

## Interactive dialogue with the Working Group on People of African Descent

3 October 2022

In her introduction, **H.E. Ms. Catherine S. Namakula, Chair of the Working Group of Experts on People of African Descent**, stated that over twenty years since the adoption of the DDPA and the creation of this WG the human rights situation of people of African descent remains an urgent concern. The WG is outraged at continued incidents of racially motivated violence against people of African descent, and the several racist and violent acts this year, including in the United States, Brazil and the Spanish-Moroccan border in Melilla. Despite the global attention to the issue since the murder of George Floyd by police in the United States, the excessive use of force and killings of people of African descent by law enforcement continues with impunity in many countries. The WG has repeated calls to Member States to consider the multiple, interconnected and compounding forms of discrimination faced by people of African descent in their interactions with law enforcement and other authorities, resulting from nationality, migration status, gender, colour, age, religion, disability, socioeconomic and other status. States should translate their commitments under IHRL into accountability and redress, and plans of action into tangible improvements in the lived situation of people of African descent. States should also exercise due care and diligence in the treatment of people of African descent on the move, and guarantee their access to safety, development and justice.

The WG commends the concrete steps taken for the protection of the human rights of people of African descent at the international, regional, national and local levels, including implementation of the programme of activities of the International Decade for people of African descent and the agenda towards transformative change for racial justice and equality set out by OHCHR. It also welcomes the operationalization of the Permanent Forum of people of African descent, the establishment of EMLER, an independent mechanism on law enforcement, and the increased capacity of the OHCHR to address these concerns. Ms. Namakula then presented three reports: the WG's annual report on Children of African descent and reports following official country visits to [Portugal](#) (from 29 November to 6 December 2021) and [Switzerland](#)<sup>1</sup> (January 2022).

**Portugal (Country Concerned), Mr. Rui Macieira** thanked the Working Group for their visit and their report, the recommendations of which the country is analysing in detail. The report has been shared with civil society organizations and representatives of persons of African descent. Mr. Macieira said that like everywhere else, racism exists in Portugal. It results in part from historical processes, such as the legacies of colonialism and slavery, as well as more contemporary forms of hate speech and incitement to violence. He assured that combatting the scourge of racism, including against persons of African Descent, is a top priority. As recognized in the report, there is an emerging dialogue on systemic racism and its roots in historical processes and the Government's engagement with civil society in defining its anti-racism agenda. Last year, Portugal approved its first National Plan to Combat Racism and Discrimination 2021-2025., the first plan of its kind in the EU. The country has adopted a law in 2017 which strengthened the prohibition of discrimination based on race and gave enhanced powers to the Commission for Equality and Against Racial Discrimination. On law enforcement, Portugal adopted a plan to prevent discriminatory practices by police force and accountability measures for law enforcement officers, such as the compulsory use of body-worn cameras and video surveillance. Furthermore, Portugal is proceeding to create an independent observatory on hate speech, racism and xenophobia and highlighted an emerging representation of people of African descent in leadership and policymaking roles, including women of African descent. Finally, Portugal has been urging all States to adopt and fully implement the International Convention on the Elimination of All Forms of Racial

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<sup>1</sup> Advanced Unedited Version, 6 October 2022.

Discrimination. Last year Portugal cofacilitated, together with South Africa, the commemoration of the twentieth anniversary of the DDPA.

**Switzerland (Country Concerned), Mr. Jürg Lauber** stated that they have taken good note of the report and its conclusions and recommendations. Switzerland agrees with the observation that racism and racial discrimination – including against people of African descent – are problems that must be tackled urgently. The structural dimension needs further research, and, in this regard, the Anti-Racism Service will publish a study on “Structural Racism in Switzerland” this autumn. Structural racism and structural racial discrimination are already recognized as a problem and are the subject of increasing debate by authorities and politicians. Mr. Lauber pointed out that federalism, as the WG notes, is an opportunity to adapt anti-racist work to the conditions prevailing in the cantons, municipalities or cities. However, federal structures can also represent a challenge in terms of coordination and coherence of policies and measures. Mr. Lauber regretted the short time available during the visit for exchanges with the authorities in many of the areas, which may have led to certain assumptions or misunderstandings. Many general conclusions seem to be based on one or a few individual cases only, which are not representative of the situation in general. At the same time, the COVID-19 pandemic and the sanitary measures in force at the time of the visit also limited the possibilities for field visits. Mr. Lauber further regretted that some of their factual corrections were not retained, and that the final version of the report reached them very late. He hopes that constructive exchanges will continue after the presentation of the report. Mr. Lauber highlighted Switzerland's commitment in three areas mentioned in the report: each of the 26 Swiss cantons now has a counselling centre for victims of racial discrimination; courses on diversity management and anti-discrimination issues are an integral part of police training; ND the federal and cantonal authorities support numerous civil society initiatives, including projects aimed explicitly at combating anti-Black racism. The Swiss authorities are currently actively examining the recommendations of the Committee on the Elimination of Racial Discrimination listed in its periodic report for 2021. They will report on their implementation in future reports to CERD.

### Interactive dialogue

23 country delegations took to floor during the interactive dialogue. The speakers expressed their concern about the situation of special vulnerability of Afro-descendant children. **Côte d’Ivoire (on behalf of the African Group)** shared the concern that racial discrimination continues to harm children of African and that they face inequality in all areas of life. At the mid-point of the International Decade for People of African Descent, the Group called for a concerted effort to promote and protect the rights of children of African descent, equally as for we would for children from other races. **The EU** stated that within the EU, children from all racial or ethnic backgrounds must have equal access to education, in line with the EU Racial Equality Directive. Teachers must be trained to be sensitive to the needs of pupils from different backgrounds, including on issues relating to racial discrimination, and Schools should be free from bullying, racism and discrimination.

