A global call for concrete action for the elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action**

Report by the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 77/205. In the report, the Secretary-General provides information on measures taken by Member States and other stakeholders, activities undertaken by United Nations entities, including the Office of the United Nations High Commissioner for Human Rights, by the mechanisms established to follow up on the implementation of the Durban Declaration and Programme of Action and by other mechanisms mentioned in the resolution. The Secretary-General presents conclusions and recommendations concerning further efforts towards the elimination of racism, racial discrimination, xenophobia and related intolerance, and the effective implementation of the Durban Declaration and Programme of Action.

* A/78/150.
** The present report was submitted for processing after the deadline for technical reasons beyond the control of the submitting office.
**I. Introduction**

1. The present report is submitted pursuant to paragraph 47 of General Assembly resolution 77/205. In the resolution, the Assembly affirmed that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations was a matter of priority for the international community. It also stressed that the Durban Declaration and Programme of Action remained a solid basis and the only instructive outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which prescribed comprehensive measures for combating all the scourges of racism and adequate remedies for victims, and noted with concern the lack of effective implementation thereof.

2. Noting that the seventy-fifth anniversary of the adoption of the Universal Declaration of Human Rights and the thirtieth anniversary of the adoption of the Vienna Declaration and Programme of Action would be commemorated in 2023, the General Assembly stressed the importance of fully integrating the matter of combating racism into those commemorations.

3. The present report draws on submissions received from Member States, 1 regional organizations, national human rights institutions and other stakeholders, 2 and includes information on activities undertaken by United Nations entities, including the Office of the United Nations High Commissioner for Human Rights (OHCHR), the mechanisms established to follow up on the implementation of the Durban Declaration and Programme of Action and human rights mechanisms mentioned in resolution 77/205.

**II. Actions and measures taken to implement General Assembly resolution 77/205**

**A. Legal and institutional frameworks**

1. **Submissions by States**

   4. In their submissions, some States listed the provisions of their respective constitutions that prohibit racial discrimination or discrimination on other grounds and that guarantee equality before the law. Many States shared examples of relevant legislation and institutional frameworks in place to prevent and counter discrimination, racism and racial discrimination. Several States also reported that they had criminalized offences related to intolerance, discrimination and racism.

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1 Following the call issued by the Office of the United Nations High Commissioner for Human Rights (OHCHR) for Member States to submit information concerning laws, regulations, policies and practices adopted in 2022 and 2023 to eliminate racism, racial discrimination, xenophobia and related intolerance, submissions were received from the following States: Armenia, Azerbaijan, Brazil, Chile, Colombia, Czechia, Denmark, Ecuador, France, Guatemala, Honduras, Jordan, Kenya, Kuwait, Luxembourg, Mexico, North Macedonia, Panama, Paraguay, Qatar and Türkiye. States’ submissions also included information regarding measures taken before 2022, which is reflected in the present report.

2 A total of 44 contributions were received, including those from regional organizations, national human rights institutions, civil society organizations and United Nations system entities. Available at www.ohchr.org/en/calls-for-input/2023/call-inputs-preparation-report-un-secretary-general-pursuant-un-general.
5. Armenia stated that a new Criminal Code, which criminalized discrimination as a distinct offence, providing detailed and extensive definition of the offence, including the aggravating grounds, had entered into force on 1 July 2022.

6. Brazil indicated that on 1 January 2023, the Ministry of Racial Equality had been created by Decree No. 11.346. On 11 January 2023, Law No. 14.532, which classified the offence of using a racial slur as a racism offence, was published. Brazil also stated that the Palmares Cultural Foundation had been established to preserve the history, memory and cultural manifestations of the country’s Black population.


8. Colombia reported that the “Colombia Belongs to Everyone” Observatory monitored discriminatory acts and practices and supported and implemented strategies that contributed to the elimination of discrimination.

9. Czechia reported that the Anti-Discrimination Act prohibited discrimination and provided protection against discrimination, including on the basis of race or ethnicity. The Criminal Code proscribed a new criminal offence relating to racism and xenophobia, effective from 1 January 2022.

10. Ecuador reported that Executive Decree No. 186 of 7 September 2021 ordered the Department on Management and Development of Peoples and Nationalities to, inter alia, approve and execute strategies, plans and programmes to strengthen the country’s plurinationality and interculturality.

11. Guatemala noted that the Presidential Commission against Discrimination and Racism against Indigenous Peoples, in line with its advisory role, supported various institutions and State officials in developing effective mechanisms to combat discrimination and racism against Indigenous Peoples.

12. Kuwait indicated that its Decree-Law No. 19 of 2012 on the protection of national unity prohibited the use of, preaching of or incitement to any of the means of expression stipulated in article 29 of Law No. 31 of 1970, amending some provisions of the Penal Code.

13. Luxembourg indicated that its Criminal Code had been amended in March 2023 to include a general aggravating circumstance increasing the sanctions for crimes committed on the grounds of skin colour, origin and membership or non-membership, whether actual or assumed, of a particular ethnic group, nation, race or religion.

14. Mexico stated that its federal law on the prevention and elimination of discrimination established criteria regarding the promotion of and respect for the right to equality and non-discrimination and defined discrimination as any distinction or exclusion motivated by one or more of the following: ethnic or national origin, skin colour, culture, migratory status, language, any appearance of xenophobia, racial segregation and antisemitism, as well as racial discrimination or other related forms of intolerance. Under article 43 of that law, the National Council for the Prevention of Discrimination is competent to examine complaints of alleged discriminatory acts, omissions or social practices.

