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Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Programme of activities for the implementation of the International Decade for People of African Descent*

Report of the Secretary-General

Summary

In line with the programme of activities for the implementation of the International Decade for People of African Descent, the present report is focused on the enjoyment of human rights by children and young people of African descent.

The report draws on the work of international human rights mechanisms and the responses of stakeholders to a questionnaire circulated by the Office of the United Nations High Commissioner for Human Rights.** The experiences of children and young people of African descent of racial discrimination, manifested in its various dimensions, are set out. The way in which the coronavirus disease (COVID-19) pandemic has further magnified existing patterns of discrimination is highlighted, and promising practices for the realization of the rights of children and young people of African descent are outlined.

* The present report was submitted after the deadline in order to reflect the most recent developments.

** On 14 February 2020, the Office of the United Nations High Commissioner for Human Rights circulated a questionnaire addressed to stakeholders requesting information for the report. As at 1 July 2020, information had been received from 17 States (Argentina, Chile, Colombia, Ecuador, El Salvador, Guatemala, Hungary, Italy, Kazakhstan, Mexico, Panama, Paraguay, Peru, Russian Federation, Senegal, Sweden and Tunisia). Submissions were also received from three United Nations system entities and three non-governmental organizations. The submissions are available at www.un.org/en/observances/decade-people-african-descent.



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution [69/16](#). It provides an overview of the enjoyment of human rights by children and young people¹ of African descent. The report is structured around intersecting issues covered in both the programme of activities for the implementation of the International Decade for People of African Descent (General Assembly resolution [69/16](#), annex) and the 2030 Agenda for Sustainable Development (General Assembly resolution [70/1](#), annex). In the report, the following rights of children are addressed: (a) to be free from discrimination; (b) to survive and thrive; (c) to learn; (d) to be protected from violence, racism and discrimination in the administration of justice; (e) to have social protection and decent work; and (f) to participate in decision-making.

II. Progress and challenges with respect to the human rights of children and young people of African descent

A. Every child and young person should be free from discrimination

Sustainable Development Goal 10

2. With the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, States have committed themselves to several goals to counter racial discrimination. These include eliminating discriminatory laws, policies and practices to ensure equal opportunities and reduce inequalities of outcome (target 10.3) and empowering and promoting the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status (target 10.2). They also agreed to leave no one behind and to target those furthest behind first.

3. According to the Convention on the Rights of the Child, all children have the right to equality and non-discrimination (art. 2 (1)). Those rights are also recognized in articles 1, 2 and 7 of the Universal Declaration of Human Rights; articles 2 (1) and 26 of the International Covenant on Civil and Political Rights; article 2 (2) of the International Covenant on Economic, Social and Cultural Rights; and article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination.

4. The Committee on the Rights of the Child has emphasized that particular attention must be paid to de facto discrimination, which may be the result of a lack of consistent policies and involve vulnerable groups of children, including children belonging to racial and ethnic minorities ([CRC/C/GC/10](#), para. 6). This is especially relevant for children and young people of African descent, who experience particular vulnerability, as recognized by the Committee on the Elimination of Racial Discrimination in its general recommendation No. 34 ([CERD/C/GC/34](#), paras. 25 and 26).

¹ For the purposes of the present report, children of African descent will be considered all Afrodescendent human beings below the age of 18 years (Convention on the Rights of the Child, art. 1). Along with children, specific attention will be paid in the present report to young people of African descent. The term “youth” is not used in a consistent manner across the United Nations system. Some United Nations organizations use “young people” as an umbrella term for “youth” and “adolescents”, spanning the ages of 10 to 24 years. The Committee on the Rights of the Child uses “adolescents” and focuses on the period of childhood from the tenth to the eighteenth birthday. For others, such as the United Nations Human Settlements Programme (UN-Habitat), “youth” refers to persons aged 15 to 32 years, while still others use the age range from 15 to 29 years. In the present report, young people of African descent will be considered all Afrodescendent adults below the age of 29 years.

5. It is recognized in paragraph 9 of the Durban Programme of Action that there is a need for targeted interventions for young men and women of African descent to address racism, given that it affects them more deeply, placing them in a more disadvantaged situation. That need is echoed in the programme of activities for the International Decade, in which practical measures are set forward for States to remove all obstacles that prevent people of African descent from enjoying all rights on an equal basis with others, including by abolishing discriminatory legislation and practices and adopting anti-discrimination laws and policies (General Assembly resolution 69/16, annex, para. 11).

6. The coronavirus disease (COVID-19) pandemic has both highlighted underlying structural inequalities² and exacerbated inequalities for all, especially children and youth. The effects of the crisis are particularly uneven for racial and ethnic minorities,³ who are experiencing a rise in discrimination and violence against them, along with denial of services and exposure to stigma and hate speech, with narratives stressing ethnic origin rather than medical status.⁴ COVID-19 is often placing a disproportionate burden on children in vulnerable conditions,⁵ thus the fear that Afrodescendent children and young people may face a higher risk.

7. In relation to the COVID-19 crisis, in its resolution 74/270, the General Assembly stressed that there is no place for any form of discrimination, racism and xenophobia in the response to the pandemic (para. 2). Measures to address the global health crisis should foster equality and guarantee respect for the best interests of children.⁶ Special measures should be taken to fulfil the right to non-discrimination,⁷ including of Afrodescendent children and young people. Recognizing the uneven effects of the global health crisis on racial and ethnic minorities is the first step in addressing this gap.

B. Every child and young person should be able to survive and thrive

Sustainable Development Goal 1

8. In Sustainable Development Goal 1, States reaffirmed the importance of eradicating extreme poverty for all and reducing by half the number of boys and girls living in poverty according to national definitions (target 1.2). While noting that the impact of poverty has profound implications during adolescence, the Committee on the Rights of the Child, in its general comment No. 20, reminded States of the right of every child to a suitable standard of living for physical, mental, spiritual, moral and social development and urged States to introduce social protection floors that provide basic income security, protection against economic shocks and prolonged economic crises and access to social services (CRC/C/GC/20, paras. 66–67).

