



# General Assembly

Distr.: General  
16 August 2019

Original: English

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## Seventy-fourth session

Item 70 (b) of the provisional agenda\*

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

## **A global call for action for the total 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 of the Secretary-General**

#### *Summary*

The present report is submitted pursuant to General Assembly resolution [73/262](#), in which the Assembly requested the Secretary-General to submit at its seventy-fourth session a report on the implementation of the resolution.

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\* [A/74/150](#).



## I. Introduction

1. In its resolution [73/262](#), the General Assembly recognized that millions of people continued to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary manifestations, some of which took violent forms. It reiterated that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies. It further reiterated that any doctrine of racial superiority, together with theories that attempt to determine the existence of separate human races, is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected. The General Assembly acknowledged the efforts and initiatives undertaken by States to prohibit racial discrimination and segregation and to engender the full enjoyment of civil, cultural, economic, political and social rights.

2. In the same resolution, the General Assembly welcomed the efforts made by civil society in support of the follow-up mechanisms and in the implementation of the Durban Declaration and Programme of Action. The Assembly also underlined the need to promote tolerance and respect for diversity, and the need to seek common ground among and within civilizations in order to address common challenges to humanity that threaten shared values, universal human rights and the fight against racism, racial discrimination, xenophobia and related intolerance, through cooperation, partnership and inclusion. It expressed alarm at the spread in many parts of the world of various racist extremist movements based on ideologies aimed at promoting populist, nationalist, right-wing agendas and racial superiority, and stressed that those practices fuelled racism, racial discrimination, xenophobia and related intolerance. The Assembly requested the Secretary-General to submit to it at its seventy-third session a report on the implementation of resolution.

3. Eighteen years after the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance was held in Durban, South Africa, in 2001, the fight against racism, racial discrimination, xenophobia and related intolerance is as important as ever. A groundswell of xenophobia, racism, intolerance and violent misogyny are being observed, as well as attacks against religious minorities. Hateful and destructive views that promote xenophobia, racism and intolerance are enabled and amplified exponentially by digital technology. There have been alarming instances of hate speech, including by political leaders. Some political leaders are bringing hate-fuelled ideas and language into the mainstream, normalizing them, coarsening the public discourse and weakening the social fabric.

4. Racial discrimination, racism and intolerance are serious human rights violations and are often the root causes of the most egregious abuses, as evidenced by the plight of Rohingya, who are one of the most discriminated against populations in the world. In 2018, the European Union Agency for Fundamental Rights published its landmark *Second European Union Minorities Survey: Being Black in the EU*. The survey showed that racism based on the colour of a person's skin remained a pervasive scourge throughout the European Union. Hate speech has been strongly linked to an alarming number of killings, such as those that occurred in various communities in Sri Lanka, in Poway, United States of America, in Christchurch, New Zealand, and, most recently, in El Paso, United States. There has been a rise in the frequency and global reach of attacks that target, in particular, religious, racial and/or ethnic minorities.

5. In preparing the present report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sought contributions from Member States and other stakeholders as requested by the General Assembly in its resolution. Eleven States sent contributions: Burkina Faso, Ireland, Italy, Mexico, Pakistan,

Portugal, Qatar, Russian Federation, Sweden, Togo and Turkey. The report summarizes the contributions, describes activities undertaken by OHCHR and the Durban follow-up mechanisms and gives a number of conclusions and recommendations.

## II. Legislative and administrative framework

6. In their contributions to the present report, States shared examples of the legal frameworks they had in place to counter discrimination. These are summarized below.

7. In Ireland, the Prohibition of Incitement to Hatred Act of 1989 is currently being reviewed by the Department of Justice and Equality, a process that will be completed with a public consultation. The Department has issued a tender to commission detailed research into wider hate crime issues and policies to address them. The Department continues to engage with external stakeholders working with racism and xenophobia to ensure that the country's legislation affords the best possible protection to those who are subject to intolerance and hatred. The Employment Equality Acts (1998–2015) prohibit discrimination in the workplace with regard to recruitment and promotion, remuneration, working conditions, training, experience, dismissal and harassment. The Equal Status Acts (2000–2018) prohibit discrimination outside the workplace, in particular in the provision of goods and services, education and disposal of property. The Workplace Relations Commission investigates and mediates in cases of unlawful discrimination under equality legislation. Under the Irish Human Rights and Equality Commission Act 2014, all public bodies in Ireland have a statutory responsibility to promote equality, prevent discrimination, and protect the human rights of their staff, the users of their services and anyone affected by their policies and plans.