15. Panama reported that the National Secretariat on Policy and Development of Afro-Panamanians had been established to ensure the exercise of all human rights by Afro-Panamanians, and that the Secretariat was responsible for overseeing and implementing the social inclusion policy for Afro-Panamanians.

16. Paraguay reported that Law No. 6940, which established mechanisms and procedures to prevent and punish acts of racism and discrimination against people of African descent, had been promulgated in July 2022.
17. Türkiye noted that the law founding the Human Rights and Equality Institution of Türkiye prohibited discrimination against persons including on the basis of race, colour and ethnic origin. The Penal Code prohibited discrimination on the basis of race, language, religion, sect, nationality, colour, gender, political or other ideas and thought, philosophical beliefs, ethnic and social background, birth, and economic and other social positions.

2. **Submissions by national human rights institutions accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and other national institutions**

18. The Ombudsman’s Office of Argentina reported that Law No. 23.592 criminalized acts of intolerance. It also provided information on the National Institute against Discrimination, Xenophobia and Racism and the National Institute of Indigenous Affairs, which was established as a decentralized body responsible for implementing social policies targeting Indigenous Peoples. Furthermore, resolution No. 230/2020 created the Commission for the Historical Recognition of the Afro-Argentine Community.

19. The Office of the Commissioner for Human Rights (Ombudsman) of Azerbaijan reported that a draft amendment to the constitutional law on the commissioner for human rights had been proposed, which would enable the Office to function as an independent monitoring mechanism to ensure the right to equality and promote non-discrimination.

20. The Office of the Public Defender (Ombudsman) of Georgia reported that it functioned as the national anti-discrimination mechanism.

21. The Netherlands Institute for Human Rights reported that the Senate had initiated an investigation into the effectiveness of the country’s anti-discrimination legislation. It also reported that the position of National Coordinator against Discrimination and Racism had been established.

22. The Commission on Human Rights of the Philippines reported that the Indigenous Peoples’ Rights Act of 1997 was the primary law protecting the rights of Indigenous Peoples. It indicated that the draft Comprehensive Anti-Discrimination Act was still pending before the Committee on Human Rights of the House of Representatives.

23. The Human Rights and Equality Institution of Türkiye reported that its mandate included adopting decisions regarding violations of the principle of non-discrimination and that it carried out awareness-raising activities.

**B. Plans of action, strategies and policies and data collection**

24. In paragraph 66 of the Durban Programme of Action, States are urged to establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations.

1. **Submissions by States**

25. Brazil reported that an inter-ministerial working group had been established on 21 March 2023 to develop a national affirmative action programme aimed at promoting equal opportunities, including for Black and Indigenous populations. Decree No. 11.443/2023, issued on 21 March 2023, provided that at least 30 per cent of appointed positions in the federal public administration should be filled by Black people.
26. Chile reported on the Good Living Plan, which was aimed at advancing an agenda of recognition of and dialogue with Indigenous Peoples, particularly the Mapuche people.

27. Colombia reported that, under Law No. 70 of 1993, the State was mandated to adopt and implement a public policy aimed at preventing and eradicating all forms of discrimination and racism against populations of African descent. The current Government was making efforts to fully implement that mandate, including by updating data relating to persons of African descent through the National Administrative Department of Statistics. The Government also implemented a national training plan on the rights and duties of communities of African descent, in accordance with Law No. 70.


29. Denmark indicated that a national action plan against racism was being developed and was expected to be completed in 2023. In January 2022, the Government published an action plan against antisemitism.

30. Ecuador underlined that, from 2022 to 2025, the Department on Management and Development of Peoples and Nationalities was implementing the Project for the Comprehensive Development of Peoples and Nationalities, Afro-Ecuadorians and Montubio People.

31. France stated that on 30 January 2023 a national plan to combat racism, antisemitism and discrimination on the basis of origin for 2023 to 2026 had been presented by the Prime Minister.

32. Guatemala reported that indigenous authorities from different regions had participated in the development of the policy of the judiciary on access to justice for Indigenous Peoples.

33. Honduras reported that the “Our Roots” programme was being implemented by the Ministry of Social Development. The objective of the programme was to involve Indigenous and Afro-Honduran peoples in services and projects that guaranteed their social, political, economic and cultural development and respect for their territorial and ancestral rights.

34. Luxembourg reported on the ongoing development of a national action plan against racism and racial discrimination, which would be finalized by the end of 2023.

35. Mexico stated that the National Council for the Prevention of Discrimination was overseeing the implementation of the National Programme for Equality and Non-Discrimination 2021–2024.

2. Submissions by regional organizations

36. The European Union noted that the European Commission had adopted its first anti-racism action plan, which covered the period 2020–2025, and had appointed the first anti-racism coordinator. The Permanent Anti-Racism Civil Society Forum had been established to support the implementation of the action plan. The Subgroup on Equality Data, created by the European Union High Level Group on Non-discrimination, Equality and Diversity, had developed a guidance note on the collection and use of equality data based on racial or ethnic origin.
3. Submissions by national human rights institutions accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and other national institutions

37. The People’s Advocate Institution (Ombudsman) of Albania highlighted the adoption of the National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians 2021–2025, which had been developed by the Ministry of Health and Social Protection in coordination and consultation with, inter alia, relevant ministries, local governments, independent institutions, civil society organizations, as well as international organizations working for the social integration of Roma and Egyptians.

