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

Economic empowerment of people of African descent

Report of the Working Group of Experts on People of African Descent*

Summary

The present document contains the report of the Working Group of Experts on People of African Descent on its thirty-first and thirty-second sessions, prepared pursuant to Human Rights Council resolutions 9/14, 18/28, 27/25, 36/23 and 45/24.

During its thirty-first session, held in Geneva from 28 November to 2 December 2022, the Working Group held private discussions. At its thirty-second session, held in Geneva from 1 to 5 May 2023, the Working Group focused on the theme “Economic empowerment of people of African descent”. The Working Group also held a special event on 4 May 2023 entitled “Durban memoirs by the legends of Durban”.

The Working Group has concluded that racial inequality and racial discrimination in multiple and diverse forms fuel poverty, economic inequality and violations of the inalienable human rights of people of African descent across the globe. The Working Group makes several recommendations to address these concerns, key among these is the provision of appropriate resources for the implementation of the Durban Declaration and Programme of Action, a call for a second decade for people of African descent and commitment for the finalization of the declaration on the rights of people of African descent.

* The annex to the present report is circulated as received, in the language of submission only.



I. Introduction

1. The present report is submitted to the Human Rights Council in accordance with Council resolutions 9/14, 18/28, 27/25, 36/23 and 45/24, in which the Council requested the Working Group to submit an annual report on all activities relating to its mandate. The report is focused mainly on the deliberations of the Working Group at its thirty-second session.
2. The Working Group of Experts on People of African Descent held its thirty-first session at the United Nations Office in Geneva from 28 November to 2 December 2022 and its thirty-second session at the United Nations Office in Geneva from 1 to 5 May 2023. Representatives of Member States, international organizations, regional organizations and non-governmental organizations and invited panellists participated in the latter session (see annex). The session was held in hybrid format and it was also webcast and recorded.

II. Organization of the thirty-second session

A. Opening of the session

3. In his opening statement, the Chief a.i. of the Rule of Law, Equality and Non-discrimination Branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR) welcomed the convening of the thirty-second session of the Working Group on the economic empowerment of people of African descent. He called on States to enact action-oriented policies against the persistence of racial discrimination, noting that the High Commissioner, in his global update to the fifty-second session of the Human Rights Council, had called for solutions to manifestations of racial discrimination to be rooted in the universality of rights. He underscored the importance of a human rights economy in ensuring action on reparatory justice and the economic empowerment of people of African descent. He noted that the economic empowerment of people of African descent required not only their inclusion in all spheres of life, but their direct and active participation. He concluded by noting that while the International Decade for People of African Descent ends in 2024, an incredible amount of the programme of activities of the Decade remained to be implemented. Consequently, he reiterated the High Commissioner's appeal to Member States to consider its implementation.
4. The Master of Homerton College, Cambridge, Lord Woolley, delivered the keynote address. He referred to the death of George Floyd and the coronavirus disease (COVID-19) pandemic as catalysts for dismantling structural, systemic and institutional racism. He spoke of the progress that had been made globally, but reiterated the risks that the pursuit of racial equality faced, not least from people of African descent who were impervious to the deterioration of the situation of people of African descent, including reversals on prior commitments. Lord Woolley expressed disappointment at the response of his own Government to the recommendations of the report of the Commission on Race and Ethnic Disparities into racial and ethnic disparities in the United Kingdom of Great Britain and Northern Ireland. He spoke of the pathways out of poverty and disadvantages for people of African descent and called for allies of all races to join in the fight against racism.

B. Election of the Chair

5. Barbara G. Reynolds was elected Chair of the Working Group.
6. The outgoing Chair, Catherine Namakula, welcomed Ms. Reynolds as the new Chair of the Working Group. Ms. Reynolds thanked Ms. Namakula for her achievements during her tenure as Chair and welcomed the new member from the Asia-Pacific region, Bina D'Costa and wished her well in her tenure.

C. Organization of work

7. The Working Group adopted the agenda and programme of work for its thirty-second session.

III. Activities of the Working Group (July 2022–July 2023)

8. The Chair informed participants that the Working Group had submitted its annual report, on children of African descent,¹ and reports on its official visits to Portugal² and Switzerland³ to the Human Rights Council at its fifty-first session. It had also engaged in a constructive interactive dialogue with Member States during that session of the Council. The Working Group had presented its annual report to the General Assembly at its seventy-seventh session and participated in an interactive dialogue with the Third Committee of the Assembly on 31 October 2022.

9. At its thirty-first session, the Working Group held closed meetings, during which it considered internal matters, including future work, country visits and communications, and held consultations with various stakeholders, including representatives of Governments, civil society and OHCHR. The Working Group held two hybrid meetings: one with civil society and the other a high-level meeting with Permanent Representatives of the African Union and the African Group. The Working Group took several decisions during the session, including regarding cases brought before it and the agenda for its thirty-second session. It also developed a framework for the preparation of its 20-year review report, requested by the Human Rights Council in resolution 51/32.

10. The Working Group undertook a visit to Australia from 12 to 20 December 2022 and issued a media statement with its preliminary findings at the end of its visit. It also undertook a visit to the United Kingdom from 18 to 27 January 2023 and held a media conference afterwards. The Chair thanked the Governments of Australia and the United Kingdom for cooperating with the Working Group and facilitating those visits.

11. The Working Group continued to participate actively in events, interact with civil society and assist stakeholders in the implementation of the International Decade for People of African Descent. On 31 October and 1 November 2022, Ms. Reynolds participated as Rapporteur at a regional meeting for the Middle East for the International Decade for People of African Descent organized by OHCHR in Geneva. Member of the Working Group, Sushil Raj, participated in a panel on development. In 2022, the Working Group seized opportunities to raise awareness and call for the implementation of the Decade, including during its country visits. Throughout the year, the Working Group continued to actively promote and participate in activities to assist stakeholders in the implementation of the programme of activities at the national level, according to the three pillars of the Decade: recognition, justice and development. The Working Group made a submission to, and Ms. Namakula participated in, the session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action held in Geneva on the draft United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent in October 2022. The Working Group stands ready to continue to assist in this important endeavour.

12. The Working Group has actively engaged with Member States through its communication procedures. During the reporting period, the Working Group sent 13 communications regarding allegations of human rights violations to Brazil, Colombia, Guyana, Mauritius, Morocco, Spain, Tunisia, the United Kingdom and the United States of America and to Twitter, Google, Facebook and Apple. The communications sent and replies received are included in the joint communications reports of special procedure mandate holders submitted to the Human Rights Council.⁴ The Working Group also issued 18 media

¹ [A/HRC/51/54](#).

² [A/HRC/51/54/Add.2](#).

³ [A/HRC/51/54/Add.1](#).

⁴ [A/HRC/52/3](#) and [A/HRC/53/3](#).

releases and statements and engaged through social media. The Working Group urged States to ensure accountability for the human rights violations faced by people of African descent and end structural racism.

13. The Working Group continued its work with international and development institutions and the specialized agencies of the United Nations system to promote the protection of the human rights of people of African descent. It conducted technical visits to Uruguay (Montevideo) from 21 to 24 March 2023 and to Mexico (Mexico City, Guerrero and Acapulco) from 27 to 30 March 2023. These visits were within its mandated activities⁵ and were at the invitation of, and hosted by, the Resident Coordinator's office and the United Nations country team in Uruguay and by the office of the United Nations Population Fund (UNFPA) in Mexico, with support from the OHCHR country office. The purpose was to contribute to the capacities of United Nations agencies, their advocacy and the implementation of prior recommendations of reports by various human rights mandates and treaty bodies for the promotion and protection of the human rights of people of African descent. During the visits the Working Group participated in an event on 21 March in Montevideo, delivered lectures and held meetings to advocate for an increased focus on people of African descent in development programming, and provided technical assistance on a human rights-based approach for implementation of the Sustainable Development Goals as they relate to Africans and people of African descent. The Group also provided support to the United Nations system and development partners on strategies for implementation of the International Decade for People of African Descent and its programme of activities at the national and local levels.