8. In Italy, article 3 of the Constitution provides that all citizens have equal social status and are equal before the law regardless of sex, race, language, religion, political opinion, and personal or social conditions. The State has a duty to remove all economic and social obstacles that, by limiting the freedom and equality of citizens, prevent their full individual development and the participation of all workers in the political, economic, and social organization of the country. This principle of equality underlies all legislative measures and branches of power, including the executive and judicial branches. A set of ad hoc measures have been adopted within the Italian legislative framework to counter specific forms of racial discrimination, intolerance and xenophobic attitudes.

9. Pakistan has taken a number of steps to eliminate racism, racial discrimination, xenophobia and related intolerance. The Constitution guarantees the fundamental rights of all citizens without any discrimination and lays down the framework for the protection of those fundamental rights. Chapter II sets out principles of policy and a framework for the protection of rights of citizens, including the rights of minorities. Article 27 provides for safeguards against any kind of discrimination in services on the basis of race, religion, caste, sex, residence or place of birth. Article 9 mandates the protection of the life and liberty of all citizens, without discrimination, subject to the law. The fundamental rights of citizens are of paramount importance, and are provided for in article 8 of the Constitution. Under that article, laws inconsistent with or in derogation of fundamental rights are void. Article 38 of the Constitution stipulates that the State secures the well-being of people irrespective of sex, caste, creed or race. Article 36 specifically provides for the protection of minorities. Similarly, the Penal Code of Pakistan sets out a legal framework for ensuring inter-ethnic, interreligious and sectarian harmony. The legal framework is complemented by interfaith harmony committees that have been established across the country. The

Penal Code also imposes penalties on perpetrators of actions against any group on the basis of race, religion, language, caste or community. For instance, section 153-A of the Criminal Code prohibits the promotion of enmity between different groups based on race, religion, language, caste or community. Section 505, paragraph 2, prohibits the publication of any material that may promote group differences.

10. The Russian Federation reported that all citizens have equal rights irrespective of their sex, race, nationality, language, origin, property, official position, place of residence, attitude to religion, views, membership in public associations or other social groups. This is one of the basic principles of the country's legal system; it underlies all regulatory activities at all levels of government. The principle of non-discrimination, enshrined in the Constitution of the Russian Federation, is applied consistently in all branches of the law. The principle of non-discrimination applies to all rights enshrined in the Constitution and the laws of the Russian Federation. In addition, anti-discrimination standards are upheld by decrees of the President, governmental decisions, departmental orders and instructions. Thus, in addition to the Constitution and the Criminal Code, a wide range of laws and regulations forms comprehensive anti-discrimination legislation that is constantly improved to take modern realities into account.

#### **National human rights institutions, plans of action, strategies and policies**

11. In paragraphs 90 to 95 of the Durban Programme of Action, States are urged, as appropriate, to establish, strengthen, review and reinforce the effectiveness of independent national human rights institutions, in particular with regard to issues of racism, racial discrimination, xenophobia and related intolerance, in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to provide them with adequate financial resources, competence and capacity for investigation, research, education and public awareness activities to combat those phenomena.

12. Burkina Faso reports that it is considering the preparation of a national action plan against racism on the basis of an existing draft that was written and validated in a number of workshops. In addition, the national strategy for promoting a culture of tolerance and peace, adopted in 2008, is being reviewed. The aim of the review is to provide Burkina Faso with tools that take into account the concerns and aspirations of all actors relating to the preservation of peace, security and national unity. The strategy will be implemented by means of a three-year action plan.

13. Italy reports that, to strengthen the effectiveness of anti-discrimination protection mechanisms and to give victims easier access to justice in the most significant and problematic cases, the Department for Equal Opportunities and the National Bar Council (CNF) have signed an agreement with the National Office against Racial Discrimination (UNAR) to establish a solidarity fund, financed by the Department, to offer victims legal protection and pay their legal expenses in advance.

14. Sweden reports that it adopted a national action plan against racism, similar forms of hostility and hate crime in November 2016. In January, the Government announced that work on the plan would continue and that xenophobic hate crime against minorities would be combated with vigour. Sweden stresses that the full enjoyment by lesbian, gay, bisexual, transgender and intersex persons of their human rights will be strengthened, that the Discrimination Act will be made more stringent and that an independent human rights institution will be established. Sweden underlines that, wherever anti-Semitism exists and however it is expressed, it must be identified and fought. In 2020, the country will host a new international conference on the remembrance of the Holocaust, and a new museum will be established to commemorate the Holocaust.