38. The Ombudsman’s Office of Argentina reported that the adoption of the National Plan against Discrimination 2022–2024 was pending approval.

39. The Australian Human Rights Commission noted that it was implementing two major streams of work under the national anti-racism strategy, a national public awareness and education initiative and a programme of work to advance a national anti-racism framework.

40. The Institution of Human Rights Ombudsman of Bosnia and Herzegovina highlighted the adoption of the 2021–2025 Action Plan for Social Inclusion of Roma Men and Women, which established a framework of action for all individuals and institutions directly involved in its implementation, in line with their respective competences.

41. The National Human Rights Commission of Mexico indicated that it continued to hold workshops on the protection and defence of the human rights of peoples, communities and individuals of African descent.

C. Hate speech and hate crimes

42. In its resolution 77/205, the General Assembly expressed alarm at the global rise in hate speech, which constituted incitement to racial discrimination, hostility and violence, and stressed the importance of addressing hate speech, in accordance with international law. Submissions provided information in this regard.

1. Submissions by States

43. Armenia highlighted that regulations related to hate speech and public calls for violence, including article 329, part 1, of the Criminal Code, had been changed, and that in 2022 and 2023, activities aimed at combating hate speech implemented by the Human Rights Defender had mainly involved awareness-raising campaigns.

44. Azerbaijan reported that the Criminal Code prohibited actions aimed at inciting national, social or religious hatred and harm, humiliation of national dignity or restricting the rights or enhancing the privileges of citizens on the basis of their national, racial, social or religious affiliation, including through the use of social media.

45. Brazil indicated that a working group had been created within the Ministry of Human Rights and Citizenship to discuss strategies to combat hate speech and propose public policies thereon.

46. Czechia reported that in 2022 three trainings on hate crime for public prosecutors at the district and regional level had been carried out, and that the Public Prosecutor’s Office continued to implement the training programme on hate crimes for prosecutors.
47. Denmark reported that all police recruits were trained on hate crime as part of their mandatory police training. In 2022, the Danish National Police had established an online police patrol to combat different forms of Internet-related crimes, including racism-motivated hate crimes and hate speech.

48. France reported that an observatory aimed at combating hateful content on the Internet had been established in June 2020. In August 2020, a division on hate crime had been created within the Central Office for Combating Crimes against Humanity and Hate Crimes.

49. Jordan reported that, under article 150 of the Penal Code, any text or speech aimed at or that resulted in stirring sectarian or racial prejudices or the incitement of conflict between different sects or sectors of the country should be punished by imprisonment for no less than six months and no more than three years and a fine not to exceed 500 dinars.

50. Kenya reported that the National Cohesion and Integration Commission had developed a national action plan against hate speech, which had been launched in June 2022.

51. Luxembourg indicated that the Ministry of Family Affairs, Integration and the Greater Region had implemented various awareness-raising, training and public information projects to prevent online hate speech, in partnership with civil society organizations.

52. Mexico reported that the National Council for the Prevention of Discrimination was authorized to combat hate speech under federal law.

53. North Macedonia highlighted that racism, racial discrimination and hate speech were on the rise and antisemitism had re-emerged, and emphasized the need for capacity-building, training, early warning measures and mediation to address racism.

54. Türkiye reported that its national action plan on human rights envisaged a special benchmark on improving the effectiveness of the fight against hate speech and discrimination.

2. Submissions by national human rights institutions accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and other national institutions

55. The Office of the Public Defender of Georgia highlighted that it addressed cases of hate speech, which constituted incitement to racial discrimination.

56. The Netherlands Institute for Human Rights indicated that hate speech and other forms of discrimination on the grounds of ethnic origin or religion occurred online and offline and were widespread. It also noted that occurrences of hate speech had increased since the rise of populist parties in the Kingdom of the Netherlands. As a result, there was a trend towards the normalization of racist speech in the public domain.

57. The National Human Rights Commission of Nigeria reported that the 2023 election guidelines for political rallies issued by the Independent National Electoral Commission prohibited the use of hate speech and discriminatory rhetoric during campaigns.

58. The Commission on Human Rights of the Philippines reported that House Bill No. 9177 of April 2021, entitled “An Act Defining Hate Speech and Providing Penalties Therefor”, was still under discussion.
D. Systemic racism, reparatory justice initiatives and participatory and inclusive implementation processes

59. In its resolution 77/205, the General Assembly encouraged States to examine the extent and impact of systemic racism and to adopt effective legal, policy and institutional measures that addressed racism beyond a summation of individualized acts. It also acknowledged and profoundly regretted the untold suffering and evils inflicted on millions of men and women and children as a result of slavery, the slave trade, the transatlantic slave trade, colonialism, apartheid, genocide and past tragedies, noting that some States had taken the initiative to apologize and had paid reparations, where appropriate, for grave and massive violations committed. The Assembly further called upon those that had not yet expressed remorse or presented apologies to find some way to contribute to the restoration of the dignity of victims, and called upon all the relevant States that had not already done so to dispense reparatory justice, contributing to the development and recognition of the dignity of the affected States and their people. The Assembly also stressed that everyone, including people and communities of African descent, should be able to participate in an inclusive manner and guide the design and implementation of processes that contribute to halting, reversing and repairing the lasting consequences and ongoing manifestations of systemic racism. Reparatory justice is crucial to realizing racial equality and atoning for the enduring legacy of centuries of enslavement and colonialism.³

1. Submissions by States

60. Brazil reported that racism was structural in nature and that racial inequalities were borne out in social indicators. It emphasized that overcoming racism in Brazil involved implementing restorative actions with respect to slavery, the trafficking of enslaved people, colonialism, apartheid, genocide and past tragedies. Brazil further indicated that, according to the legal opinion requested by the Racial Equality Commission of the Brazilian Lawyers Institute on the legal aspects of reparations for slavery, affirmative action policies were just one of the means by which dignity and equality could be achieved.