14. From 17 to 25 October 2022 the Chair of the Working Group, Ms. Namakula, and member, Ms. Ekiudoko, participated in the seventy-third ordinary session of the African Commission on Human and Peoples' Rights, including the forums held by non-governmental organizations (NGOs) and national human rights institutions preceding the session. They participated, together with other special procedure mandate holders, in the context of the tenth anniversary of the Addis Ababa Roadmap 2012–2022 to set the vision for the next decade. The Working Group organized a panel on people of African descent during the NGO forum and convened and organized a side event on the African reparations agenda during the session. The Working Group also held meetings with the Chair and Vice-Chair of the Commission and other commissioners to discuss the human rights situation of people of African descent and Africans in the diaspora and to call for greater action to protect their human rights. They specifically requested the Commission to include the state of human rights in the African diaspora as a standing agenda item of sessions of the Commission. The Commissioners promised to increase their focus on the diaspora. The Chair of the Working Group delivered a statement during the meeting of the Commission under agenda item 4, the state of human rights in Africa, and submitted a draft resolution on people of African descent and Africans in the diaspora for consideration by the Commission. The Vice-Chair of the Commission sponsored the resolution for adoption by the Commission. The members of the Working Group are proud of their contribution and welcome the adoption of the resolution on "Africa's reparations agenda and the human rights of Africans in the diaspora and people of African descent worldwide".⁶

15. On 3 November 2022, the Working Group Vice-Chair, Ms. Reynolds, met with the Rapporteur on the Rights of Persons of African Descent and against Racial Discrimination and her team at the Inter-American Commission on Human Rights, in Washington D.C., to discuss issues of common concern and strategies to address them.

16. The Working Group also participated in in the first and second sessions and some side events of the Permanent Forum on People of African Descent, which were held from 5 to 8 December 2022 and from 30 May to 2 June 2023 respectively. The Working Group also participated in coordination meetings with the Permanent Forum for People of African

⁵ In accordance with its mandate, the Working Group liaises with financial and developmental institutional and operational programmes and specialized agencies of the United Nations with a view to contributing to development programmes intended for people of African descent, as well as other affirmative or positive measures and strategies within the human rights framework.

⁶ ACHPR/Res.543 (LXXIII) 2022.

Descent, the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination, the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action and the Committee on the Elimination of Racial Discrimination to explore ways to strengthen collaboration between the anti-racial discrimination mechanisms on issues of mutual concern. In that regard, the Working Group made a submission to the Committee on the Elimination of Racial Discrimination at its 107th session on 23 August 2022 for consideration during the thematic discussion in preparation for its general recommendation No. 37 on racial discrimination and the right to health under article 5 (e) (iv) of the International Convention on the Elimination of All Forms of Racial Discrimination.

17. Among other activities undertaken by the members of the Working Group, Ms. Namakula participated in the Brazil Latinidades, the international day of Afro-Latin, Afro-Caribbean and diaspora women (July 2022); in the Eleventh Assembly of the World Council of Churches (September 2022); in an Africa Day webinar on exploring the nexus between racism, xenophobia and the African Continental Free Trade Area, and the free movement protocol by the World Council of Churches (May 2023); and in a webinar on reclaiming the codification of the international crime of the slave trade by Emergent Justice Collective (May 2023). Ms. Reynolds participated in an episode of the podcast series by the United Nations Children's Fund on hate speech and its impact on child rights; in a video message for the OHCHR offices for Latin America and the Caribbean for the International Day of People of African Descent; and in a panel on digital equity, a side event organized by the Daniel Initiative during the second session of the Permanent Forum on People of African Descent (June 2023). She delivered a paper entitled "Connecting the past and the future – children of African descent" at the first session of the Permanent Forum (December 2022); and a paper on transnational migration at the second session of the Permanent Forum (June 2023). Ms. Reynolds also participated in the tenth annual Forum on Business and Human Rights (December 2021) and in a meeting of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme (August 2022). She also took part in consultations with civil society organizations in Cartagena, Colombia (September 2022). Ms. Day participated in the first and second sessions of the Permanent Forum on People of African Descent; in a symposium on the global anti-racism architecture of a United Nations event on the theme of "Can the United Nations end racism?" organized by Gay McDougall, a member of the Committee on the Elimination of Racial Discrimination, at Fordham Law School, New York, at which other panellists included the Chair of the Committee on the Elimination of Racial Discrimination, the Chair of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, two members of the Permanent Forum on People of African Descent and the Special Rapporteur on racism. The Chairs of the Working Group of Experts on People of African Descent and of the Ad Hoc Committee on Complementary Standards also attended. Ms. Day also participated in an event organized by the Commission on Crime Prevention and Criminal Justice on the theme "Justice for all: global action to combat discrimination and inequality in criminal justice systems" (May 2023); in climate justice and reparations convenings by Taproot Earth/Taproot Noire in Cabo Verde (April 2023); in "The Lid Is On" podcast discussion, "Acknowledging the 'moral wound' of slavery" (August 2022) and the *Freedom, Dignity and Justice* podcast discussion, "Overcoming the enemies of equality"; in seminars on race, business and human rights for the University of Bergen Institute (November 2022); in an event on the theme of "Healing historical trauma: the vital role of family integrity in restoring health and wellness for people of African descent" convened by Children's Rights, JMACforFamilies and the American Civil Liberties Union. In United Nations Week she gave the keynote speech at events at Occidental College in Los Angeles (February 2023). She participated in an event on the theme of human rights, environmental racism and climate justice convened by the University of California, Los Angeles, Promise Institute (March 2023); in a seminar on the theme of "Racial discrimination: the international human rights agenda" at the American University Washington College of Law Academy on Human Rights

and Humanitarian Law; in a virtual event on the theme of “Three years after George Floyd: is the global racial reckoning done?” organized by the office of the United States Special Representative for Racial Equity and Justice (May 2023); in an event on the theme “A more equitable Switzerland: what can organizations do?” organized by the St. Gallen University Competence Centre for Diversity and Inclusion (August 2022); and in an event on the theme of “Ongoing legacies of colonialism and the transatlantic and trans-Saharan trades in enslaved Africans” organized by Birthmark of Africa and OHCHR (August 2022). She also participated in a meeting organized by the UNESCO International Scientific Committee for the project “Routes of enslaved peoples: resistance, liberty and heritage” in Halifax, Canada, (June 2022); in a meeting of the UNFPA reference group on the maternal mortality fact sheet and in a launch event at the Permanent Forum for People of African Descent (November 2022). Ms. Day also contributed to the UNFPA brief “In our own words: voices of women of African descent for climate and reproductive justice” (December 2022); organized the Working Group’s amicus curiae interventions to the United States and the European Court of Human Rights; and offered expert testimony to the New York Advisory Committee to the United States Commission on Civil Rights in its inquiry into the New York child welfare system and its impact on black children and families (April 2023). Ms. Ekiudoko was a panellist at a reparations and racial healing event in Bellaggio in July 2022 and a panellist at the reparations and racial healing summit held in Accra in August 2022. She was a keynote speaker at the World Health Organization virtual event on the International Day of People of African Descent (August 2022); and on the role of international organizations on the virtual platform *SDG Nugget Hour* in November 2022 and on the occasion of International Women’s Day on 25 March 2023. She was the moderator of and a keynote speaker at the Women of African Descent Europe conference on the theme of “Recognition, justice and development” (April 2023). She was also a keynote speaker at an event, held on 9 June 2023 in Hungary, to celebrate the sixtieth anniversary of the African Union.