² United Nations, “COVID-19 and human rights: we are all in this together”, April 2020, pp. 10–12.

³ OHCHR, “Disproportionate impact of COVID-19 on racial and ethnic minorities needs to be urgently addressed – Bachelet”, 2 June 2020. Available at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25916&LangID=E.

⁴ OHCHR, “Leave no one behind: racial discrimination and the protection of minorities in the COVID-19 crisis – statement by the United Nations network on racial discrimination and the protection of minorities”, 29 April 2020, pp. 2–3. Available at www.ohchr.org/Documents/Issues/Minorities/UN_Network_Racial_Discrimination_Minorities_COVID.pdf

⁵ United Nations, “Policy brief: the impact of COVID-19 on children”, 15 April 2020, pp. 11–12.

⁶ OHCHR, “COVID-19 guidance”, 13 May 2020. Available at www.ohchr.org/Documents/Events/COVID-19_Guidance.pdf.

⁷ United Nations, “A UN framework for the immediate socio-economic response to COVID-19”, April 2020, pp. 41–42.

9. Poverty, which has been recognized as a “multidimensional phenomenon” (A/HRC/15/41, para. 14), is an affront to human dignity and can result in violations of the human rights of children, including the rights to the continuous improvement of living conditions, in accordance with article 11 of the International Covenant on Economic, Social and Cultural Rights, and to survival and development, in accordance with article 6 of the Convention on the Rights of the Child. In the programme of activities for the International Decade, poverty is recognized as both a cause and a consequence of discrimination (General Assembly resolution 69/16, annex, para. 20). Poverty stems from “chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living” (E/C.12/2001/10, para. 8). It combines income poverty, human development poverty and social exclusion (A/HRC/7/15, para. 13). The resulting structural imbalances of power make violence more likely (A/72/502, paras. 13–14).

10. Poverty has a long-term impact on children and young people of African descent. Poverty and discrimination both lead to and result from a lack of equal opportunities (for example, educational) and employment for youth. In 2016, it was reported that more than 70 million young workers lived in poverty, and that number rose to 156 million if the threshold was raised to include the moderately poor.⁸

11. In its general recommendation No. 34, the Committee on the Elimination of Racial Discrimination recognized that the particular vulnerability of children of African descent may lead to the transmission of poverty across generations. It also indicated that States should adopt special measures to ensure equality in the exercise of their rights (CERD/C/GC/34, para. 25).

12. Overall, rates of poverty and extreme poverty are significantly higher for people of African descent.⁹ According to the World Bank, being born to Afrodescendent parents increases the likelihood of a child being poor. In Brazil, for example, comparing two households with similar socioeconomic conditions, the probability of being poor increases by about 7 per cent if the household head is Afrodescendent (whether male or female); in Colombia, Ecuador and Uruguay, the probability of Afrodescendent households being poor is between 4 and 6 per cent higher than for non-Afrodescendants.¹⁰ In countries such as Portugal and Uruguay, children of African descent experience higher rates of poverty and lower standards of living (CRC/C/PRT/CO/5-6, para. 39; and CRC/C/URY/CO/3-5, para. 55).

Box 1

Mexico: national strategy on equality, with a particular focus on children and girls of African descent

In December 2019, Mexico adopted the national programme for equality and non-discrimination for the period 2019–2024 and a special programme for indigenous and Afro-Mexican peoples for the period 2020–2024. The aim of the programmes is to incorporate a gender perspective into public policies, with a particular focus on children and girls of African descent.

^a Questionnaire response from Mexico.

⁸ *World Youth Report: Youth and the 2030 Agenda for Sustainable Development* (United Nations publication, Sales No. E.18.IV.7), p. 43.

⁹ Economic Commission for Latin America and the Caribbean (ECLAC), *Situación de las personas afrodescendientes en América Latina y desafíos de políticas para la garantía de sus derechos* (Santiago, 2017), pp. 74–77.

¹⁰ World Bank, *Afro-descendants in Latin America: Toward a Framework of Inclusion* (Washington, D.C., 2018), p. 76.

13. Poverty has been recognized as a risk factor during the COVID-19 pandemic.¹¹ COVID-19 is projected to push between 71 million and 100 million people into extreme poverty in 2020.¹² It is estimated that between 42 million and 66 million children could fall into extreme poverty as a result of the economic crisis caused by lockdown measures.¹³ Afrodescendent children and young people are likely to face a disproportionate burden, since at-risk populations experience the highest degree of socioeconomic marginalization.¹⁴ In addition, the risk of Afrodescendent children becoming poor and thus being more exposed to COVID-19 is particularly high owing to existing patterns of discrimination, which make the situation in which Afrodescendent children live even more uneven.

14. In the programme of activities States are encouraged to strengthen national programmes for eradicating poverty and to reduce social exclusion that take into account the particular conditions of people of African descent (General Assembly resolution 69/16, annex, para. 20). COVID-19 information and response efforts should take into account the situation of children and young people of African descent living in poverty, especially those who have no access to information and the Internet.¹⁵ An integrated and holistic rights-based approach to poverty is believed to have the potential to empower (see General Assembly resolution 67/164), and it should be used in the current context of crisis, with the aim of reducing rates of poverty among children and young people of African descent during the COVID-19 pandemic.

Sustainable Development Goals 2 and 3

15. In Sustainable Development Goal 2, the importance of ending all forms of malnutrition affecting children under 5 years of age is reaffirmed (target 2.2). In Goal 3, States are called upon to reduce the rates of newborn mortality and child mortality (target 3.2).

16. Under article 11 of the International Covenant on Economic, Social and Cultural Rights, States parties recognize the right of everyone to food. Under article 24 of the Convention on the Rights of the Child, States parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. In pursuing the full implementation of that right, States should, inter alia, diminish infant and child mortality (art. 24 (2) (a)) and combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the provision of adequate nutritious food (art. 24 (2) (c)).