61. Colombia stated that it had established a national intersectoral commission for historical reparations to overcome the effects of racism, racial discrimination and colonialism on ethnic peoples in the country.

62. France recalled that it had observed the National Day of Remembrance of the Slave Trade, Slavery and Its Abolition on 10 May and the month of remembrance of slavery and the fight for equality. In 2019, the Foundation for the Remembrance of Slavery had been recognized as a foundation for the public good.

2. Submissions by national human rights institutions accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and other national institutions

63. The Ombudsman’s Office of Argentina highlighted that people experienced a form of structural racism that was based on origin, skin colour, nationality, socioeconomic status, disability and ethnic and cultural identity, among others.

64. According to the Office of the Human Rights Defender of Armenia, systemic racism targeting a specific ethnic group had a detrimental effect on the protection and

guarantee of the human rights of the individuals belonging to that group and might lead to gross human rights violations.

65. According to the Netherlands Institute for Human Rights, racial discrimination was a serious and persistent problem in all areas of society and was structural and systemic in nature. It stressed that the Government had acknowledged that institutional racism existed in the Kingdom of the Netherlands and had subsequently taken a number of measures to address it. In December 2022, the Prime Minister had apologized for the country’s role in the colonial slavery of the past. The Government had provided funding for a slavery museum which was expected to open in 2025. The municipalities of Rotterdam, Amsterdam, The Hague and Utrecht had also officially apologized, as had the province of North Holland. The year 2023 was dedicated to the commemoration of slavery in the past.

E. Excessive use of force and other human rights violations by law enforcement officials

66. In its resolution 77/205, the General Assembly deplored the recent incidents of excessive use of force and other human rights violations by law enforcement officers against peaceful demonstrators defending the rights of Africans and of people of African descent. States should implement reforms to ensure that the use of force is always compatible with international human rights law, bring to justice law enforcement officials for the violations committed, including against people of African descent, and provide redress for the victims.

1. Submissions by States

67. Brazil reported that the excessive use of force and other violations of human rights by law enforcement agents particularly affected the Black population; in 2021 Black people constituted 84.1 per cent of those killed by the police in the country. In 2023, the General Coordination Office on Public Security and Human Rights was created within the Ministry of Human Rights and Citizenship to incorporate human rights into the field of public security with an emphasis on police forces.

68. Guatemala highlighted that the Presidential Commission against Discrimination and Racism against Indigenous Peoples trained students at the National Civil Police Academy on discrimination, racism, the rights of Indigenous Peoples and the right to self-identification.

69. Honduras reported that the Ministry of Human Rights, through the Directorate of Education and Culture of Peace, provided trainings on human rights for officials in charge of enforcing the law, including on the rights of Indigenous and Afro-Honduran peoples.

2. Submissions by regional organizations

70. The European Union reported that in November 2022 the European Commission had published the results of a comprehensive assessment of the existing legal framework which was part of a study that showed that stop-and-search activities and the use of force by the police were areas where discrimination was perceived to occur. The study also provided that those were issues that fell under national competence and included recommendations advocating for further evidence-gathering and the promotion of good practices in that field. The European Union Agency for Fundamental Rights would publish good practices on fair policing in 2023.
3. **Submissions by national human rights institutions accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and other national institutions**

71. The Netherlands Institute for Human Rights indicated that the national police had implemented several reforms to prevent racial profiling by police officers, which included the introduction of a professional code and a training module for police officers and the drafting of several regional-level policy documents to promote better registration of discriminatory incidents and improve cooperation.

72. The National Human Rights Commission of Nigeria stated that it had organized trainings for security agencies on mainstreaming human rights in law enforcement.

**F. Women, children and youth**

73. Racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights.

74. Special attention should be paid to new manifestations of racism, racial discrimination, xenophobia and related intolerance to which youth might be exposed. In this regard, in resolution 77/205 the General Assembly called on States to recognize and address the impact of racial discrimination and inequality experienced by children and youth of African descent in all areas of life, including the administration of justice, law enforcement, education, health, family life and development.

1. **Submissions by States**

75. Brazil reported on the establishment in March 2023 of an interministerial working group mandated to develop a proposal for the Black Youth Alive Plan, aimed at reducing homicides and social vulnerabilities of Black youth and creating opportunities for them.

76. Guatemala highlighted that the national policy for the promotion and comprehensive development of women and its Equal Opportunity Plan 2008–2032 were the main instruments used to respond to the challenges faced by Mayan, Garifuna, Xinka and mestiza women. The Presidential Commission against Discrimination and Racism against Indigenous Peoples had contributed to updating the national youth policy.