18. The Working Group has followed several emblematic cases with relevance to its mandate and in some of them it has asked to submit or has submitted amicus curiae briefings. For example, on 1 March 2023 in the United States, in the case of *Commonwealth v. Mumia Abu Jamal*, relating to the relevance of dismantling systemic racism using newly-discovered, deliberately withheld evidence; and in Switzerland to the Swiss courts and the European Court of Human Rights, in *Switzerland v. Brian K.*, with respect to the role of systemic racism and racial stereotyping in the ongoing detention of Brian K. on ever-changing grounds since his childhood. Throughout the year, the Working Group members gave individual interviews to the media.

IV. Summary of deliberations

Thematic analysis: economic empowerment of people of African descent

19. The Working Group devoted its thirty-second session to exploring how systemic racism and global economic structures and financial mechanisms affect the economic and financial empowerment of people of African descent.

20. The first panel, entitled “Trade and trafficking routes: then and now”, was chaired by Ms. Day. She discussed the importance of confronting the ongoing role of anti-Blackness in the economic exploitation of profit opportunity. The exploitation of Black bodies is a measurable, direct legacy of colonialism and the triangular trade. People of African descent continue to be viewed as objects for exploitation, namely available or disposable sources of labour, intellectual property or other resources, rather than drivers of innovation or leaders in economic development. The legacies of colonialism and the trade and trafficking in enslaved Africans have left persistent mindsets at individual and systemic levels, including in the development agenda and the continued use of resources, labour and innovations from the global South to feed industrial and information-age technologies and production elsewhere.

21. The Deputy Mayor of Bristol, United Kingdom, Asher Craig, reported that the city had established the Commission on Race Equality and was implementing programmes

focused on increasing economic inclusion for African heritage communities; the decolonization of educational subjects; anti-discrimination policies to promote human rights; social justice and equality; a 2021 reparations motion to address racial inequalities in the current economic system; and the employment of more Black academics in senior roles within higher educational institutions.

22. Emelda Davis, a second generation-born Australian South Sea Islander, is the first Black woman elected to serve on the Sydney City Council. She spoke to the exploitation and forced labour of Pacific islanders in the Australian sugar, maritime and other industries, the direct links to the transatlantic trade and trafficking in enslaved Africans, and the pivot east as the triangular trade became less tenable in the West, as well as the continued trafficking of people from the Pacific.

23. Oumaria Mamane, a member of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, recommended taking steps to eliminate all forms of discrimination, including racial discrimination, and to allow human rights to be universally applied to people of Africa.

24. The Chair of the Working Group highlighted the importance of education as an instrument for economic empowerment and emphasized the need for relevant education.

25. Representatives of civil society emphasized the importance of incorporating specific budgets and policies that had a direct impact on communities of people of African descent. Also discussed was the importance of storytelling to modify the narrative around people of African descent, the rebuilding of museums and the creation of new ones, such as the International African American Museum in Charleston, United States, and the upcoming Pan-African Museum in Ghana.

26. Civil society representatives noted that contemporary immigration was greatly fuelled by the poverty caused by natural disasters, particularly by the man-made climate crisis, and the political crises resulting from globally prevalent neoliberal practices, which have contributed to the global inequality between North and South, making it necessary for States to revise their restrictive immigration policies.

27. The second panel, on the theme of “Dismantling black debt: from rhetoric to reality”, was chaired by the Chair of the Working Group.

28. James Omolo of the Afryka Connect Foundation presented the debt burden as a modality of colonial governance. He explained that the subsequent defaulting on debt and the imposition of economic reforms through structural adjustment programmes had exacerbated the crisis. By addressing those challenges and re-evaluating international lending practices, African nations could hope to overcome the hurdles posed by the ongoing debt crisis and pave the way for sustainable growth and prosperity.

29. The President of Haïti Futur et Haïti Patrimoine, Josette Bruffaerts-Thomas, provided insights into the history and impact of debt in Haiti by noting the imposition of an indemnity by France, which forced Haiti into debt with France. The debt burden and its hidden costs had severe consequences for the country, leading to skewed governance priorities and a neglect of vital sectors, such as education and infrastructure. The speaker emphasized the need for reparations and investment in the country’s future, particularly in education, health care and economic development.

30. Yvonne Apiyo Brändle-Amolo of the Pan-African Women’s Association, Switzerland, emphasized the role of parliamentarians in reversing the barriers that generate debt and in implementing social protection measures. She highlighted the importance of collaborative efforts and the need for unity in addressing historical injustices, such as slavery and colonialism. She introduced the newly established European Minority Parliamentarians Caucus, which aims to address structural racism, support entrepreneurship, invest in education and training, increase political participation, advocate for workers’ rights and ensure social protection measures for people of African descent.

31. The Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Attiya Waris, highlighted the disparity in risk

assessments by credit rating agencies, where developing countries were often designated with “junk” status despite having robust economies. Ms. Waris also emphasized the lack of transparency in debt systems, both public and private, and the impact of regime changes on debt negotiation and repayment.

32. Civil society representatives highlighted the importance of adopting policies that guaranteed a basic universal income to address the historical inequality and systemic racism faced by people of African descent. The vulnerability of ancestral communities of African descent in the face of the climate crisis and the need to recognize and incorporate ancestral knowledge into policies for adaptation and mitigation were also reiterated. The disproportionate debt burden borne by African and Black countries was the result of intentional policy choices aimed at maintaining dominance, hierarchy and survival struggles, which were viewed as manifestations of systemic racism.

33. The issue of digital fiscal systems and the inequalities they create was raised, particularly in Africa. The need for a new fiscal architecture and a global tax body to address such systemic problems was emphasized. Namibia was given as an example of a way of addressing reparations. However, scepticism was expressed about the effectiveness of the apology and development aid provided by Germany, questioning the impact of \$1.3 billion dollars over 30 years. Attention was drawn to the challenges faced by parliamentarians of African descent in Europe when discussing debt issues. Also discussed were the disparity in tax payments by profitable companies and the influence of asset management funds such as Vanguard and BlackRock.

34. The third panel, on the theme of “Race, economic empowerment and Afro-descendants’ human rights”, was chaired by Ms. D’Costa. Professor of Economics at RMIT University, Australia, Sefa Awaworyi Churchill, emphasized the importance of social capital, highlighting its role in promoting economic empowerment and human rights. He discussed the historical marginalization and discrimination faced by people of African descent and the proactive measures they had taken to create their own institutions and networks for empowerment. He presented evidence showcasing the positive association between social capital and educational achievements, employment opportunities and entrepreneurship. He recommended the development of business networks, mentorship schemes, community spaces and initiatives that encourage community involvement to foster the development of social capital and address systemic barriers.

35. Breon Wells of The Daniel Initiative emphasized the link between digital equity and economic equity, highlighting the global digital divide and its impact on economic opportunities for people of African descent. He discussed the impact of digital inequities on education, economic competitiveness and civic engagement, particularly in the context of the COVID-19 pandemic. Mr. Wells stressed the importance of viewing access to the Internet as a basic human right and highlighted the ongoing work of the United Nations in developing a global digital compact. He concluded by presenting recommendations, including expanding the Decade of People of African Descent to address technology equity and for the Working Group to prioritize technology and digital equity, develop a declaration of digital rights for people of African descent and collaborate with other United Nations mechanisms to promote digital equity through resolutions.

36. Commissioner at the Inter-American Commission on Human Rights, Roberta Clarke, speaking on behalf of the Commission, emphasized the need for decolonization and structural transformation to dismantle systems of economic inequality and discrimination. Ms. Clarke stressed the importance of collective action and reparations to address the legacy of extractive capitalism and neoliberalism. She concluded by emphasizing the necessity of political will to repair historical harms and promote equality in development for all.