17. Significant strides have been made in reducing rates of poverty and improving child survival rates. In 1990, more than 12.5 million children died before the age of five. By 2018, that number had fallen to just over 5 million, although with clear disparities between and within countries.¹⁶ In some regions, for instance in Latin America, data disaggregated by race and ethnicity show that the infant mortality rate among Afrodescendants exceeds by several per mille points that of the rest of the

¹¹ United Nations, "COVID-19 and human rights: we are all in this together", p. 7.

¹² World Bank, "Projected poverty impacts of COVID-19 (coronavirus)", 8 June 2020. Available at www.worldbank.org/en/topic/poverty/brief/projected-poverty-impacts-of-COVID-19.

¹³ United Nations, "Policy brief: the impact of COVID-19 on children", p. 2.

¹⁴ United Nations, "A UN framework for the immediate socio-economic response to COVID-19", p. 7.

¹⁵ OHCHR, "COVID-19 guidance", 13 May 2020, pp. 2–5.

¹⁶ United Nations Children's Fund (UNICEF), *For Every Child, Every Right: The Convention on the Rights of the Child at a Crossroads* (New York, 2019), p. 18.

population.¹⁷ For example, in Colombia, the infant mortality rate for Afrodescendants was nearly twice the national average in 2011, with life expectancy at birth for people of African descent on average lower than for other people.¹⁸ In Panama, high rates of infant mortality also disproportionately affect children of African descent (CRC/C/PAN/CO/5-6, para. 15).

18. Before the COVID-19 pandemic, States had already been called upon to step up their efforts to provide an effective response to the situation of food insecurity, child malnutrition and poor sanitation services, especially prevalent among children of African descent in remote rural areas.¹⁹ The COVID-19 pandemic has severely limited the ability of people living in poverty to purchase food owing to loss of income. The most vulnerable require protection in view of the probability of a dangerous decline in dietary quality in many countries, given the freezing of food transfer schemes and the breakdown of food markets.²⁰ People of African descent are likely to face higher rates of mortality from COVID-19 due to inequalities in access to water, sanitation and health systems.²¹ The health crisis could reverse the progress made in reducing infant mortality over the last three years, as the economic downturn stemming from the crisis could result in hundreds of thousands of additional child deaths in 2020.²²

C. Every child and young person should learn

Sustainable Development Goal 4

19. In Sustainable Development Goal 4, States reaffirmed the importance of ensuring that all girls and boys complete free, equitable and quality primary and secondary education (target 4.1) in child- and gender-sensitive learning environments (target 4.a). Their right to have access to quality early-childhood development, care and pre-primary education was also underlined (target 4.2).

20. Education is an enabling right through which children access other fundamental human rights (E/C.12/1999/10, para. 1). The right to education, in accordance with articles 28 and 29 of the Convention on the Rights of the Child, has to be enjoyed equally by all. For the right to be realized, it must be available, accessible, acceptable and adaptable (ibid., para. 6).

21. In the programme of activities, it is specified that States have to ensure that children and adolescents of African descent have access to free primary education and to all levels and forms of quality public education without discrimination. It is also indicated that States should take measures to ensure that public and private education systems do not exclude or discriminate against children of African descent (General Assembly resolution 69/16, annex, para. 22). Inclusive education requires a holistic

¹⁷ Laís Abramo, “Niños, niñas y adolescentes afrodescendientes en América Latina: el entrecruzamiento de diversas dimensiones de la desigualdad social” in *Construyendo políticas públicas hacia los niños, niñas y adolescentes afrodescendientes de las Américas y el Caribe: en el marco de la II Reunión de la Conferencia Regional sobre Desarrollo Social de América Latina y el Caribe (CEPAL)* (Montevideo, Ministry of Social Development, 2019), pp. 37–38; and Inter-American Commission on Human Rights, “Report on poverty and human rights in the Americas” (OEA/Ser.L/V/II.164, Doc. 147).

¹⁸ Inter-American Commission on Human Rights, “The situation of people of African descent in the Americas” (OEA/Ser.L/V/II, Doc. 62), para. 18.

¹⁹ CERD/C/PRY/CO/4-6, para. 34; CRC/C/PAN/CO/5-6, para. 36; CRC/C/MEX/CO/4-5, para. 61; CRC/C/HND/CO/4-5, para. 68; and CRC/C/COL/CO/4-5, para. 39.

²⁰ United Nations, “Policy brief: the impact of COVID-19 on food security and nutrition”, June 2020, p. 19.

²¹ ECLAC, “The social challenge in times of COVID-19”, COVID-19 Special Report, No. 3, 12 May 2020, p. 6.

²² United Nations, “Policy brief: the impact of COVID-19 on children”, p. 2.

and human rights-based approach, guaranteeing recognition of and respect for the culture, history and heritage of people of African descent, both in textbooks and curricula, and countering negative stereotypes (*ibid.*, para. 12 (c)–(g).

22. In its general comment No. 21, the Committee on the Rights of the Child emphasized that exclusion from basic services, such as health and education, amounts to discrimination against children (*CRC/C/GC/21*, para. 26). In some countries, such as Ecuador, the Committee found that children of African descent experience discrimination in accessing education (*CRC/C/ECU/CO/5-6*, para. 16 (a)).

23. The Inter-American Commission on Human Rights has highlighted that, in areas in which the population is composed mostly of people of African descent, education is not sufficient, and illiteracy rates are higher. In addition, in those areas, children and young people of African descent have fewer years of education and only few enter or complete higher education.²³

Box 2

Colombia: ensuring education for children of African descent by strengthening infrastructure

Colombia reported on the adoption of its national development plan for the period 2018–2022, which includes the generation of educational opportunities, in particular for Afrodescendent children. The plan is aimed at strengthening educational infrastructure by building schools and ensuring educational services in areas populated mostly by Afro-Colombians.^a

^a Questionnaire response from Colombia.