2. **Submissions by national human rights institutions accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and other national institutions**

77. The Australian Human Rights Commission reported on the first Wiyi Yani U Thangani (Women’s Voices) National Summit, held in May 2023, which brought together First Nations women delegates from across Australia.

78. The Ombudsman for Children in Sweden stated that there was a knowledge gap regarding the situation of children and youth of African descent in the country. According to a 2014 report on Afrophobia, children of African descent were particularly vulnerable in the education system.

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4 Durban Declaration, para. 17.
G. Migrants and refugees

79. In its resolution 77/205, the General Assembly deplored the ongoing and resurgent scourges of racism, racial discrimination, xenophobia and related intolerance in many regions of the world, often targeting migrants and refugees, and reaffirmed the necessity of eliminating racial discrimination against migrants, including migrant workers. As underlined in the Durban Declaration and Programme of Action, States should recognize the positive economic, social and cultural contributions made by migrants to both countries of origin and destination, and review and revise, where necessary, their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments. States are also encouraged to recognize the racism, racial discrimination, xenophobia and related intolerance that refugees may face as they endeavour to engage in the life of the societies of their host countries and, in accordance with their international obligations and commitments, develop strategies to address this discrimination and to facilitate the full enjoyment of the human rights of refugees.

1. Submissions by States

80. Azerbaijan reported that, under its Constitution and the Migration Code, foreigners and stateless persons enjoy the same rights as citizens unless otherwise provided for by law or in international agreements to which Azerbaijan is a party.

81. Brazil reported that on 23 January 2023 the Ministry of Justice and Public Security had created a working group aimed at establishing the national policy on migration, refugees and statelessness.

82. Guatemala reported that the Ministry of Health implemented comprehensive health-care standards, which established general guidelines for the care of migrants and their families, asylum-seekers and refugees.

83. Kenya indicated that the Refugee Act of 2021, which entered into force in February 2022, provided for the rights of refugees and fair treatment of aliens, including refugees, asylum-seekers and migrants. Regulations to implement this Act were being developed.

84. Mexico reported that from 2018 to 2023, 14 cases had been classified as alleged acts of discrimination against migrants and refugees, of which 5 had been attributed to individuals and 9 to federal public servants.

85. Qatar reported that the Ministry of Interior was responsible for the protection of the rights of migrant workers including through the implementation of Law No. 21 of 2015 regulating the entry and exit of expatriates and their residence.

2. Submissions by human rights institutions accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and other national institutions

86. The Institution of Human Rights Ombudsman of Bosnia and Herzegovina indicated that the 2021–2025 Migration and Asylum Strategy had been adopted as proposed by the Ministry of Security.

87. The National Human Rights Commission of Nigeria highlighted that Nigeria was reviewing its migration policy to ensure that all the objectives of the Global Compact for Safe, Orderly and Regular Migration were implemented.

88. The Commission on Human Rights of the Philippines reported that Executive Order No. 163, s. 2022, entitled “Institutionalizing Access to Protection Services for
Refugees, Stateless Persons, and Asylum Seekers”, guaranteed the protection of the rights to security, liberty and mobility of refugees.

III. Durban Declaration and Programme of Action follow-up mechanisms, special procedures, human rights treaty bodies and relevant human rights mechanisms

89. During its twentieth session, held in 2022, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action reviewed the progress achieved in implementing the programme of activities for the International Decade for People of African Descent. It also discussed measures to be taken to enhance the effectiveness of the mechanisms established to follow up on the Durban Declaration and Programme of Action, to ensure better synergy and complementarities in the work of those mechanisms. It initiated discussions on the draft United Nations declaration on the promotion and full respect of the human rights of people of African descent, as requested by the General Assembly in its resolution 76/226.

90. In May 2023, the Working Group of Experts on People of African Descent held its thirty-second session, on the economic empowerment of people of African descent. The discussion highlighted how systemic racism and the global economic structures and financial mechanisms affected the economic and financial empowerment of people of African descent. In this context, the Working Group addressed the issue of reparations for people of African descent. Recommendations included the provision of appropriate resources for the implementation of the Durban Declaration and Programme of Action; the adoption of a second decade for people of African descent; and the finalization of the draft United Nations declaration on the promotion and full respect of the human rights of people of African descent.

91. The Working Group undertook country visits to Australia in December 2022 and to the United Kingdom of Great Britain and Northern Ireland in January 2023. The Working Group further conducted technical visits to Uruguay and Mexico in March 2023, in order to, respectively, contribute to development programmes for people of African descent and provide technical assistance on using a human rights-based approach in the implementation of the Sustainable Development Goals as they relate to Africans and people of African descent.

92. In the context of the tenth anniversary of the Addis Ababa road map for cooperation between the special procedures mechanisms of the African Commission on Human and People’s Rights and the Human Rights Council, the Working Group participated in the seventy-third ordinary session of the African Commission on Human and Peoples’ Rights, advocating for an increased focus on the human rights situation of Africans and people of African descent from the diaspora, including through a draft resolution on people of African descent and Africans in the Diaspora, which was endorsed by the African Commission on Human and Peoples’ Rights.

93. During its thirteenth session, which was held from 22 May to 2 June 2023, 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 discussed issues pertaining to legal definitions, with

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a view to criminalizing acts of a racist and xenophobic nature, as well as the structure and scope of an additional protocol to the Convention.


