the DDPA to ensure the end of segregation de jure and become a reality de facto?* **International Organization for the Elimination of All Forms of Racial Discrimination:** *what steps should be taken to ensure accountability for the incidents that adversely affect the rights of the people of African Descent?* **Africans in America for Restitution and Repatriation Inc:** to end all forms of racism, a resettlement coordinating committee for descendant of enslaved Africans in the United States is in order.

### Concluding remarks

**Ms. Dominique Day, Chair of the Working Group:** people of African Descent must be a part of the solution to climate change. States should address ways in which people of African Descent were disproportionately affected: support community-led solutions, policies should be based on free, prior and informed consent of local communities. One concrete resource: [Operational Guidelines in the 2030 Agenda](#); offer a concrete and rich intervention contextualized with the framework of SDGs. The Working Group stands ready to provide technical assistance; and in implementing some of the information set forth in the Guidelines. What we found in our two technical visits, even a robust programming to address the SDGs have often failed to see acknowledge or redress regarding people of African Descent.

*Video recording of this meeting is available on the UN Web TV: [PART 1](#) (from 02:43:00) and [PART 2](#).*