

## HUMAN RIGHTS COUNCIL – 57th SESSION

### Enhanced Interactive Dialogue with the High Commissioner and International Independent Expert Mechanism to advance racial justice and equality in law enforcement

02 October 2024

**Mr Volker Türk, United Nations High Commissioner for Human Rights**, in his opening remark, stressed that across the globe, the scourge of racism, racial discrimination, xenophobia, and related intolerance continues to fester. In addition to being African or of African descent, a particular individual may also be a woman, a migrant, a child, LGBTIQ+, have a disability, or are living in poverty – or a combination of these. These various facets of who they are compound the discrimination that they face. In this vein, he shared some examples of intersecting forms of discrimination, including disparities in accessing sexual and reproductive health services and in the criminal justice system.

He reiterated a strong call for full **justice and accountability** of recent illustrative cases of deaths of people of African descent worldwide.

In conclusion, he affirmed that approaching systemic racism facing Africans and people of African descent through an **intersectional lens** can be a game changer. It would enable States to analyze holistically and comprehensively the human rights concerns faced by Africans and people of African descent in all their diversity; as well as their root causes. It can facilitate the development of a multidimensional analysis of the interconnected nature of human rights concerns faced by Africans and people of African descent in all their diversity.

**Ms Paola Yañez Inofuentes, Regional Coordinator of Red de Mujeres Afro Latinoamericanas, Afro Caribeñas y de la Diáspora**, shared information concerning the **advances in gender-based policies in Latin America**. In the case of Afro-descendant women, an intersectional discussion must start from the recognition that the main characteristic of racism is that it is institutional and structural.

In these investigative countries, it is possible to observe the advance in the norm of protection against female victims of violence. The official statistical information requirement is to generate current information. We hope that the perception of the comparison between Afro-descendant women is that the politics of violence are only evaluated in general terms and that it does not respond to the specific needs of attention to violence against Afro-descendant women, and we do not contemplate racist violence.

The situation of vulnerability before the context of armed conflict, displacement, political violence, insecurity in the city, and the increase in the carrying of weapons, among other situations, worsened in the territories inhabited by many Afro-descendant women.

In conclusion, the naturalization of violence against Afro-descendant women must be dealt with. It is not possible to eject the last life into a free life from violent acts. Racial discrimination and gender discrimination intersect and complement the response to violence generally against Afro-descendant women; This implies that the international community must incorporate intersectional and intercultural encounters into prevention and responsibility policies.

**Ms Rokhaya Diallo, Member of the O’Neill-Lancet Commission on Racism, Structural Discrimination and Global Health** addressed the Council on about how **women of African descent** are particularly affected by racism. Muslim athletes with a hijab or foulard were banned from the Olympic games in their own country whilst men sharing the same conditions as well as Muslims coming from other countries were allowed to enter the games freely. This is a stigmatizing interpretation of the principle

of secularism which is supposedly to protect the neutrality of the state but not of citizens and French Muslim women cannot exercise their freedom of belief or the rights of their bodies. **Systemic racism is born of slavery, colonialism, and genocide and it still characterizes the fates today.**

In the U.S. black women are three to four times more likely to die from pregnancy-related complications than white women.

She added that **cyberbullying freedom of expression** of non-white women faces many obstacles. They are not represented in public life, and they are encouraged to avoid questioning racial issues.

She recalled that **migratory policies** are increasingly seducing a public that wants to believe more and more in xenophobic theses. The international community must protect the lives and voices of the most vulnerable because they are being attacked by deep-seated structural racism.

**Ms Akua Kuenyehia, Chair of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement**, affirmed that manifestations of systemic racism against Africans and people of African descent by law enforcement and in criminal justice systems are still prevalent in many parts of the world. **The Mechanism hears repeatedly about the difficulties they face when demanding justice, accountability, and redress for violations by law enforcement officials.**

She presented the new **report** of the Mechanism, identifying three minimum steps that States need to take to ensure justice, accountability, and redress. Firstly, States need to establish effective reporting, review, and investigation procedures. Secondly, States need to establish independent civilian oversight bodies for law enforcement. Victims of racially motivated police misconduct are in a particularly vulnerable situation since often they have to file a complaint at the same institution and sometimes with the same individuals who are the perpetrators. Thirdly, States also need to establish independent mechanisms to support victims and communities. The best way to do it is through a specialized mechanism specifically designed to support them.

**Brazil (country concerned)** stressed its full commitment to the promotion and protection of the human rights of its population and it is in its interest to keep a transparent and open relationship with international and regional bodies dedicated to human rights.

This visit provided an opportunity to address a serious issue, that of violence perpetrated by police and other public security bodies, and to coordinate efforts and find solutions to foster greater respect for human rights. Since 2023, a key priority of the Brazilian government has been to reduce violence against people of African descent and to implement public policies aimed at this very vulnerable group. This commitment led to the establishment of the Ministry of Racial Equality and initiatives to enhance social participation and diversity within the government.