95. In her report to the General Assembly in November 2022 (A/77/549), the then Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance highlighted the racially discriminatory and unjust roots and consequences of environmental degradation, including climate change. In the report, she emphasized that the Durban Declaration and Programme of Action, which remained the international community’s most comprehensive plan to eliminate racism and racial discrimination, offered recommendations on tackling environmental racism. She explained why there can be no meaningful mitigation or resolution of the global ecological crisis without specific action to address systemic racism, in particular the historic and contemporary racial legacies of colonialism and slavery. The Special Rapporteur also presented a report that summarizes information received from Member States as well as the key trends in the glorification of Nazism and related racism, xenophobia and intolerance that she had observed and reported on during the five years of her mandate. The Special Rapporteur also outlined the governing principles and obligations of racial equality and non-discrimination, highlighting their application in combating racism and xenophobia (see A/77/512).

96. The newly appointed Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance 8 outlined her strategic vision and initial priorities in a report to the Human Rights Council issued in May 2023 (A/HRC/53/60). She stressed the centrality and importance of the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference to the anti-racism efforts of the United Nations and to the implementation of her mandate and called upon States to recommit to the comprehensive vision and action plan laid out in Durban in 2001. The Special Rapporteur also presented a report on the actions taken to combat the glorification of Nazism and neo-Nazism, pursuant to General Assembly resolution 77/204 (A/HRC/53/62).

97. In the context of the review of States parties’ periodic reports, the Committee on the Elimination of Racial Discrimination continued to address issues related to systemic racism and structural discrimination, hate speech and crime, excessive use of force against ethnic and racial minorities, discrimination against migrants and refugees, data collection, human rights education and awareness-raising. The Committee also considered communications received from individuals or groups of individuals who claimed to be victims of a violation of their rights under the International Convention on the Elimination of All Forms of Racial Discrimination.

98. The International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement has made recommendations to address systemic racism in law enforcement and the criminal justice system, and to ensure access to justice, accountability and redress for victims, including pursuant to country visits to Sweden9 and the United States of America, 10 and through communications on specific incidents. 11 It focused its first report to the Human Rights Council in September 2022

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8 The Special Rapporteur, Ashwini K.P., was appointed by the Human Rights Council at its fifty-first session in October 2022.

9 See A/HRC/54/CRP.1; and OHCHR, “Sweden should step up efforts to fight systemic racism, UN mechanism to advance racial justice says after 5-day visit”, 4 November 2022.

10 OHCHR, “USA: whole-of-government leadership needed to address legacy of slavery and redefine policing, UN experts say”, 5 May 2023.

11 See www.ohchr.org/en/hrc-subsidiaries/expert-mechanism-racial-justice-law-
(A/HRC/51/55) on the collection, publication and analysis of data disaggregated by race or ethnic origin with regard to interactions of Africans and people of African descent with law enforcement authorities and the criminal justice system.

99. The Expert Mechanism has also consulted with States, directly affected individuals and communities and other stakeholders in various regions, including with regard to its report on reimagining policing to be submitted to the Human Rights Council in 2023 (A/HRC/54/69), which will explore ways to close trust deficits and strengthen institutional oversight, and the adoption of alternative and complementary methods to policing and the use of force, highlighting existing good practices and offering recommendations to States.

IV. International Decade for People of African descent

100. In 2022, as part of the effort to promote and advance the implementation of the programme of activities of the International Decade for People of African Descent, OHCHR organized a regional meeting for the Middle East, which contributed to enhancing knowledge on the past legacies of enslavement of Africans and the slave trade in the Middle East and on the contributions of people of African descent to the development of the region. Discussions highlighted the human rights challenges faced by people of African descent and identified promising measures implemented to address them.12

101. OHCHR continued to enhance the capacity of rights holders and empowered young people of African descent through the fellowship programme for people of African descent. Further, two grants were awarded to support projects aimed at advancing the rights of people of African descent in Ecuador and Haiti.

102. The Permanent Forum on People of African Descent held its first sessions in December 2022 and in May and June 2023. The discussions focused on systemic racism, climate justice, reparatory justice, the draft United Nations declaration on the promotion and full respect of the human rights of people of African descent, equality for all people of African descent, pan-Africanism, transnational migration and data collection, as well as the health, well-being and intergenerational trauma of people of African descent. The Forum recommended the establishment of a second International Decade for People of African Descent, called on Member States to take concrete actions towards reparatory justice and recommended the collection of disaggregated data to assess the nature and extent of systemic racism and ensure greater accountability.13

V. Office of the United Nations High Commissioner for Human Rights and other United Nations system entities

103. In March 2023, OHCHR organized a panel discussion entitled “The urgency of combating racism and racial discrimination: 75 years after the adoption of the Universal Declaration of Human Rights”, which was held during the fifty-second session of the Human Rights Council, in commemoration of the International Day for the Elimination of Racial Discrimination. The current state of play of the fight against

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racism was discussed and the importance of accelerating progress towards racial equality was stressed. The panel recommended implementing concrete and coordinated actions, dismantling systemic racism including in the context of migration governance, bolstering strategies to protect the victims and ensuring accountability.\textsuperscript{14}

104. In October 2022, pursuant to Human Rights Council resolution 47/21, the United Nations High Commissioner for Human Rights presented a report on racial justice and equality for Africans and people of African descent (A/HRC/51/53). In the report, the High Commissioner set out developments and initiatives by States and others to address manifestations of systemic racism against Africans and people of African descent, including in the area of law enforcement, and to advance accountability and redress for victims, including for the legacies of enslavement, the transatlantic trade in enslaved Africans and colonialism. The High Commissioner reiterated the call for States to step up the implementation of the 20 actions laid out in the agenda towards transformative change for racial justice and equality,\textsuperscript{15} noting that greater political will was needed to accelerate action that delivers prompt and consequential results for Africans and people of African descent.