### **III. Education and awareness-raising measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance**

15. In paragraph 58 of the Durban Programme of Action, States are urged to recognize, respect and maximize the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles. These principles include justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and between communities and nations, in particular through public information and education programmes to raise awareness and understanding of the benefits of cultural diversity.

16. In Pakistan, a number of initiatives have been taken at the provincial level. For example, the Sindh Provincial Assembly has passed a resolution on the inclusion of Hindu religious textbooks in the curriculum of Hindu minorities. In 2014, the Sindh School Education Standards and Curriculum Act was promulgated. The aim of the Act is to teach all children knowledge, skills and human rights values to enable them to reach their full potential.

17. In Qatar, the Ministry of Education and Higher Education has continued its efforts to promote and protect human rights. A number of advanced modules and textbooks have been developed that incorporate concepts and principles related to human rights. Efforts have not been limited to curricula and textbooks alone; a set of teaching guides has been developed and teachers have received training in their use. The Ministry has taken action to ensure that its education strategy for the period 2018–2022 provides for projects and programmes that promote and protect human rights.

18. In Turkey, the basis of the curricula are 10 root values: justice, friendship, honesty, self-control, patience, respect, love, responsibility, patriotism and benevolence. The curricula have been updated with the topics “Social and public competences” and “Cultural awareness and expressive capabilities” as part of the Turkish Qualifications Framework, which is designed to be compatible with the European Qualifications Framework, and many subjects taught from preschool to secondary school include the values referred to. Textbooks uphold basic human rights and freedoms and reject all kinds of discrimination. According to the basic principles underlying the Turkish national education system (article 2 of basic law No. 1739 on national education), draft textbooks may not contradict the Constitution, the law or other legislation. They must uphold the principle of equality as expressly stipulated in the Constitution and the Basic Law on National Education, uphold human rights and freedoms and reject any kind of discrimination. They must also uphold the principle of social equality in the discussion of subjects and the representation of people or events in examples. Contents or visual elements may not include anything that violates the rights or freedoms of individuals. Materials containing expressions that contradict human rights or that are discriminatory or prejudiced in any way may not be used.

19. Also in Turkey, various projects are carried out by the Ministry of National Education to create a culture of democracy and human rights for students. In particular, the country started a project of strengthening the culture of democracy in basic education institutions on 2 August 2018 to increase the capacity of teachers and preschool and elementary education institutions to encourage democratic competencies and a democratic school culture, as well as to raise awareness of democratic competencies, human rights and democracy. The project is to last 36 months.

#### **IV. Awareness-raising and training for law enforcement officials and the judiciary**

20. Italy reported on the activities of the Discrimination Observatory against Acts of Discrimination (OSCAD), which had been established as part of the Ministry of Interior in late 2010 to improve action taken by the Italian police force – in particular the State Police and the Carabinieri – to prevent and combat hate crimes. Italy highlighted several activities carried out by OSCAD, including a European project entitled “Facing all the facts!” led by the non-governmental organization CEJI – a Jewish Contribution to an Inclusive Europe, and an online hate crime course developed by the Observatory for law enforcement professionals, which consists of three modules entitled “What is a hate crime?”, “Bias indicators” and “Vulnerable victims”.

21. OSCAD also represents Italy in the European Union high-level group on combating racism, xenophobia and other forms of intolerance, which is made up of 46 representatives from all European Union member States, the Council of Europe, the European Commission against Racism and Intolerance, the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE), the Office of the United Nations High Commissioner for Refugees and 28 non-governmental organizations. Professional staff are trained to raise awareness among police of human rights issues and raise the level of professionalism in various operating environments. In 2018, all staff of the State Police underwent a day-long training course on ethics and values; modules on the topic were published on the relevant platforms for lifelong learning. The same platforms include modules on offences, discrimination, international protection and trafficking in persons, professional ethics in law and order, measures to prevent and combat acts of discrimination and hate crimes, racial and ethnic profiling, intervention in crimes with vulnerable victims and victimology. Finally, trainers at police schools were trained in preventing and combating discriminatory acts. These training events were completed by workshops involving instructors of the basic training courses.

22. In Pakistan, efforts are being undertaken to sensitize public officials. Training courses are given on human rights, including issues of racism, racial discrimination, xenophobia and related intolerance. In the performance of their duties, public officials are not allowed to discriminate against any individual based on class, caste, skin colour, gender, religion or belief. This rule is backed up by complaint mechanisms for every public service.