24. In several countries in Latin America, school attendance of children of African descent aged between 12 and 17 years is lower than that of non-Afrodescendants.²⁴ The same applies to young people aged 18 to 24 years attending education facilities.²⁵ The gap in school attendance is wider for girls of African descent than for non-Afrodescendent girls.²⁶ In addition, teenage pregnancy, which is more common among Afrodescendent girls,²⁷ amounts to an obstacle to the conclusion of educational trajectories.²⁸

25. In its general recommendation No. 34, the Committee on the Elimination of Racial Discrimination recommended that States adopt special measures to reduce school dropout rates for children of African descent. It also recommended that States take measures to ensure that public and private education systems do not discriminate against or exclude children based on race or descent and that people of African descent are guaranteed equitable access to higher education (*CERD/C/GC/34*, paras. 62–64).

²³ Inter-American Commission on Human Rights, “The situation of people of African descent in the Americas”, para. 53.

²⁴ ECLAC, “Children of African descent in Latin America”, section II. Available at www.cepal.org/en/notes/children-african-descent-latin-america.

²⁵ Laís Abramo, “Niños, niñas y adolescentes afrodescendientes en América Latina: el entrecruzamiento de diversas dimensiones de la desigualdad social”, p. 45.

²⁶ ECLAC, *Afrodescendent women in Latin America and the Caribbean: debts of equality* (Santiago, 2018), p. 28.

²⁷ ECLAC and United Nations Children’s Fund, “The rights of children of African descent in Latin America and the Caribbean”, *Challenges* newsletter, issue No. 22, November 2019.

²⁸ ECLAC, “Children of African descent in Latin America”.

26. Racial stereotypes continue to influence attitudes towards the scholastic ability of Afrodescendent students and their success. Teachers tend to recommend that students of African descent follow educational paths that reduce the likelihood for higher education (A/74/274, paras. 71–72). Educational outcomes are highly influenced by ethnic origin. In the United Kingdom of Great Britain and Northern Ireland, for example, Afro-Caribbean children are nearly three times more likely to be permanently excluded than white British pupils (A/HRC/41/54/Add.2, para. 25).

27. The European Union Agency for Fundamental Rights has highlighted widespread racist bullying against children of African descent in schools. One in five parents reported that their black children experienced bullying on school premises, with percentages as high as 40–45 per cent in countries such as Austria, Finland and Germany.²⁹

28. There is concern that the trends described above may be intensified as a consequence of the recent interruption to schooling due to the COVID-19 pandemic.³⁰ The most vulnerable pupils, with limited conditions for continuity of learning at home, have suffered the most, and some may never return to school.³¹ Although two thirds of countries have introduced national distance-learning platforms,³² learners in situations of vulnerability tend to have fewer digital skills and lack access to the Internet,³³ and live in overcrowded conditions with adults who have lower levels of education.³⁴ In a forthcoming general comment, the Committee on the Rights of the Child is expected to emphasize that attention must be paid to children's ethnic or national origin and socioeconomic background in assessing discrimination in access to the digital environment.

29. Alternative accessible teaching methods, such as online and adapted learning, must therefore be considered in the context of school closures as a result of the COVID-19 pandemic.³⁵ Such measures should also target the specific needs of children and young people of African descent.

Box 3

Ecuador: ethno-education activities

Ecuador reported that, in 2018–2019, the National Ethno-Education Commission and the National Curriculum Directorate developed the first Afro-Ecuadorian educational module, entitled “Learning experiences on Afro-Ecuadorian culture”, targeting teachers and pupils. The module was implemented with the involvement of Afro-Ecuadorian teachers and educators.^a

^a Questionnaire response from Ecuador.

²⁹ European Union Agency for Fundamental Rights, *Second European Union Minorities and Discrimination Survey: Being Black in the EU* (Luxembourg, Publications Office of the European Union, 2018), pp. 45–48.

³⁰ By April 2020, 94 per cent of learners worldwide were affected, representing 1.58 billion children and young people in 200 countries. United Nations, “Policy brief: education during COVID-19 and beyond”, August 2020, p. 5.

³¹ Ibid, p. 7.

³² United Nations, “Policy brief: the impact of COVID-19 on children”, p. 7.

³³ United Nations, “Policy brief: education during COVID-19 and beyond”, p. 8.

³⁴ ECLAC, “The social challenge in times of COVID-19”, p. 6.

³⁵ OHCHR, “COVID-19 guidance”, 13 May 2020, p. 5.

D. Every child and young person should be protected from violence, racism and discrimination in the administration of justice

Sustainable Development Goals 10 and 16

30. In Sustainable Development Goal 16, States reaffirmed the importance of ending abuse, torture and all forms of violence against children (target 16.2), promoting the rule of law and ensuring equal access to justice for all (target 16.3) and developing effective, accountable and transparent institutions at all levels (target 16.6). Under Goal 10, States are required to eliminate discriminatory laws, policies and practices (target 10.3).

31. According to article 19 of the Convention on the Rights of the Child, States have the obligation to take all appropriate measures to protect children from all forms of physical or mental violence, injury or abuse. In its general comment No. 13, the Committee on the Rights of the Child emphasized that States parties must take measures to ensure such protection without discrimination, including on grounds of race or ethnicity ([CRC/C/GC/13](#), para. 60).

32. In its general recommendation No. 34, the Committee on the Elimination of Racial Discrimination recommended that States take measures to prevent the use of illegal force, torture, inhuman or degrading treatment or discrimination by the police or other law enforcement agencies and officials against people of African descent and to ensure that people of African descent are not victims of practices of racial or ethnic profiling ([CERD/C/GC/34](#), para. 39).

33. Pursuant to the programme of activities, States must facilitate access to justice for people of African descent who are victims of racism, which includes ensuring that all the guarantees of a fair trial, including the right to the presumption of innocence, are in place. It also stresses the need to prevent all forms of violence against them, including by State officials (General Assembly resolution [69/16](#), annex, para. 17 (f)–(h)).