105. In November and December 2022, OHCHR convened in-person consultations with human rights defenders of African descent from South America and with activists, practitioners and academics of African descent from Europe. In February and March 2023, OHCHR convened virtual consultations with civil society activists of African descent from Europe and from the Middle East and North Africa.

106. Pursuant to its resolution 48/7, on 28 September 2022 the Human Rights Council held a panel discussion on the negative impact of the legacies of colonialism on the enjoyment of human rights. Panellists and speakers highlighted the negative impact of the legacies of colonialism on human rights, identified challenges in addressing this issue and recommended ways forward (see A/HRC/54/4).

107. In March 2023, as part of the Human Rights 75 initiative, commemorating the seventy-fifth anniversary of the adoption of the Universal Declaration of Human Rights, the High Commissioner issued an open letter inviting States to take bold steps to address emerging forms of racial discrimination and repair long-standing human rights violations, including those rooted in legacies of enslavement and colonialism. These steps should build on existing State obligations under international human rights law and be guided by the Durban Declaration and Programme of Action, the agenda towards transformative change for racial justice and equality and the recommendations of human rights mechanisms. The High Commissioner invited States to provide an update on actions taken at the high-level event to be held in December 2023.\textsuperscript{16}

108. OHCHR continued strengthening its work on antisemitism, including by observing the International Day of Commemoration in Memory of the Victims of the Holocaust\textsuperscript{17} and participating in events on combating antisemitism in and through

\textsuperscript{14} United Nations Office at Geneva, “Afternoon – Volker Türk to Human Rights Council: no country can claim to be free of racism and more needs to be done to combat systemic racism and discrimination that permeate social structures, institutions and technologies”, meeting summaries, 29 March 2023.


\textsuperscript{17} Volker Türk, United Nations High Commissioner for Human Rights, statement during the International Day of Commemoration in memory of the victims of the Holocaust “Home and
sports, organized by the World Jewish Congress on the margins of the fifty-second session of the Human Rights Council, and in a panel discussion on ways to develop and implement a strategy to combat antisemitism, organized by the Government of Czechia in partnership with the World Jewish Congress.

109. In September 2022, the United Nations network on racial discrimination and protection of minorities launched the *Guidance Note on Intersectionality, Racial Discrimination and Protection of Minorities*, which seeks to encourage an intersectionality perspective in the context of policy development, programming and project implementation as a means for strengthening the United Nations system’s efforts to eliminate racial discrimination and protect minorities.

110. The United Nations Educational, Scientific and Cultural Organization (UNESCO) reported that it had developed an anti-racism toolkit that provided evidence-based guidance on creating knowledge, capacity and actions to design and implement anti-racism policies that recognize and address structural forms of racism, targeting policymakers at all levels, non-governmental organizations, women and youth associations, Indigenous Peoples, people of African descent, the private sector and educational institutions. UNESCO also indicated that, in partnership with the Guerrand-Hermès Foundation for Peace, it was developing an initiative on collective healing that addressed the history and legacies of slavery. In addition, UNESCO was establishing a network of places of history and memory linked to enslavement and the slave trade, which would be central to the celebration of the thirtieth anniversary of the UNESCO Routes of Enslaved Peoples project in 2024. UNESCO also collaborated with the Global Coalition against Systemic Racism and for Reparations.

111. UNESCO indicated that the second annual Global Forum against Racism and Discrimination was held on 28 and 29 November 2022 in Mexico City. The Global Forum focused on the adverse impact of exacerbated racism and discrimination on vulnerable populations, including migrants and refugees, during and after the coronavirus disease (COVID-19) pandemic. UNESCO also highlighted its master class series against racism and discriminations and its publication “Recommendation on the ethics of artificial intelligence”, which provided guidance on combating stereotyping and discrimination through artificial intelligence systems. UNESCO emphasized that it was scaling up educational responses to antisemitism through targeted trainings of teachers, school directors and youth, and reported on research it would undertake, jointly with the Oxford Internet Institute, on global trends in online hate speech, which would support the development of a new tool to monitor online hate speech. Further, a policy guide on addressing hate speech through education and a targeted advocacy plan to increase the transparency of Internet companies and combat hate speech would be developed. In partnership with the Institute for Economics and Peace, UNESCO had developed the Framework for Enabling Intercultural Dialogue, an evidence-directed tool for fighting prejudice, stereotypes and hate speech.

112. The United Nations Development Programme (UNDP) reported that it continued to generate public knowledge on the correlations between racism, racial discrimination and development. The UNDP Strategic Plan 2022–2025 included a specific indicator on racism.

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20 Ibid.
VI. Implementation of the Durban Declaration and Programme of Action communications strategy

113. In its resolution 51/32, the Human Rights Council requested the United Nations system to strengthen its awareness-raising campaigns to increase the visibility of the message of the Durban Declaration and Programme of Action, its follow-up mechanisms and the work of the United Nations in the fight against racism.