Several speakers commended the working group for its report and supported its recommendations. **Angola** took note with interest of the report on the country-visit to Portugal, particularly on the positive developments observed to prevent racism and racial discrimination faced by people of African descent. As a friend, Angola invites national authorities to continue to implement the National Plan to Combat Racism and the working group ‘recommendations. **Botswana** concurred that the realization of the goals and targets of the SDGs should entail acknowledging the negative impact of racism, racial discrimination, related intolerance and poverty as structural and systemic barriers to sustainable development for people of African descent. **Malawi** stated it was clear that grave abuses of rights of children of African descent continue and drew attention to trafficking as essentially organized crime involving many players even across borders, making regional and international cooperation vital to end this vice. Malawi continues to take anti trafficking measures, firstly by enacting the Trafficking in Persons Act and working within regional frameworks such as SADC. **Namibia** stated that comprehensive policy reform was necessary to address systemic racism, including structural and institutional racism, to ensure that public services are child-friendly, responsive and non-punitive.

**South Africa** echoed the African Groups call on the international community to make a concerted effort to promote and protect the rights of children of African descent, as they would for children from other races.

**Costa Rica** called on all States to comply with their obligations of special protection for children, in accordance with the CRC, and to include the voices of Afro children in the development of specific public policy concerning them. **Ecuador** highlighted that the COVID-19 pandemic has reversed the gains made in various areas, with disproportionate impacts on the rights of children of African descent, noting, that public policies and programs that concern Afro-descendant children and youth must be comprehensive and inclusive. **China** expressed deep concern over the issue, agreed with the relevant recommendations made in the report, and called on relevant countries to ratify the Convention on the Rights of the Child, comprehensively review their own laws and policies, abolish discriminatory measures and practices against people of African descent, and address systemic racism. **Cuba** stated that violent racist acts persist in most developed Western countries, including the growing and uncontrolled violence with firearms, not only by police forces but by civilians, including supremacist, racist and neo-fascist groups and individuals. The country maintains a strong historical policy against racism and racial discrimination, and in 2019, Cuba approved the National Program against Racism and Racial Discrimination. **The Russian Federation** was particularly concerned over the information about the practice of removing children from their families and depriving them of parental rights, rooted in certain countries and based on racist stereotypes.

**UNFPA** stated that children of African descent continue to be affected by systemic racism and inequalities rooted in the legacy of enslavement and colonialism, driving differences in child mortality, while the rates of maternal mortality, gender-based violence, sexual violence and trafficking are also higher for women and girls of African Descent throughout the globe. School girls of African descent are much more likely to be disciplined, and it is important to re-imagine education to avoid these and other forms of discrimination as well as mis-portrayals of African and Afro-descendant contributions to society, history, customs and culture. UNFPA pledges to combat these trends by continuing working alongside women and girls of African descent, by supporting governments to integrate comprehensive sexuality education, addressing intersectional discrimination in the school curriculum as well as challenging power differentials. UNFPA is strengthening national statistical systems to ensure data disaggregation, including on race and educational attainment with a view to informing policy responses that tackle structural discrimination and oppressive structures at the root of inequality.

**NGOs** highlighted that violations of sexual and reproductive rights (SRHR) are used to control people of African descent, depriving them of the opportunity to make their own decisions about their bodies, families, and lives. Justice for individuals and communities of African descent requires that State parties respect, protect, and fulfil their rights to bodily autonomy. Several speakers were alarmed by the increasing number of murder victims in the United States committed by police against people of African descent. Others highlighted the need to include experts in civil, political, social and cultural fields as noted in the DDPA as well as the need for special measures to be incorporated in order to combat racial discrimination and inequality faced by children of African Descent. An NGO drew attention to the need for Brazil to make effective the commitments assumed internationally, through the creation and implementation of policies to eliminate all forms of discrimination racial, recognizing religious prejudice as a multiplier of other forms of discrimination. **International Youth and Student Movement for the United Nations**, in a joint statement, pointed out that the legacies of colonialism, racial segregation and enslavement have been upheld throughout generations by member states who turn a blind eye to the systemic nature of racism. In the Global North, children of African descent are indoctrinated with a sense of low self-worth from an early age, and parents of children of African descent have noticed a trend where the teachers and educators mark down the grades of children of African descent, thereby restricting their entrance to "elite" schools. Furthermore, a study establishes that the books used for school curriculum from kindergarten to high school in the twenty-one German-

speaking cantons in Switzerland promote ideologies of white supremacy, xenophobia, and far-right ideologies.

Delegations that took the floor during the Interactive Dialogue (23 country delegations):

*Brazil (on behalf of a group of countries), Côte d'Ivoire (on behalf of a group of African States), European Union, Sierra Leone, Libya, Ecuador, Costa Rica, Panama, Cuba, Venezuela, South Africa, Brazil, Russian Federation, Namibia, China, Peru, United States, Malawi, Holy See, Botswana, Tunisia, Luxembourg, Angola.*

NHRIs and NGOs that took the floor (7):

*International Youth and Student Movement for the United Nations (Joint Statement), Friends World Committee for Consultation, Center for Reproductive Rights, Rencontre Africaine pour la défense des droits de l'homme, Conectas Direitos Humanos, Elizka Relief Foundation, International Organization for the Elimination of All Forms of Racial Discrimination.*

**International organizations (2):** *United Nations Population Fund, UN Women.*

To watch full meeting refer to [UN Web TV](#).