34. In some countries, young people of African descent are disproportionately affected by violence. In Brazil, the Government's youth vulnerability to violence index showed that, in 2015, young Afrodescendants were 2.7 times more likely to be killed than white youths.³⁶

35. Police violence and discrimination in the administration of justice against children and young people of African descent is a widespread phenomenon in some countries. Arbitrary use of force by law enforcement officials, police brutality and racial profiling have often gone along with impunity and discrimination in the administration of justice, placing a disproportionate burden on people of African descent, including young people, often leading to the presumption that they are responsible for crimes ([A/73/354](#), paras. 7–10). Owing to persistent patterns of structural discrimination, the justice sector contributes to the association of blackness with criminality and leads to the view that Afrodescendent children are older, more culpable and less innocent ([A/74/274](#), paras. 55–57).

36. Afrodescendants, including children and young people, are often targeted, stigmatized, stereotyped and profiled by law enforcement officials on grounds of race (*ibid.*, para. 65). Reports of racial profiling and violence by the police towards young men of African descent are also common.³⁷ In Europe, young people of African

³⁶ World Bank, *Afro-descendants in Latin America: Toward a Framework of Inclusion*, pp. 67–68.

³⁷ Inter-American Commission on Human Rights, "The situation of people of African descent in the Americas", para. 173; and *Police Violence against Afro-descendants in the United States* (2018), paras. 31 and 71–87.

descent are reported to have increasingly been targeted and registered in police gang databases as suspects.³⁸ In the United Kingdom, in 2018 the Ministry of Justice found that black children were four times more likely to be arrested than white children.³⁹ In Australia, in 2019 African-Australian communities were reported to have experienced heightened public attention in response to concerns about youth crime.⁴⁰

37. In the Americas, the discriminatory treatment of Afrodescendants by State agents has been highlighted as a worrying trend.⁴¹ African Americans, who amount to 13.4 per cent of the total population of the United States of America,⁴² reportedly represent 28 per cent of all young people arrested and 58 per cent of young people sentenced to confinement in prisons.⁴³ A recent European Union survey showed that 24 per cent of respondents of African descent had been stopped by the police in the five years before the survey. Fifty per cent of those aged 16 to 24 years who were stopped felt that their most recent stop had been racially motivated.⁴⁴

38. On 17 and 18 June 2020, the Human Rights Council held an urgent debate on racially inspired human rights violations, systemic racism, police brutality and violence against peaceful protests. In its resolution 43/1, the Council requested the United Nations High Commissioner for Human Rights, inter alia, to prepare a report to be presented to the Council at its forty-seventh session on systemic racism, violations of international human rights law against Africans and people of African descent by law enforcement agencies (para. 3). On 5 June 2020, independent United Nations human rights experts called on the United States to address systemic racism and racial bias in the country's criminal justice system by launching investigations and ensuring accountability in all cases of excessive use of force by police.⁴⁵

Box 4

Sweden: raising awareness of racism among public civil servants

Since 2015, the Government of Sweden has tasked the Living History Forum with developing education initiatives to counter racism and racial discrimination within the public sector. Target groups include school staff and other public employees, such as the Swedish Police Authority and the Swedish Public Employment Service.^a

^a Questionnaire response from Sweden.

39. During the COVID-19 pandemic, persons deprived of liberty are particularly exposed to the virus when they are held in overcrowded or otherwise unsafe prisons.⁴⁶ Taking measures to prevent transmission is key to reducing the health risks for the

³⁸ Patrick Williams and Eric Kind, *Data-driven Policing: The Hardwiring of Discriminatory Policing Practices across Europe* (Brussels, European Network against Racism, 2019), p. 11.

³⁹ Ministry of Justice, "Youth Justice Statistics 2017/18", p. 8.

⁴⁰ Australian Human Rights Commission, *Children's Rights Report 2019: In Their Own Right – Children's Rights in Australia* (2019), p. 84.

⁴¹ Inter-American Commission on Human Rights, *Violence, Children and Organized Crime* (2015).

⁴² See www.census.gov/quickfacts/fact/table/US/PST045219; and CERD/C/USA/CO/7-9, para. 20.

⁴³ Inter-American Commission on Human Rights, *The Situation of Children in the Adult Criminal Justice System in the United States* (2018).

⁴⁴ European Union Agency for Fundamental Rights, *Second European Union Minorities and Discrimination Survey: Being Black in the EU*, pp. 30–32.

⁴⁵ OHCHR, "UN experts condemn modern-day racial terror lynchings in US and call for systemic reform and justice", 5 June 2020. Available at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25933.

⁴⁶ United Nations, "Shared responsibility, global solidarity: responding to the socio-economic impacts of COVID-19", March 2020, p. 10.

prison population.⁴⁷ Particular effort should be made to release children and young people deprived of their liberty,⁴⁸ including those of African descent.

40. Eradicating violence, racism and discrimination in the administration of justice against children and young people of African descent requires comprehensive interventions grounded in the understanding of the underlying conditions that make some communities more exposed to violence. A human rights-based approach that puts children and young people of African descent at the centre of such interventions requires a change in institutional biases that lead to stigmatization and criminalization, possibly posing threats of setbacks to the full implementation of the programme of activities for the International Decade.

E. Social protection and decent jobs should be secured for young people

Sustainable Development Goal 8

41. In Sustainable Development Goal 8, States are called upon to achieve full employment and decent work for all, including young people, and equal pay for work of equal value (target 8.5). It also affirms the importance of reducing the proportion of youth not in employment, education or training (target 8.6) and protecting labour rights and promoting safe and secure working environments for all workers and those in precarious employment (target 8.8).

42. The right to social security is recognized in article 9 of the International Covenant on Economic, Social and Cultural Rights, and the right to the enjoyment of just and favourable conditions of work is set forth in article 7. The right of every child to social security is also affirmed in article 26 of the Convention on the Rights of the Child.

43. In its general comment No. 19, the Committee on Economic, Social and Cultural Rights highlighted that social security plays an important role in poverty reduction and alleviation, preventing social exclusion of the most vulnerable, especially when they are faced with circumstances that deprive them of their capacity to fully realize their rights (E/C.12/GC/19, para. 3).

44. Under the Durban Programme of Action, States are required to eliminate racial discrimination against people of African descent in the workplace and eliminate barriers in employment for them (para. 29). The same goals are reinforced in the programme of activities for the International Decade (General Assembly resolution 69/16, annex, para. 23).