37. During the discussion, the Chair of the Working Group called for interlocking strategies of racial justice, reparatory justice and climate justice to break the cycle of oppression and pursue development and justice. The representative of the European Union highlighted its priorities in addressing the digital divide and promoting digital transformation, including the Global Gateway strategy, focusing on connectivity and infrastructure projects worldwide. Reference was made to the Working Group’s technical visit to Uruguay and the

role of the United Nations country team and civil society in implementing policies for the economic, political and social empowerment of the populations of African descent.

38. Civil society representatives highlighted the challenges faced by African people due to predatory lending, discriminatory practices and subversive financial rules. They referenced the vision of Marcus Mosiah Garvey, who recognized the inevitability of African people being left behind without economic empowerment.

39. Civil society representatives also raised concerns about delays in compensating victims of the Windrush scandal in the United Kingdom, racial profiling in compensation rules and injustices in social services and banking institutions. They called for recognition of the right to development for people of African descent, encompassing economic empowerment, land ownership, wage equity, equitable distribution of wealth and access to resources. The establishment of sustainable tributary funds that support human rights and overcome policies of austerity, fiscal evasion and regressive taxation systems was proposed. In order to promote equal opportunities and improve the lives of people of African descent, there was a call to eliminate the pink tax and the black tax, through which higher prices are charged for products and services aimed at women and Black people, respectively.

40. The fourth panel, on the theme of “The impact of the global economic and financial architecture and mechanisms on people of African descent” was chaired by Ms. Day and questioned how aid and development efforts often prioritized the policy priorities of donor countries over the needs and potential of recipient countries. The aid structure itself perpetuated historical patterns of exploitation and colonialism. Renegotiating priorities was a key step towards creating a more equitable and just system, recognizing that the exploitation of profit was often linked to the exploitation of people, particularly those who had historically been marginalized and oppressed.

41. The Chair of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, Marie Chantal Rwakazina, discussed how the future declaration on the promotion and full respect of the human rights of people of African descent would contribute to empowering people of African descent. The current draft of the declaration urged the international community to take responsibility for and repair the violations of the human rights of people of African descent across the world.

42. The Executive Director of People of African Descent Link, Larry Olomofe, discussed the experiences of people of African descent in Central and Eastern Europe, who faced challenges in exercising their economic rights. Discrimination and exclusion from bank loans, a lack of opportunities and hostility from local communities were some of the factors that shaped and impacted the ambitions of patent operators and new small business owners. The strict language rules pursued by local administrative offices, the registration and taxation of businesses, and the regulations that govern the establishment of business enterprises were not conducive to patent business owners and created extra layers of bureaucracy. Those rules enhanced the vulnerability of patent business owners, who were forced to use proxies as partners due to language barriers and to save costs.

43. The Executive Vice President of the African Center For Economic Transformation, Mavis Owusu-Gyamfi, pointed out that the global financial architecture had resulted in high debt levels and limited investment in critical social and economic development programmes.

44. Associate Professor of the Department of Mathematics and School of Science, Health and Technology, Medgar Evers College, City University of New York, Terrence Blackman, discussed how the relationship between the international private sector and countries with predominantly Black populations could be complex, noting that while foreign investment could bring significant benefits to such countries, it was essential for Governments and international companies to prioritize the interests of the host country and operate responsibly and ethically. Guyana was given as an example of a country where the exploitation of natural resources was the driving force behind foreign investment. Effective governance, transparent management of resources and responsible management of the debt burden would be critical considerations for managing the emerging oil and gas economy, particularly for a predominantly Black population.

45. Benjamin Fields of the Black Economists Network spoke about the high fees and charges associated with remittances. Additionally, there were often limited options for sending money to certain countries or regions, which could make it difficult for people to support their loved ones or invest in businesses or other opportunities.

46. Senior adviser to the Institute on Race, Power and Political Economy, Amara C. Enyia, pointed out that poverty alleviation was insufficient and that a new economic system and structures must be created to afford people and States their full rights. She called for a human rights economy that prioritized investment in economic, social and cultural rights. That would require a reframing of the economy and new benchmarks for what constituted a healthy economy. The speaker proposed moving towards economic sovereignty, control of the currency and ending cycles of debt and aid, and called for assessment and adoption of interventions reflecting local values, such as the Botswana sovereign wealth fund. She stressed the importance of African participation in global economic formations and new institutions to put the values of those most impacted at the centre.

47. Fernanda Hopenhaym, Chair of the Working Group on the issue of human rights and transnational corporations and other business enterprises, referred to her efforts in working to incorporate an anti-racism approach into the agenda of the Working Group on business and human rights since joining in November 2021. She noted that the Guiding Principles on Business and Human Rights did not inherently incorporate an intersectional perspective, however the three pillars of the Guiding Principles, the obligations of States to protect human rights, the responsibility of companies to respect human rights and the responsibility to remedy harm, provided useful tools for promoting human rights in business activities.

48. During the discussion, the Chair of the Working Group raised concerns not only about the exploitation of Black bodies, but also the exploitation of Black intellectual property, such as patents and copyrights. Many people of African descent were not patenting or copyrighting their work and were self-publishing instead. That was a critical issue for preventing the continued exploitation of their intellectual property.

49. Ms. D’Costa, noted that the use of terms like Global South and Global North could sometimes perpetuate colonial power dynamics and reinforce stereotypes. She highlighted the importance of being aware of these dynamics in order to strive for more nuanced and respectful language that would not perpetuate those inequalities. Reconceptualizing those terms could be a helpful step in that direction.

50. The representative of the United States said that the Government was investing in rural and urban communities to mitigate economic displacement, expand access to capital, preserve housing affordability, counter discrimination in the housing market, build community wealth and promote equity and health.

51. The representative of South Africa noted that colonialism started with trade by companies such as the British East India Company, which led to fully-fledged colonialism. Many parts of the developing world, including Africa, still had transnational companies operating without being held accountable for human rights violations.

52. The Chair of the Committee on Economic, Social and Cultural Rights, Mohamed Abdel-Moneim, noted that the economic empowerment of people of African descent was seen as a way to address the disproportionate inequalities they faced and contribute to inclusive growth.

53. The fifth panel, on the theme of “Education and enterprise: black agency and achievements”, was chaired by Ms. D’Costa. The Master of Jesus College, Cambridge University, Sonita Alleyne, noted the role of education in unlocking opportunities for a brighter future. She highlighted the lack of representation of academics and students of African descent at Cambridge University. She emphasized the need for increasing representation and providing support to financially disadvantaged students; diversifying faculties, inviting successful black entrepreneurs to share their experiences and fostering aspiration and agency among young people; and increased resources and funding to support black entrepreneurs, addressing pay gaps and promoting equality through mandatory reporting on ethnicity pay gaps.

54. The Nelson Mandela Chair of Studies on Afro-Descendants, Havana, Rosa Campoalegre Septien discussed the experiences and initiatives of people of African descent in the diaspora, emphasizing the importance of anti-racist education and historical reparations. Finally, she recommended organizing a global summit on anti-racist education, integrating anti-racist education into the 2030 Sustainable Development Agenda, establishing a special fund for youth of African descent and coordinating and accrediting anti-racist policies and initiatives.

55. Nigel Hughes, a partner at Hughes, Fields & Stoby in Georgetown, emphasized the need to bridge the technological divide, address barriers in international trade and financial systems, and promote financial literacy.