23. In the Russian Federation, law enforcement agencies are taking measures to combat extremism in all its forms. In doing so, they rely on institutional arrangements and effective prevention activities. More than half (61 per cent) of the extremist crimes registered are prosecuted under article 282 of the Criminal Code on inciting hatred and hostility, and violations of human dignity. That is 20 per cent less than the previous year. Special attention is given to opposing organized forms of extremism. The number of crimes committed under article 282.2 of the Criminal Code on the organization of extremist activities has increased by 33 per cent. For the world football championship held in 2018, law enforcement agencies took additional measures to prevent acts of extremism, racism, neo-Nazism, xenophobia and other forms of intolerance during sports events.

24. In recent years, the Internet has been playing a crucial role in the dissemination of destructive ideologies in the Russian Federation and the recruitment of new members by extremist and radical groups. In response, the authorities have taken steps to prevent extremist activity, including by identifying and eliminating the factors facilitating the posting of extremist content on digital platforms. As part of the effort

to combat extremist activity in the mass media and on the Internet, the Federal Service for Supervision of Communications, Information Technology and Mass Media (Roskomnadzor) is doing preventive work and, as a matter of priority, is monitoring and supervising the media, information technology and communications in that regard. The Ministry of Education and Science, together with the Ministry of Culture and competent law enforcement agencies, has developed methodological recommendations on the social reintegration of young people who have been subject to the destructive psychological impact of certain religious, extremist or terrorist ideologies.

25. In Turkey, in January 2016, a memorandum of understanding was signed with the OSCE Office for Democratic Institutions and Human Rights on the implementation of the OSCE training programme against hate crimes for law enforcement. A total of 370 personnel were trained to become trainers under the programme: 55 in 2016 and 315 in 2018. They will train staff in both central and provincial organizations. In 2016, a total of 1,369 personnel – 1,146 working at the police higher vocational school (PMYO) and the police vocational training centre (POMEM), as well as 223 other personnel – attended an information seminar on hate crimes for law enforcement. Turkey reports that, between November 2018 and the end of 2023, the seminar will be taught to all remaining personnel in the security services at both the central and the provincial organizations.

## **V. Promotion of cultural diversity and the rights of people of African descent**

26. In Ireland, on 3 April 2019, the Department of Justice and Equality held a public consultation on the country's implementation of the International Decade for People of African Descent. African diaspora communities and experts in the fields of business, health, education, technology, advocacy, African culture and human rights were invited to explore how Ireland could mark the International Decade, and to consider ways to achieve the objectives set out in that regard by the United Nations. The Office for the Promotion of Migrant Integration, which is part of the Department, wrote an initial report on the ideas generated by the public consultation. The Office will meet with the International Decade stakeholder group to discuss that feedback, as well as options for a delivery model.

27. In Mexico, in 2016, the National Council for the Prevention of Discrimination (CONAPRED), in coordination with the Movement for Cultural Diversity, convened several forums for dialogue and reflection on the constitutional recognition of people of African descent as part of the commemoration of the fifteenth anniversary of the Durban Declaration and Programme of Action. One of the forums had the rights of Mexican people and communities of African descent as its topic. In addition, in 2018, a programme of work was developed to prepare for the International Decade by taking legislative and public policy initiatives relating to the recognition of people of African descent, the prevention and elimination of racial profiling and actions against hate speech that affect them.

## **VI. Protection of migrants, refugees and asylum seekers against racism, racial discrimination, xenophobia and related intolerance**

28. The approach taken by Ireland to migrant integration is part of a comprehensive migrant integration strategy covering the four-year period from 2017 to 2020. The strategy contains 76 action points for government departments, local authorities and other public bodies across a range of public policy and service provision areas including: promoting intercultural awareness and combating racism and xenophobia; education; access to public services and social inclusion; employment and pathways to work; and active citizenship. Many action points involve the participation of non-government actors, such as community and voluntary sector organizations, local communities, businesses and sporting and arts organizations. Combating racism is a key theme within the country's migrant integration strategy. All government departments and agencies will provide training on intercultural awareness. The training will be reviewed at intervals to ensure that it is adequate and up to date. Frontline staff will receive ongoing cultural awareness training appropriate to their role and operational requirements.