45. In some countries, young people of African descent experience high unemployment rates, precarious jobs and unequal work conditions,⁴⁹ all of which have gender components that disproportionately affect young women and girls.⁵⁰ According to the World Bank, Afrodescendants in many countries of Latin America experience nearly twice the rate of unemployment of non-Afrodescendants, with even

⁴⁷ Inter-Agency Standing Committee, “Interim Guidance: COVID-19 – Focus on persons deprived of their liberty”, March 2020.

⁴⁸ Alliance for Child Protection in Humanitarian Action and UNICEF, “Technical note: COVID-19 and children deprived of their liberty”, 2020, p. 4; OHCHR, “COVID-19 guidance”, 13 May 2020, p. 3; Inter-Agency Working Group on Violence against Children, “Agenda for Action”, p. 3, available at www.ohchr.org/Documents/Events/COVID-19/Agenda_for_Action_IAWG-VAC.pdf; and United Nations, “A UN framework for the immediate socio-economic response to COVID-19”, pp. 41–45.

⁴⁹ ECLAC, “Children of African descent in Latin America”, section II.A.

⁵⁰ ECLAC, *The inefficiency of inequality* (Santiago, 2018), pp. 23 and 116.

higher rates reported in some countries.⁵¹ Of those in employment, a larger share of Afrodescendants work in low-skilled occupations.⁵² In the European Union, a survey in 2018 showed that, among respondents, the proportion of black young people who were not in work or in education or training was much higher than the rate in the general population. In 2016, in Austria, Malta and Italy, 76, 70 and 42 per cent of respondents of African descent were not in work or in education or training, respectively, compared with 7.7, 8.5 and 19.9 per cent of the general population.⁵³

46. The conditions under which young Afrodescendants join the labour market remain highly unequal. In several countries in Latin America, the wage gap between the general population and people of African descent increases with educational attainment.⁵⁴ Data in the region show that the more years of schooling, the wider the gap in income between Afrodescendants and non-Afrodescendants aged 15 years and over.⁵⁵ This implies that young people of African descent are not receiving the same benefits as their peers for increasing educational levels.

47. Discrimination against Afrodescendants has been an essential determinant in social mobility and precarity and a barrier to the enjoyment of decent jobs.⁵⁶ In Latin America, in countries such as Brazil, Ecuador, Panama and Uruguay, unemployment disproportionately affects young people of African descent from the age of 15.⁵⁷ Among the employed, in some regions, young Afrodescendants frequently occupy the lowest ranks on the job ladder and mostly perform informal and low-skilled tasks, with gaps in income, access to food and social mobility.⁵⁸ Moreover, employers often discriminate against the population of African descent in sales and managerial positions, using terms such as “good appearance” to cover their preference for white candidates.⁵⁹

48. The Working Group of Experts on People of African Descent has highlighted the discriminatory conditions affecting Afrodescendent workers. In Belgium, it noted that people of African descent faced “downgrading” and other employment challenges. Although 60 per cent of Afro-Belgians are educated to degree level, they are four times more likely to be unemployed than the national average ([A/HRC/42/59/Add.1](#), para. 52). In Argentina, people of African descent have been confined to the informal job sector, which made them vulnerable to exploitation ([A/HRC/42/59/Add.2](#), para. 42). In Canada, the Working Group noted the disproportionately high unemployment rates among African Canadians, many of whom are forced to take low-paying jobs with little security ([A/HRC/36/60/Add.1](#), para. 57). It also reported that, in Spain, high levels of unemployment among people of African descent coexist alongside discriminatory recruitment procedures, exploitation in the workplace and lack of social security ([A/HRC/39/69/Add.2](#), para. 45). In Panama, the Working Group reported that the rate of unemployment for people of African descent, particularly young people, is above the national average,

⁵¹ World Bank, *Afro-descendants in Latin America: Toward a Framework of Inclusion*, p. 80.

⁵² *Ibid.*, p. 65.

⁵³ European Union Agency for Fundamental Rights, *Second European Union Minorities and Discrimination Survey: Being Black in the EU*, p. 52.

⁵⁴ World Bank, *Afro-descendants in Latin America: Toward a Framework of Inclusion*, p. 22.

⁵⁵ ECLAC, *The inefficiency of inequality*, p. 23.

⁵⁶ Inter-American Commission on Human Rights, *Informe sobre Empresas y Derechos Humanos: Estándares Interamericanos* (2019), para. 352.

⁵⁷ Laís Abramo, “Niños, niñas y adolescentes afrodescendientes en América Latina: el entrecruzamiento de diversas dimensiones de la desigualdad social”, pp. 35–37.

⁵⁸ Inter-American Commission on Human Rights, “Report on poverty and human rights in the Americas”.

⁵⁹ Inter-American Commission on Human Rights, “The situation of people of African descent in the Americas”.

and that they may experience racist bullying once in work ([A/HRC/24/52/Add.2](#), para. 40).

49. The International Labour Organization recommends developing strategies to promote youth employment with targeted intervention aimed at countering discrimination against people of African descent in the workplace.⁶⁰ Such strategies include job-search assistance to support young entrepreneurs and identifying skills mismatch by ensuring that training programmes meet labour market needs.⁶¹ The COVID-19 pandemic has brought severe disruption on economies all around the world (see General Assembly resolution [74/270](#)). Before the crisis, some 267 million young people were not in employment, education or training. That number is expected to increase following the health crisis, causing a “lockdown generation”, owing, inter alia, to the fact that they account for more than 4 in 10 workers in hard-hit sectors.⁶² Young people belonging to ethnic minorities are expected to be disproportionately affected⁶³ owing to their vulnerable socioeconomic conditions compared with the rest of the population, limited access to social protection and unemployment assistance, high levels of discrimination in the labour market⁶⁴ and overrepresentation in the informal sector.