56. Colin Bartholomew of the Cipriani College of Labour and Co-operative Studies, Trinidad and Tobago, noted the importance of cooperative organizations, particularly credit unions, in empowering individuals and communities of African descent by highlighting the collective nature of cooperatives and their ability to address economic challenges and reduce poverty. He gave examples from Africa and the Caribbean, noting the significant presence and impact of credit unions in those regions. Mr. Bartholomew emphasized that cooperatives offered a viable alternative to traditional business models. He pointed to promoting land acquisition and business loans as a means of economic empowerment and concluded by acknowledging the informal origins of cooperative structures and their ability to attract individuals seeking opportunities for personal and community improvement.

57. Ms. Namakula highlighted the three dimensions of the right to education: availability, accessibility and acceptability. She emphasized the exclusion and erasure of people of African descent in educational materials and curricula, and discussed the lack of adaptability in education, where content and structure often failed to meet the changing needs of society.

58. The representative of the United States stated that President Biden had signed the White House initiative on advancing educational equity through historically black colleges and universities in 2021. Such institutions had a legacy of creating opportunities and excellence for black students, despite systemic barriers.

59. The representative of the Bolivarian Republic of Venezuela referred to organized racism within global economic structures and financial mechanisms governed by predatory capital. He highlighted the systemic and discriminatory forms of racism, military oppression and social discrimination that people of African descent faced, leading to vulnerability and poverty.

60. Civil society representatives called for a global ethical architecture that recognized technology as a tool for wealth creation and job development, emphasizing self-determination, Pan-Africanism and a human rights economy. The power of sports and education in breaking down systemic and institutional barriers for young people was noted. Participants were asked to consider a new ecological international economic order as the current economic order, primarily focused on growth and performance measured by gross national product, did not fully realize the rights and freedoms set forth in the Universal Declaration of Human Rights.

61. The sixth panel, on the theme of “From rhetoric to reality: reparatory justice for people of African descent”, was chaired by Ms. Namakula.

62. The Secretary-General of the Africa Judges and Jurists Forum, Martin Okumu-Masiga, highlighted recent developments regarding the reparatory justice agenda in Africa, noting a united front by the African Union and highlighting specific cases where countries, such as Burundi and Namibia, had made demands for compensation. He concluded by stating that Africa was in the preparatory phase of making formal demands and engaging in diplomatic conversations with perpetrators.

63. Ms. Alleyne emphasized the need for legal transfers and the restitution of cultural heritage to Africa, challenging post-colonial mindsets and promoting respectful cultural exchanges. In that regard, she pointed to the return of a looted bronze artefact from Jesus College to Nigeria, emphasizing the significance of this action and its impact on the debate surrounding repatriation.

64. Mr. Hughes drew attention to misconceptions about reparations, emphasizing that they went beyond financial compensation and were a moral, ethical and political imperative. He stressed the need for careful analysis and application of reparatory justice, urging individuals and communities to gather data, understand their history and be prepared to administer reparations.

65. In emphasizing that calls for reparations were not exclusive to people of African descent, Ms. Enyia provided examples from around the world, such as demands for reparations in Poland, climate catastrophes in Pakistan and the proposal for reparations for Ukraine. Ms. Enyia emphasized that reparations had become a growing global phenomenon and discussed various initiatives and declarations, including the Accra Declaration on Reparations and Healing and the work being done by the Global Circle for Reparations and Healing. She mentioned engagements with religious institutions, including the Roman Catholic Church, and efforts to develop a common position and agenda for healing between Africa and the African diaspora. Ms. Enyia also highlighted discussions on African monetary and economic sovereignty and the push for a reframing of the global economic order.

66. Esther Ojulari, a consultant on human rights and displacement, shared the evolution of the reparations movement in Colombia and its significance for the global reparations movement. The case for reparations in Colombia included addressing historic crimes, the physical and psychological damage caused and the economic disparities resulting from slavery and ongoing racial violence. She mentioned the country's transitional justice experience and the importance of memory, truth and non-repetition in reparations efforts. Ms. Ojulari also discussed the recent election of the first Black female Vice-President in Colombia, who had prioritized reparations and strengthening relations with Africa.

67. Ms. D'Costa pointed to the way in which rhetoric and sophisticated language around reparations could sometimes create new forms of exclusion. She referenced the example of Pakistan using environmental justice and reparations in the global lobby, despite not having paid any reparations or expressed apologies for past genocides and the marginalization of the Siddi community of African descent. She also mentioned the strong reparations movements in the Asia-Pacific region, such as the discussions in Japan on reparations for the Second World War and the rejection of financial compensation by "comfort women" who demanded an apology first.

68. Ms. Reynolds remarked on the importance of addressing the complicity of some African chiefs in the enslavement of peoples of African descent. She underscored the need to remove this obstacle in order to focus on the real perpetrators of slavery. Additionally, she highlighted the need to address non-European, non-former colonizer Governments and religions that perpetuated racial discrimination and modern-day slavery.

69. The representative of the Bolivarian Republic of Venezuela emphasized the importance of collective reparations, seeking the reconstruction of people's social, cultural and territorial fabric, as well as their psychosocial recovery from the effects of slavery and modern-day discrimination. The representative called for clear mechanisms to recognize the harm done, design compensation policies and prevent future repetition.

70. The representative of South Africa noted that some States argued against paying reparations by claiming that their actions during colonialism were not illegal under international law. However, there were no laws stating that these actions were legal either. Domestic laws were created to evade prosecution for their actions, including land appropriation, enslavement and genocide. The speaker criticized the inconsistency of those States, as they would pay reparations for genocidal actions in Europe, while using their own domestic laws to justify their actions elsewhere in the world.

71. A civil society representative discussed the need for reparations and restitution for colonial activities carried out by Belgium in the present-day Democratic Republic of the Congo, Burundi and Rwanda. Emphasizing the importance of action rather than mere apologies, the speaker called for the return of stolen art and cultural objects. Environmental justice, racial justice and climate justice in achieving historical reparations for Afro-Latin American people and the protection of African descendants who were climate and environmental migrants was emphasized. A legally binding instrument was requested to

address the legal vacuum and ensure the responsibility of polluting countries for the damage caused to nature and the consequences faced by affected countries.

72. The representative of the World Council of Churches conveyed the Council's support for reparations and the demand for justice for people of African descent. The representative emphasized that the exploitation of people of African descent had had a corporate and systemic impact, contributing to contemporary economic imbalances.

73. Mr. Masiga highlighted the commitment of the African Union to addressing reparations through a global Africa conference. He criticized the use of international law as an excuse to evade liability, questioning whether international law was being equated with European law and emphasizing the need to recognize international law in its universal character rather than dominated by a few States.

74. Ms. Enyia acknowledged the ongoing healing work between Africa and the diaspora and emphasized that the impact of the transatlantic trade in enslaved Africans should not diminish the significance of other forms of slavery throughout history. She also highlighted the global order and the dominance of capitalism, which was built on the foundations of the transatlantic trade in enslaved Africans. In conclusion, she emphasized the importance of considering all forms of slavery, while recognizing the unique impact of the transatlantic trade in enslaved Africans.

75. Ms. Alleyne referred to the legal battle that Jesus College, Cambridge, had waged to have a statue of a trader in enslaved Africans removed from college premises. Despite the college losing the case, Ms. Alleyne emphasized the importance of seizing moments for reparations and highlighted the need for change and action to address historical injustices.

76. Ms. Ojulari discussed the challenges of recognizing the legality of slavery and colonialism in the context of international law, emphasizing the need to decolonize the understanding of human rights and international law in order to address reparations effectively. She echoed the call to decolonize the principles of international law.

77. The thirty-second session of the Working Group also included a special event on the theme "Memoirs of Durban by the legends of Durban", highlighting the significance of the Durban Declaration and Programme of Action of 2001. The event honoured the "legends of Durban", who had propelled the holding of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which achieved the most comprehensive and visionary framework against racism and the contemporary anti-racism architecture.