114. The Department of Global Communications updated the United Nations “Fight Racism” website, which links to the Durban Declaration and Programme of Action and information on the seventy-fifth anniversary of the Universal Declaration of Human Rights and is accessible in all official United Nations languages. The Department also launched an online discussion series entitled “Beyond the long shadow: engaging with difficult histories” aimed at, inter alia, developing a deeper understanding of the historical legacies of slavery and the transatlantic slave trade and their ramifications into present day. United Nations social media accounts published more than 650 posts promoting the #FightRacism campaign across digital platforms in nine languages, reaching more than 15 million people. The Department continued to expand the multilingual assets of the digital #NoToHate campaign on countering hate speech and supported events on addressing racism.

115. In July 2023, pursuant to resolution 51/32, OHCHR submitted a report to the Human Rights Council (A/HRC/53/61) on the progress of the two-year comprehensive communications strategy on racial equality. The communications strategy includes the conduct of an outreach programme to raise awareness about and mobilize global public support for racial equality, which covers the contents of the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action and the contributions to the struggle against racism, racial discrimination, xenophobia and related intolerance they enabled. In the report, OHCHR provided an overview of its Learn, Speak Up, and Act! Campaign, and projects and activities undertaken during this period. OHCHR concluded that continued and increasing support was needed to pursue and enhance its communication efforts beyond the two-year campaign period. It also recommended further enhancing strategic partnerships with relevant stakeholders to increase outreach in national and local contexts.

VII. Conclusions and recommendations

116. The information submitted by Member States and other stakeholders shows that there has been some progress in combating racism, racial discrimination, xenophobia and related intolerance. Several States have adopted or amended constitutional provisions and national legislation, criminalized racial discrimination, established national equality bodies, initiated the development of national and regional policies, including national action plans, and engaged in data collection, among other measures.

117. Despite these efforts, racism persists, and the implementation of the Durban Declaration and Programme of Action is lagging. More needs to be done. The Durban Declaration and Programme of Action remains a relevant and comprehensive document that contains concrete actions to prevent, combat and eliminate racism, racial discrimination, xenophobia and related intolerance.
118. States are encouraged to demonstrate stronger political will and redouble their efforts to implement the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference. States and relevant stakeholders are invited to participate actively in the deliberations of the mechanisms established to follow up on the Durban Declaration and Programme of Action and implement the recommendations emanating therefrom.

119. States are urged to develop stronger legal frameworks to fight racism and address existing challenges, in conformity with international human rights law. States are also urged to develop and effectively implement national action plans to combat racism and racial discrimination that delve deeper into the root causes and drivers of racism and identify the existing structures, laws and policies that perpetuate racism and racial discrimination.

120. States that have not yet done so are urged to ratify or accede to the International Convention on the Elimination of All Forms of Racial Discrimination. States parties to the Convention are urged to implement effectively the recommendations made by the Committee on the Elimination of Racial Discrimination, in order to address and eliminate the scourges of racism and racial discrimination.

121. States are encouraged to make declarations in accordance with article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, recognizing the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within their jurisdiction under its individual communications procedure.

122. Consistent with paragraph 75 of the Durban Declaration and Programme of Action, States parties that have not yet done so should consider withdrawing relevant reservations to the International Convention on the Elimination of All Forms of Racial Discrimination and to the International Covenant on Civil and Political Rights.

123. States should fully cooperate with relevant human rights mechanisms, including the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, the Working Group of Experts on People of African Descent and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including by extending invitations to them to carry out country visits and by implementing their thematic and country-specific recommendations.

124. States are encouraged to fully cooperate with and support the Permanent Forum on People of African Descent.

125. States, as well as other stakeholders, are encouraged to actively engage in the elaboration of the draft United Nations declaration on the promotion and full respect of the human rights of people of African descent.

126. States should acknowledge the reality and impact of racism, especially institutional racism, including in the context of law enforcement. States are urged to address the unwarranted use of force and other human rights violations by law enforcement officials, including against Africans and people of African descent.

127. Through strong political leadership, dialogue and comprehensive responses, States and other stakeholders should address the long-lasting impact of the legacies of enslavement, the transatlantic trade in enslaved Africans and colonialism and their linkages to contemporary forms of racism and racial
discrimination. In this regard, States are encouraged to duly take into account the High Commissioner’s agenda towards transformative change for racial justice and equality, anchored in the lived experiences of Africans and people of African descent, in action plans and concrete measures developed through national dialogues.

128. States are strongly encouraged to collect and use data disaggregated by race or ethnic origin, with strict safeguards and in line with international human rights standards, to inform the design and implementation of sound policies, strategies and actions that effectively address racism and racial discrimination.

129. States are encouraged to incorporate race and gender analysis in the implementation of all aspects of the Durban Programme of Action and national plans of action. States should increase public actions and policies in favour of children and youth of African descent.

130. States should promote and protect fully and effectively the human rights and fundamental freedoms of all migrants, in conformity with their obligations under international law. States should also comply with their obligations under international human rights law, refugee law and humanitarian law relating to refugees.

131. States should further strengthen effective measures to combat hate speech and hate crime, in accordance with their obligations under international human rights law and guided by the Durban Declaration and Programme of Action and the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

132. States should ensure the meaningful consultation and safe participation of affected individuals and communities in the design and implementation of policies that contribute to halting, reversing and repairing the lasting consequences and ongoing manifestations of racism and racial discrimination.

133. Efforts towards recognition, justice and development for people of African descent should be pursued vigorously beyond 2024.