The visit and report made a significant contribution to several public policies currently being developed directly addressing the issues highlighted today. For instance, to **reduce lethal violence against people of African descent**, the Ministry of Racial Equality has developed a program called black youth alive. The goal is to reduce homicides and social vulnerabilities as well as to promote intersectoral policies in areas such as public security, employment, health, education, culture, and sports, among others. The Ministry of Justice and Public Security launched in 2023 a **national program of public security with citizenship**, to encourage local states and municipalities to build public security policies with a community-based approach and an intersectional perspective. Moreover, the Brazilian constitution has established a system for the distribution of competencies in public security allowing federal, state, and municipal governments the autonomy to manage their own police and public

security forces. These general guidelines intend to bind and promote greater uniformity and accountability in the work of both the police and the prison system.

**Italy (country concerned)** highlighted that during the visit, the mechanism understood better efforts made by Italy to fight racism and to promote racial justice, taking also into account the vision and guiding principles set out in the United Nations 2030 Agenda aimed at fostering just and inclusive societies.

As outlined in the report, the Italian system is a complex and multilevel organization with numerous central and local administrations involved in the definition and implementation of policies, measures, and interventions on the ground working together with the view to preventing, countering, and prosecuting discriminatory behaviors and acts. Over the past few decades, the country has taken steps to strengthen its regulatory framework based on the Italian constitution. This is a complex process guided by the need to adopt legislation to reflect the changes in the Italian social, political, and economic context while preserving the principles and values at the foundation of our country system in line with international legal standards.

Italy is facing a number of significant challenges which we are addressing with renewed commitment and determination, including issues related to the management of migration flow and the administration of the justice system and detention institution.

### Interactive dialogue

29 country delegations took the floor during the interactive dialogue. **The majority of the countries stressed the key elements of intersectionality as an essential framework to combat systemic racism and discrimination and to confront the legacies of slavery, slave trade, and colonialism.** In this regard, integrated, intersecting, and holistic approaches must be adopted to ensure the effectiveness of policies and other measures against racism, racial discrimination, xenophobia, and related intolerance. **Gambia, Ethiopia, South Africa, and the African Group** added that as the scourge of discrimination including structural and systemic racism remains the root cause of poverty, marginalization, social exclusion, and inequalities, it remains critically important to find ways to deal with this challenge confronting Africans and people of African descent around the world as well as other minorities. Racism, racial discrimination, xenophobia, and related intolerance are manifested on the grounds of race, color, descent, or national or ethnic origin and victim-survivors can suffer from multiple and aggravated forms of discrimination. Where racial inequalities persist, they manifest in different forms, in access to education, jobs, healthcare, or justice, observed **Cote d'Ivoire**.

**Tunisia and Kuwait** remained concerned about hate speech and intolerance against Muslims, that discrimination affects public policy which seeks to prevent Muslims from exercising their civil rights. The occupying power continues its crimes in occupied Palestine based on its racist policies and persists in its systemic policies to legitimize hate and extremism. **The State of Palestine** affirmed that structural racism and discrimination are rooted in legacies of enslavement and colonialism and still prevail around the world with a tremendously negative impact on the enjoyment of human rights. **Colombia**, informing about implementations of national capacity-building programs, shared the importance of having civil oversight organs and independent mechanisms to provide support to victims and communities. Justice, accountability, and reparations should be central in combating racism and discrimination against Africans and persons of African descent around the world, stressed **Egypt**.

While Iran, Belarus and China shared the HC's concerns on the difficulties faced by the people of African descent in accessing justice in certain Western countries, **Venezuela**, raised concerns about the impact of climate change on the population of African descent because of inadequate capitalist production methods and excessive production affecting the Developing Countries in particular.

**NGOs** reported data and figures of racial violence in the criminal justice system and prisons in Brazil, since 1992. They acknowledged the critical issue of racial discrimination against Africans and people of African descent and the urgent need for concrete steps to ensure access to justice, accountability and redress for the excessive use of force by law enforcement officers. Women and girls of African descent face compounded discrimination due to both their race and gender. **The International Organization for the Elimination of All Forms of Racial Discrimination** urged all nations and I repeat all nations especially developed ones like the United States, and the United Kingdom to move forward and adopt measures and set a global example. **Human Rights Watch** added that in France, black and Arab people face persistent and ongoing discriminatory police harassment that can have life-altering impacts and undermine the effective community's trust in the French police and institutions.

Delegations that took the floor during the Interactive dialogue (29 country delegations):

*Gambia (on behalf of a Group of African States), Iceland (on behalf of a group of countries), European Union, Kuwait, United States of America, Luxembourg, Colombia, South Africa, Côte d'Ivoire, Malawi, Togo, Egypt, Cuba, Ghana, Russian Federation, Malaysia, Venezuela (Bolivarian Republic of), China, Tunisia, Bolivia (Plurinational State of), Belarus, Namibia, Cambodia, Ethiopia, Honduras, Iran (Islamic Republic of), European Public Law Organisation (EPLO), State of Palestine, Uganda.*

NHRIs and NGOs that took the floor during the Interactive dialogue (12):

Justiça Global, International Organization for the Elimination of All Forms of Racial Discrimination, Islamic Human Rights Commission, Geledés - Instituto da Mulher Negra, Association for the Prevention of Torture, International Service for Human Rights, Human Rights Watch, Institut International pour les Droits et le Développement.

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