Box 5

United Nations Population Fund: providing job qualifications and employment support for Afro-descendent youth

Since 2019, the United Nations Population Fund in Brazil, in partnership with the Government of Brazil, has been implementing a project focused on geographical areas whose populations are among the most vulnerable in the country and include mainly Afrodescendants. The aims of the project include providing job qualifications and employment support for 2,000 adolescents by December 2021.^a

^a Questionnaire response from the United Nations Population Fund.

50. Social protection offsets the loss of labour income, particularly for workers in informal and precarious employment. Implementing universal, redistributive and solidarity-based policies with a human rights-based approach to employment and decent work conditions for young people of African descent, as indicated by the programme of activities for the International Decade (General Assembly resolution [69/16](#), annex, para. 23), is key to reducing the short- and long-term consequences of the COVID-19 pandemic. States should ensure that efforts to mitigate and address the impacts of the pandemic include provisions that are responsive to the specific situations of young people of African descent, including through decent jobs and social protection,⁶⁵ and ensure support for young workers who are hard hit.⁶⁶ Access to decent work and social security reduces poverty and contributes to the enjoyment of other rights, such as the rights to health and to an adequate standard of living

⁶⁰ International Labour Organization, Supplementary report: International Decade for People of African Descent (2015–24) (GB.326/INS/15/3), para. 23.

⁶¹ International Labour Organization, *Guide on Measuring Decent Jobs for Youth: Monitoring, Evaluation and Learning in Labour Market Programmes* (Geneva, 2018).

⁶² United Nations, “Policy brief: the world of work and COVID-19”, June 2020, pp. 2–12.

⁶³ OHCHR, “Disproportionate impact of COVID-19 on racial and ethnic minorities needs to be urgently addressed – Bachelet”.

⁶⁴ United Nations, “Policy brief: the impact of COVID-19 on Latin America and the Caribbean”, July 2020, p. 15.

⁶⁵ OHCHR, “COVID-19 guidance”, 13 May 2020, p. 7.

⁶⁶ United Nations, “A UN framework for the immediate socio-economic response to COVID-19”, p. 21.

([E/C.12/GC/23](#), para. 1; and [E/C.12/GC/19](#), para. 28). All such policies should be part of an integrated effort to realize the economic and social rights of all young people of African descent.

F. Children and young people should participate in decision-making

Sustainable Development Goal 16

51. Under Sustainable Development Goal 16, States must seek to promote peaceful and inclusive societies, access to justice for all and effective and accountable institutions. The importance of ensuring responsive, inclusive, participatory and representative decision-making at all levels is also reaffirmed (target 16.7).

52. In article 12 of the Convention on the Rights of the Child, the right of all children to be heard and taken seriously is recognized, and States are requested to ensure that children have the right to express their views freely in all matters affecting them, and to give those views due weight in accordance with the age and maturity of the child. In its general comment No. 20, the Committee on the Rights of the Child emphasized the right of all children and adolescents to be heard and participate in the development, implementation and monitoring of all relevant legislation, policies, services and programmes affecting their lives ([CRC/C/GC/20](#), para. 23). It also highlighted that States should support and train adults to become mentors and facilitators so that adolescents can take greater responsibility for their own lives (*ibid.*, para. 25).

53. In its general recommendation No. 34, the Committee on the Elimination of Racial Discrimination highlighted the right of people of African descent to participate in decisions that affect them. It also urged States to take special measures to guarantee people of African descent the right to vote and stand for election on the basis of equal and universal suffrage and to have due representation in all branches of government ([CERD/C/GC/34](#), paras. 42–43).

54. In the Durban Programme of Action, States are urged to facilitate the participation of people of African descent in all political, economic, social and cultural aspects of society and in the advancement and economic development of their countries (para. 4). In the programme of activities for the International Decade, States are encouraged to adopt measures to enable the full, equal and effective participation of people of African descent in public and political affairs without discrimination (General Assembly resolution [69/16](#), annex, para. 16). Meaningful participation in political life and decision-making by children and young people of African descent is crucial to preventing and combating racism and racial discrimination ([A/HRC/20/33](#), para. 10). The World Bank strongly suggested that taking into account their history and perspectives represented a unique opportunity, highlighting their resilience acquired through a long history of collective work and struggle.⁶⁷

⁶⁷ World Bank, *Afro-descendants in Latin America: Toward a Framework of Inclusion*, p. 85.

Box 6

Office of the United Nations High Commissioner for Human Rights: political participation of young women of African descent

In December 2019, the Office of the United Nations High Commissioner for Human Rights, together with the Government of Costa Rica, organized a meeting aimed at promoting the rights of women of African descent in public affairs, including political participation. Several renowned women political leaders of African descent participated in the event and shared with young women of African descent experiences and good practices with regard to political participation.

55. In certain countries, people of African descent are underrepresented in governance and political processes, and lack participation in decision-making (CERD/C/GC/34, para. 6; and CCPR/C/CRI/CO/6, para. 15) and political life.⁶⁸ According to the Inter-Parliamentary Union, less than 2 per cent of parliamentarians worldwide are under the age of 30.⁶⁹ For young Afrodescendants that figure is probably even lower.

56. A human rights-based approach should be adopted when directing efforts to ensure the participation in decision-making of young people of African descent. The United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund (UNICEF) highlighted that an intervention that adopts a participative human rights-based approach empowers the most vulnerable children by developing their capabilities to demand and enjoy their human rights.⁷⁰ When examining specific country situations, the Committee on the Rights of the Child recommends establishing structures for the active and meaningful participation of children in designing laws, policies, programmes and services at the local and national levels, paying particular attention to involving children in vulnerable situations (see, for example, CRC/C/GBR/CO/5, paras. 30–31).