78. The special event was chaired by the Permanent Representative of South Africa to the United Nations Office at Geneva, Mxolisi Nkosi. The keynote address was delivered by the Special Adviser to the Secretary-General on Addressing Racism in the Workplace, Mojankunyane Gumbi. Ms. Namakula introduced the event.

79. A message by Mary Robinson, former High Commissioner for Human Rights and Secretary-General of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, was shared from the Working Group's archive. She explained how thoughtfully the text had been negotiated and stated how proud she was of the achievement of Member States in adopting the Durban Declaration and Programme of Action in 2001, which was a historic step forward in tackling racism and xenophobia at the global level.

80. Mr. Nkosi noted that the Durban Declaration and Programme of Action covered a wide range of measures to combat racism and discrimination, including their contemporary manifestations, that it recognized the unique and historical experiences of different groups that had been subjected to racism and discrimination and called for specific measures to address their needs. It also addressed thematic issues related to racism and discrimination, including education, culture, media and poverty. While the Durban Declaration and Programme of Action remained a significant achievement in the global struggle against racism and discrimination, more work needed to be done to achieve its goals, and it was the responsibility of all stakeholders to work together to ensure that its cause was realized.

81. Ms. Gumbi pointed out that the Durban Declaration and Programme of Action recognized the difficult issues of antisemitism and reparations for slavery.

82. Ambassador of South Africa to the International Atomic Energy Agency, Abdul Minty, defended the conference against claims of antisemitism and racism in reverse, stating that foreign ministers spent hours negotiating consensus positions.

83. The Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action, Edna Roland, emphasized the importance of the Durban Declaration and Programme of Action in the fight against racism and discrimination, noting that it contributed to the concept of people of African descent and affirmative action.

84. Ms. McDougall highlighted the existing gap between the commitments made in the Durban Declaration and Programme of Action and the lack of their integration into law and practice at national and international levels. She emphasized the importance of working to empower all groups affected by racism and racial discrimination.

85. The Secretary-General of the International Association against Torture, Roger Wareham, mentioned the importance of removing the struggle from geographical and political borders and of putting it on the human rights agenda.

86. A civil society representative recommended that all European countries recognize the transatlantic slave trade as a crime against humanity and sanction those who called for hatred and discord regarding people of African descent. The representative proposed revisiting Articles 28 and 109 of the Charter of the United Nations to create a new international economic order and suggested studying alternative economic models focused on post-growth. The development of a blueprint on economic justice for people of African descent, similar to the Sustainable Development Goals, was suggested in order to measure progress in addressing systemic and structural barriers to opportunities for people of African descent and provide measurable goals for redressing economic atrocities.

V. Conclusions and recommendations

87. The Working Group thanks Member States and representatives of international organizations and civil society for their active participation.

A. Conclusions

88. The Working Group notes that the land, labour, intellectual property, innovation and reproductive rights of people of African descent have been consistently commodified as sites of exploitation since the trade and trafficking in enslaved Africans. The persistent expectation of the availability and disposability of Black bodies is a particularly potent colonial legacy.

89. Historically, and today, people of African descent have been considered objects of economic leverage, rather than agents of economic innovation, and have been exploited. This has included the degradation of Black knowledge production, leadership and innovation globally.

90. Ensuring equity and equality in economic access and empowerment should maintain fundamental human rights principles in economic rights, seeking to uplift a liberatory agenda that has been denied to people of African descent in varied contexts.

91. Anti-Blackness serves as an organizing principle, even in multi-ethnic spaces, to marshal political power and economic wealth, to align with the interests of former colonizers and to facilitate corporate capture and State capture.

92. Black debt, or systems and policies that have effectively promoted precarity and drained assets from individuals and communities of African descent through financial instruments, is a burden at national, community and individual levels. Indebtedness is rooted in enslavement, which deprived Africans of their liberty, family and kinfolk, identity, languages, traditional livelihoods, property, well-being and, in all too many instances, life,

and which degraded African culture, denied the history of Africa and undervalued and undermined African knowledge and education systems. On emancipation, many Africans were left without material assets and in the few instances where the law stipulated what those assets should be, compliance was limited. Black indebtedness mushroomed under colonization, segregation and apartheid, and was repackaged and gifted to Africans and people of African descent on independence. What remained with Africans and people of African descent, apart from disenfranchisement and disenchantment, was hope, resilience, innate capacities and abilities, determination, ingenuity, unity and sufficient allies here and there to forge a new life.

93. The situation of Haiti stands out as emblematic of all that was morally, ethically and legally egregious about those who thought to enslave, colonize, segregate and degrade. The situation in Haiti was, to a lesser extent, re-echoed in every instance where enslavement and colonization occurred, as the victimizers were “compensated” for their loss, leaving the victims subject to further layers of economic deprivation and outright theft. The imposition of crushing debt designed to recolonize Haiti, among other nations, is evidence of a deliberate and targeted disregard for humanity and the human rights of peoples. Debt has also precluded sovereign nations from being able to adequately care for their populations.

94. Post-colonial structures, systems, policies and practices continue to mimic the intent and purpose laid down during enslavement and colonization across the intersections of civil, political, economic, cultural and collective spheres, subjecting people of African descent to a third wave of economic (and other forms of) deprivation and hardship. These structures, systems, policies and practices are in banking and finance, insurance and taxation, land rights and land use, the constraining of whole nation States to the demands of the primary and extractive industries, unfair and unequal terms of international trade, irrelevant education and socialization distanced from traditional practices and behaviours, such as the widespread planting and consumption of maize and root vegetables.

95. Small island developing States that are home to many Black populations and are particularly vulnerable to extreme natural hazard shocks and climate change have spent 18 times more in debt repayments than they have received in climate finance. While Governments, monarchies and the merchant class were primarily involved, religious autocracies in Europe were and continue to be contributors to Black indebtedness. In some instances, involvement was direct, in others providing cover to those directly involved.

96. The impact of those pernicious structures and systems is cumulative and, even as legislation changes and structures and systems slowly change, this has been too little, too late and too slowly, leaving millions in the past and more in the present to suffer the consequences. People of African descent are increasingly aware, visibly involved and vocal in taking steps, with many allies, to reverse the policies, dismantle the structures, call for redress and forge ahead in building and rebuilding their well-being and wealth. At the individual level, many people of African descent have emerged and/or escaped from the burden of indebtedness. The focus must be for all Africans and people of African descent to emerge from under the burden of debt at the individual, community and national levels.

97. The high rate of inequality experienced by people of African descent is rooted in colonial dispossession and racial exploitation, and still runs primarily along the racial divide.

98. The pervasiveness of the economic and sociopolitical alienation of communities of African descent suggests that a shift to economic and reparative justice is necessary to break the impasse.

99. Women of African descent tend to be concentrated in informal and precarious employment. They are paid less than men and carry out more unpaid household and care work.

100. Digital inequities acutely affect young people globally, facilitate the spread of disinformation and misinformation and restrict economic opportunities and successes for people of African descent.

101. Extractive processes and the management of extractive industries have been devastating for people of African descent in many countries, including the Democratic Republic of the Congo, often without offering adequate standards of living, jobs or other

clear benefits. Development aid has neither offset this exploitation nor alleviated persistent poverty in the most resource-rich countries in the world.

102. The cost of borrowing is effectively higher for Africans and people of African descent, a modern form of systemic racism, where viability determinations and credit scores embed colonial mindsets.

103. Unequal access to key educational resources, including skilled teaching and quality curricula, create serious intergenerational barriers for people of African descent.

104. Credit unions, cooperatives and circles that draw on the linguistic commonalities, values, principles, ethics and diversity in business competence have demonstrated the capacity to empower people of African descent. Such mechanisms embrace cooperative entrepreneurship and strategically use local ownership and language to promote a culture of self-reliance and trust.