57. Afrodescendent social movements have been key in advancing anti-discrimination legislation and countering negative stereotypes.⁷¹ Against that backdrop, young people of African descent are increasingly demanding that their voice be heard, including through peaceful protests and uprisings against racial discrimination all around the world, such as those organized as part of the Black Lives Matter movement.⁷² In addition, during the COVID-19 pandemic, young people, including those of African descent, are actively contributing to efforts to reduce the spread of the virus and mitigate the effects of the pandemic.⁷³ This has drawn attention to the importance of the role of civic space in the response to the health crisis, as civil society is deemed to be key in building and maintaining trust in the health system and important in identifying solutions to the pandemic.⁷⁴ Limitations on civic space undermine the crucial advocacy of young Afrodescendants and can pave the way for

⁶⁸ CCPR/C/MRT/CO/2, para. 14; CCPR/C/GTM/CO/4, paras. 8–9; CERD/C/GTM/CO/16-17, para. 29; and CERD/C/PER/CO/22-23, para. 31.

⁶⁹ Inter-Parliamentary Union, *Youth Participation in National Parliaments: 2018* (Geneva, 2018), p. 21.

⁷⁰ United Nations Educational, Scientific and Cultural Organization and UNICEF, *A Human Rights-based Approach to Education for All* (Paris, 2007).

⁷¹ World Bank, *Afro-descendants in Latin America: Toward a Framework of Inclusion*, p. 45.

⁷² United Nations, “Nelson Mandela and black lives”, 18 July 2020. Available at www.un.org/en/un-chronicle/nelson-mandela-and-black-lives.

⁷³ Inter-Agency Network on Youth Development, “Statement on COVID-19 and youth”, p. 3. Available at www.ohchr.org/Documents/Issues/Youth/COVID-19_and_Youth.pdf.

⁷⁴ OHCHR, “Civic space and COVID-19: guidance”, 4 May 2020. Available at www.ohchr.org/Documents/Issues/CivicSpace/CivicSpaceandCovid.pdf.

short-sighted and dangerous actions. Young people of African descent, including Afrodescendent human rights defenders, should be empowered and protected from threats, reprisals and harassment.

58. The COVID-19 crisis could serve as a catalyst for the further democratization of decision-making at all levels.⁷⁵ States should guarantee the effective participation of all people in decisions affecting them,⁷⁶ including the participation of children and young people of African descent in the context of the current health crisis. Young Afrodescendent people are essential allies in efforts to address patterns of structural discrimination, even more so during the global health crisis. They can bring critical perspectives for inclusive and rights-based sustainable development. Drawing on the diverse interests, needs and expertise of people of African descent provides important insights into the way forward to implement the programme of activities for the International Decade.

Box 7

Economic Commission for Latin America and the Caribbean: youth dialogue in the context of COVID-19

Young people, including Afrodescendants, have a central role to play in contributing innovative solutions for the implementation of the 2030 Agenda for Sustainable Development. With that in mind, in May 2020, the Economic Commission for Latin America and the Caribbean organized a webinar seeking the views and contributions of young people from the Latin America and the Caribbean for the high-level political forum on sustainable development in 2020.^a

^a See www.cepal.org/en/events/latin-american-and-caribbean-youth-regional-dialogue-towards-united-nations-high-level.

III. Conclusions and recommendations

59. In many parts of the world, children and young people of African descent do not fully enjoy their human rights. Their situation can be best understood through a rights-based approach that recognizes the intersection of structural discrimination with race, ethnicity, national or social origin, sex, migration status, property, religion or belief, sexual orientation, gender identity, disability, birth or other status. When developing strategies to implement the programme of activities for the International Decade, in addition to racial discrimination, other discriminatory grounds that intersect with race and ethnicity should be taken into account.

60. Racial discrimination hampers the realization of the human rights of children and young people of African descent in all areas of their lives. That is particularly evident in the relationship between poverty and discrimination, as well as in the high rates of child mortality and lack of access to food among Afrodescendants. Ensuring that young people do not fall into poverty and have access to adequate and nutritious food must be a key priority and will be a critical stepping stone to achieve the related goal of reducing the mortality rate of children and young people of African descent.

61. Discrimination against children and young people of African descent is particularly evident in access to education, health care, social protection and

⁷⁵ United Nations, “COVID-19 and human rights: we are all in this together”, pp. 13–14.

⁷⁶ OHCHR, “COVID-19 guidance”, 13 May 2020, p. 4.

employment. States should take steps to build capacity and ensure their equal access to good-quality education, health care, decent work and social protection systems that counteract the difficulties that Afrodescendent young people face in accessing the labour market. Such steps should include culturally sensitive approaches to education, affirmative action policies that promote access to higher education, adequate professional training for employees aimed at raising awareness about racial discrimination, and clear procedures to denounce discrimination in the workplace and promote the recruitment of young people of African descent.

62. Systemic violence is both a cause and a consequence of the racial discrimination faced by children and young people of African descent. Patterns of negative stereotypes constitute the underlying causes that often lead to discrimination in the administration of justice, including racial profiling, police brutality, the use of force and violence, including lethal violence. States should address racial discrimination in the administration of justice, and the disproportionate violence against children and young people of African descent, and revise their security policies in order to identify and eradicate such practices. States should promote the human rights education of law enforcement officials, encourage dialogue with communities, design performance protocols that sanction racial discrimination as an institutionalized practice and ensure accountability.

63. Participation in decision-making by children and young people of African descent is key to establishing just and equal societies based on human rights and respectful of the best interests of children and their right to be heard. States should encourage the participation of Afrodescendent children and young people in all matters that affect them through the adoption of measures that empower young Afrodescendent leaders to bring about social change. Efforts should be made to enhance their voice in key institutions, including in political parties, Parliaments and government institutions, as well as outside formal organizations that foster participation in the civic space and allow young people of African descent to influence the formal decision-making process from the outside, including by promoting their right to freedom of peaceful assembly.

64. The COVID-19 pandemic has exacerbated inequalities and is likely to reinforce social exclusion. Consequently, the collection of disaggregated data to measure the impact of the pandemic and lockdown measures on Afrodescendants, including children and young people of African descent, is key to adopting specific policies aimed at reducing inequalities and structural discrimination against them. A rights-based approach to COVID-19 requires efforts to build back better and guarantee that equality and non-discrimination are ensured for children and young people of African descent. Such an approach would fulfil the objectives set forth in both the 2030 Agenda and the programme of activities for the implementation of the International Decade for People of African Descent.