105. There is momentum for a global imperative on reparatory justice and a shift from rhetoric to reality in many parts of the world. In Africa, there is increased momentum at the level of the African Union summit, the African Commission on Human and People's Rights, and civil society, including academia, towards a reinvigorated multi-stakeholder and deliberately and carefully thought-out campaign. In Latin America, Colombia convened a global conference on reparations in 2022, in addition to the practical steps taken by the State of California and the return of some cultural artefacts to Africa by some European countries, among others.

106. Cognizable barriers to prompt access to reparations for and by people of African descent include denial of responsibility based on unilateral or colonial international law; disproportionate scepticism and questions about the ability of people of African descent to manage assets; overrepresentation of the (former) perpetrator(s) and the interests in reparation processes; and dismissing or underestimating the cause of people of African descent.

107. Economic justice and reparations are mutually reinforcing. Proportional, appropriate, prompt and adequate reparations would disrupt and end the vicious cycle of exploitation of Africans and people of African descent and create avenues for access to and return of resources.

108. Reparatory justice for people of African descent is a matter of common sense and benefits humanity. It includes the return of assets and cultural artefacts and requires new dialogue, cultural exchanges and partnerships. It resets international relations on a foundation of trust, honesty and mutual respect.

109. The history of Africa striving for reparatory justice dates back to the 1990s and is rooted in the work of the Council of Ministers of the Organization of African Unity (now the African Union), with the first pan-African conference on reparations held in 1993 in collaboration with the Organization of African Unity and the Government of Nigeria.

110. The Working Group welcomes current efforts to establish a united front for justice and payment of reparations and establish joint African-Caribbean efforts to advance reparatory justice, in collaboration with the Africa Judges and Jurists Forum.

111. The Working Group commends the African Commission on Human and Peoples' Rights on its resolution on "Africa's reparations agenda and the human rights of Africans in the diaspora and people of African descent worldwide". Key elements in this ground-breaking resolution include the inclusion of contemporary forms of slavery in the African reparations agenda and a call for civil society involvement in conceptualizing a reparatory justice agenda for Africa. The Working Group is proud of its contribution to this important achievement.

112. Burundi offers an exemplary case of the African demand for reparations, as it has been able to make an agreement with Belgium on compensation of 36 billion euros for the impact of colonialism on ethnic harmony within Burundi and for the forceful taking of biracial children to Belgium by former colonial authorities.

113. The Durban Declaration and Programme of Action is the most comprehensive framework on the elimination of racism, racial discrimination, xenophobia and other forms of intolerance. Adopted by the General Assembly in 2002, the framework has led, in particular to (a) reinforcement of the concept of people of African descent; (b) the establishment of important tools against racism at the international level; (c) a recognition of the significance of positive measures or affirmative actions as essential for overcoming the effects of racism in society; and (d) the fight against racism being placed on national agendas.

114. The Durban Declaration and Programme of Action is the result of a consensus founded on global solidarity in both the preparatory stage and during the negotiation of the text. Consensus language was achieved following extensive efforts at all levels, making the Durban Declaration and Programme of Action a truly global and comprehensive document. There is nothing in its text that is antisemitic or can be interpreted as such.

115. One of the key elements demanded at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance was reparations for the historical injustices of the enslavement of Africans and colonialism. Specifically, the World Conference offered the recognition that poverty, underdevelopment, marginalization and economic disparities were all associated with racial discrimination and that racial discrimination kept countries in poverty.

116. The argument by some States opposed to the call for reparations is grounded in the reasoning that the trade and trafficking in enslaved Africans and colonialism were not, at that time, violations of international law. That is a shocking example of a culture of denial, given the role of those countries in crimes against humanity and the ongoing legacies of systematized racial atrocity. Some of those same countries provided very substantial reparations to enslavers at the time of abolition.

117. Historical understanding of the manifestation of racism and racial discrimination is of significance in the fight to eradicate it. The Durban Declaration and Programme of Action provides this important historical perspective, unlike other ahistorical instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination, which do not unpack the roots of racial discrimination.

118. The Working Group concludes that historical injustices have undeniably contributed to underdevelopment and economic disparities. Harrowing intergenerational poverty runs the risk of continuing unabated. Member States, United Nations agencies and international financial institutions should consider the linkage between enslavement and colonialism that has led to underdevelopment, including reflecting it in development policies.

119. Finally, the Working Group recognizes that economic success, even when exploitative and enslaving, was historically recognized as a qualifier, rather than a disqualifier; that countries, prominent historical figures, institutions, the church and universities gained wealth and status from the enslavement of people of African descent; and that the risk of that exploitative dynamic remains today.

B. Recommendations

120. Member States should act responsibly in the best interests of people of African descent and United Nations entities should adhere to those tenets in their internal and external policies and practices.

121. All stakeholders should enhance awareness and improve public education and analysis of the causes and consequences of Black indebtedness, and the cost not just to people of African descent but to humanity.

122. Parliamentarians must adopt effective legislative frameworks to preclude forced indebtedness and to govern financial structures, systems and policies to stringently monitor and evaluate the causes and consequences of the burden of indebtedness for Africans and people of African descent.

123. Religious organizations must teach, preach and practice racial equality in all spheres, including and specifically in the acquisition and management of knowledge, skills and material assets.
124. Member States, religious organizations, the United Nations and others should put in place positive measures to foster and sustain Black enterprise.
125. Member States must effectively manage extractive industries through rigorous transparency, oversight and accountability.
126. Governments and the private sector should increase the amount of low-interest money available over the long term to countries governed by people of African descent.
127. Member States should provide debt relief for highly indebted middle-income countries, including for debt to microfinance institutions, and enforce responsible lending and borrowing rules to prevent debt-fuelled capital flight.
128. Member States should conduct audits of their historic and contemporary actions, repay unjustly extracted payments and provide funding to fulfil the aspirations of people of African descent.
129. Development partners should collaborate with the private sector to create new and innovative financial instruments, such as green bonds and debt-for-climate or debt-for-nature swaps that remove the risk from investments.
130. Member States should curtail capital flight by preventing elites from exporting cash and State assets to Western havens and continue efforts to recover stolen assets.
131. Member States should leverage diaspora capital for development through better economic management, instilling confidence in political governance and social stability, and establishing national development trust funds, diaspora bonds, collective remittances and diaspora philanthropy, crowd-funding platforms and diaspora direct investment.
132. Member States and the United Nations should support the establishment of independent and publicly owned credit rating agencies to assess more fairly and transparently the credit rating of African countries and other countries that are predominantly Black.
133. Member States should address labour market inequalities by guaranteeing access to decent employment.
134. Member States should implement initiatives specific to people of African descent, such as small business loans for entrepreneurs of African descent, positive measures in employment and training or onboarding programmes, and grants for addressing bureaucratic procedures and other ancillary costs for business owners of African descent.
135. Civil society should adopt a decolonializing praxis in learning about historical inequalities and telling the stories of people of African descent in a way that is embedded in the collective conscience of people of African descent and draws on principles of reparatory justice.
136. Governments should support the development of Black business networks or similar initiatives across disadvantaged communities.
137. The United Nations should pursue digital equity for people of African descent through, for example, a declaration of the digital rights of people of African descent that outlines standard protection for people of African descent by States and private companies. Technological equity must be viewed through an intersectional lens.
138. Member States should strengthen education for people of African descent and consider appropriate remedies for students and teachers when they are targeted by racial discrimination.

139. Member States and the corporate sector must ensure that stakeholders are attentive to structural barriers in international trade, banking, insurance and financing systems.
140. Civil society should develop innovative public information and educational tools for financial literacy and entrepreneurship.
141. Member States should provide government backing and insurance for Black-owned businesses, credit unions and cooperatives.
142. Member States should support reparations for people of African descent that put justice at the centre, give pre-eminence to the interests and perspectives of the victims, consider the systems and structures that perpetrate harm and address corporate and individual culpability.
143. Member States and the international community should decolonize international law to eliminate ideological barriers to equitable perspectives on culpability and victimization, the very foundations of reparatory justice. Member States should audit their indebtedness and return payments that were forcibly expropriated.
144. The United Nations should include the right to ancestral territories in the proposed declaration of the rights of people of African descent.
145. Member States should ensure that financial and development institutions design policies and programmes with clear, specific and measurable goals for the development of people of African descent, informed by data that is disaggregated by race.
146. Governments, businesses and civil society should implement the Guiding Principles on Business and Human Rights.
147. Member States, regional and international organizations, United Nations entities and civil society organizations must meet their commitments for the implementation of the Durban Declaration and Programme of Action and the programme of activities for the implementation of the International Decade for People of African Descent.
148. Member States should declare a second international decade for people of African descent and fully implement it, including by providing resources and disseminating information.

Annex

List of participants at the thirty-second session

A. Members of the Working Group

Dominique Day, Bina D'Costa, Catherine Namakula, Barbara Reynolds.

B. Member States

Algeria, Angola, Austria, Azerbaijan, Benin, Brazil, Burundi, Cabo Verde, Cameroon, Colombia, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Honduras, Libya, Lithuania, Luxembourg, Malawi, Mexico, Russian Federation, South Africa, Sweden, Togo, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America

C. International and regional organizations

European Union, Inter-American Commission on Human Rights, International Labour Organization, Organisation Internationale de la Francophonie, United Nations Fund for Population Activities Mexico, United Nations Fund for Population Activities Uruguay, United Nations International Children's Emergency Fund.

D. National Human Rights Institutions

Commission Nationale Indépendante des droits de l'homme du Burundi, New-Brunswick Human Rights Commission.

E. Non-governmental organizations in consultative status with the Economic and Social Council

Action Lab for Development, Association Carré Géo & Environnement, Geledés - Instituto da Mulher Negra, Commission africaine des promoteurs de la santé et des droits de l'homme, Commission of the Churches on International Affairs of the World Council of Churches, International Human Rights Council, International Organization for the Elimination of All Forms of Racial Discrimination, International Youth and Student Movement for the United Nations, Noble Institution for Environmental Peace Inc., Permanent Forum on Indigenous Issues, Presbyterian Church of Trinidad and Tobago, Samuel DeWitt Proctor Conference Inc, UNESCO Center for Peace.

F. Non-governmental organizations not in consultative status with the Economic and Social Council

Africa First Initiatives, African Australian Advocacy Centre, Agrupación Xangô, AkiDwa, AlphaZULU Advocates, Articulación Latinoamericana para el Decenio Afro, Association for the Defence of Homosexuality, Balanta B'urassa History and Genealogy Society in America, Cáritas Brasileira, Children of the Maafa (Recognition Justice & Development Project), Comisión Afrodescendiente del Sindicato del Personal Legislativo de Argentina, Comité Ujamaa, Cumbé Africa, Fondation Mulumba International pour les Personnes d'Ascendance Africaine, Future Foundation for Development and Peacebuilding, International Civil Society Working Group for Permanent Forum on People of African Descent, Independent Social Development Association, Ingwee, Instituto Simón Bolívar para la Paz y la Solidaridad entre los pueblos, International Decade for People of African Descent Assembly

– Guyana, International Association for Human Rights and Social Development, International Decade of People of African Descent coalition UK, Maison des Savoirs Noirs, Mbekweni Eco Club, Mibeko, National Union for Development of the Poorest Groups Yemen, Native African Tribe, People of African Descent Belgium Observatory, Peregum Black Reference Institute, Plataforma internacional de afrodescendientes y africanos (cumbre internacional), Red de Organizaciones Afrovenezolanas, Red Nacional de Juventudes Afromexicanas, Salifu Dagarti Foundation, Southern Poverty Law Center, The Afrodescendant Nation, The Association of Mixed Race Irish, The Black Policy Institute, The Caucus of Africans American Leaders Of Maryland, The Huddle – North Melbourne Football Club.

G. Others

District Court of Saint Lucia, Ecuador Instituto del Altos Estudios Nacionales, Edoigiawerie and Company LP, Legal Aid South Africa, NOEL Universal Consult, Nova University of Lisbon, University of Ghent, University of Pretoria, Ms. Acerin Collier, Mr. Biruk Gebretensae Tigrayan Refugee, Ms. Jocelyn Bartholomew, Mr. William Gracienne, Mr. Andre Henry.

H. Panellists and presenters

Mr. Mohamed Ezzedin Abdel Moneim, Chairperson of the Committee on Economic, Social and Cultural Rights, Ms. Sonita Alleyne, Master, Jesus College Cambridge, Mr. Terrence Blackman, Associate Professor of the Department of Mathematics and School of Science, Health and Technology Medgar Evers College, City University of New York, Ms. Yvonne Apiyo Brändle, Pan African Women's Association (PAWA) Switzerland, Dr Sefa Awaworyi Churchill, Professor of Economics, RMIT University, Mr. Colin Bartholomew, Cipriani College of Labour & Co-operative Studies, Trinidad & Tobago, Ms. Josette Bruffaerts-Thomas, President Haiti Futur et Haiti Patrimoine, Ms. Epsy Cambell Barr, Chairperson of the Permanent Forum on People of African Descent, Dr Rosa Campoalegre Septien, Center for Psychological and Sociological Research, Nelson Mandela Chair of Studies on Afro-Descendants, Cuba, Ms. Roberta Clarke, Commissioner, Inter-American Commission on Human Rights, Ms. Asher Craig, Deputy Mayor, Bristol City Council, Ms. Emelda Davis, Councillor, City of Sydney Council, Ms. Amara C. Enyia, Global Black Movement for Black Lives Institute on Race, Power, and Political Economy, Mr. Benjamin Fields, The Black Economists Network, Ms. Mojankunyane Gumbi, Special Adviser to the Secretary General for addressing racism in the workplace, Dr. Bonny Ibhawoh, Member of UN Expert Mechanism on the Right to Development, Mr. Oumaria Mamane, Member of the Committee on Migrant Workers, Mr. Nigel Hughes, Partner - Hughes, Fields & Stoby, Georgetown, Guyana, Ms. Gay McDougall, Member of the Committee on the Elimination of Racial Discrimination, Mr. Abdul Minty, Ambassador to the International Atomic Energy Agency, H.E. Mr. Mxolisi Nkosi, Permanent Representative of South Africa to the United Nations Office at Geneva, Ms. Esther Ojulari, Consultant in Human Rights and Displacement, Mr. Martin Okumu-Masiga, Secretary General of the Africa Judges and Jurists Forum, Mr. Olanrewaju (Larry) Olomofe, Executive Director, PAD Link, Mr. James Omolo, Afryka Connect Foundation, Ms. Mavis Owusu-Gyamfi, Executive Vice President, African Center For Economic Transformation, Ms. Edna Roland, Chair of the Group of Independent Eminent Experts, H.E. Ms. Marie-Chantal Rwakazina, Chair Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, Rt Hon Patricia Scotland KC, Secretary-General of the Commonwealth, Mr. Abdoul Aziz Thioye, Chief of Branch, OHCHR, Mr. Roger Wareham, Secretary-General of the International Association Against Torture, Ms. Attiya Waris, Independent Expert on foreign debt, other international financial obligations and human rights, Mr. Breon Wells, The Daniel Initiative consulting firm, Lord Simon Woolley, Master, Homerton College Cambridge.