29. Local authorities will take action to include migrant representation on all joint policing committees. The police service of Ireland, An Garda Síochána, will continue to implement a victim-centred policy. It will also follow good investigative practices in racial and similar crimes in line with the recommendations of the Garda inspectorate to encourage victims to report offences. Finally, local authorities will develop and publish policies on the early removal of racist graffiti in their respective areas.

30. Current legislation in Ireland with regard to racially motivated crime will be reviewed with a view to strengthening the law against hate crime, including in the area of online hate speech. The underreporting of racially motivated crime will continue to be addressed, including through greater contact with marginalized communities. Public offices will display information explaining how to make a complaint regarding racist behaviour by a member of staff or client. All relevant public sector bodies will explore additional ways of working in cooperation with communities affected by stigmatization and develop appropriate relationships with minority communities to avoid the danger of external groups having a negative influence on marginalized communities.

31. The Department of Justice and Equality has engaged with other departments to agree on additional actions needed to progress towards strategic integration objectives in education, employment, local integration and citizenship during the remaining period under the strategy. Those actions will be included in a document known as a memorandum for Government. Combating racism is one of the key challenges identified in the draft progress report on the migrant integration strategy and is an area that requires further focus in the future.

32. The Department of Justice and Equality provides funding for projects aimed at combating racism through several integration funding programmes. These are the national integration funding programme; the European Union asylum, migration and integration fund; and the communities integration fund. In 2019, additional funding is being made available to launch a call for proposals dedicated to anti-racism projects. In 2019, subject to available capacity, it will be administered by the Office for the Promotion of Migrant Integration.

33. In 2018, Italy reviewed its entire governance system for asylum and international protection. The review covered the reception of potential beneficiaries,



the services offered to them and the procedures for granting international protection. A new law was enacted – law No. 132/2018 of 1 December 2018 – that contained modified provisions concerning the first- and second-line reception system. The new law brings no change in legal status for persons seeking safety from persecution for reasons of race, religion, nationality, political opinion, for persons at risk of being subjected to torture or condemned to death, or for persons at risk of life owing to war or armed conflicts in their home country. In 2018, the overall capacity of the first-line reception system, made up of 13 centres and of 8,091 temporary reception centres, amounted to 115,151 places. In September 2015, Italy established what is known as the hotspot approach in conformity with the European regulatory framework, which governs all operations concerning identification, photographing, fingerprinting, and providing information on international protection procedures, relocation programmes in other Member States and assisted voluntary return. Currently, the four operational hotspots are located in the island of Lampedusa and in the coastal cities of Pozzallo, Taranto and Messina.

34. Also in Italy, in line with the new provisions introduced by law No. 132/2018, asylum seekers are hosted only in first-line reception centres. Second-line reception centres are reserved for beneficiaries of international protection, unaccompanied minors (including those not seeking asylum), persons who are entitled to social protection and have the right to stay (such as victims of trafficking, domestic violence and labour exploitation), persons with serious health conditions, persons unable to return to their own country because of major disasters and persons who have performed acts of great civic virtue. First-line reception centres fulfil basic material needs by offering food, accommodation, pocket money, medical care, legal counselling, language mediation and information. The privacy of asylum seekers is safeguarded and account is taken of gender, age, physical and mental health and family unity in respect of spouses and first-degree relatives. Measures are in place to prevent violence of any kind, including gender-based violence, and to protect both the asylum seekers staying at the reception centres and the staff working there. Special measures are taken to protect vulnerable people.

35. Italy has taken special measures for unaccompanied minors. On 6 May 2017, law No. 47/2017 entered into force, which amended existing provisions and introduced new ones on the reception of unaccompanied minors, their legal status and the protection of their rights as minors. The law introduced an absolute prohibition against the refoulement of unaccompanied minors and stricter conditions for their expulsion. Other new rules with regard to unaccompanied minors include the provision of residence permits regardless of legal status by virtue of their status as minors; multidisciplinary procedures to assess their age when there are reasons for doubt; the registration of voluntary guardians at every juvenile court; the promotion and facilitation of access to the national health system and to education; and the possibility for juvenile courts to entrust an unaccompanied minor who reaches majority to social services for the completion of their integration. The situation of unaccompanied minors within the context of migration has received particular attention in Italy.

36. Qatar has provided educational services to the non-Qatari children of migrant workers. Children of migrant workers employed in the State sector are admitted to public schools at all levels and free of charge. According to 2018 statistics, the number of non-Qataris in Qatari schools stands at 210,997. This figure compares with 104,656 Qataris. Non-Qataris thus account for 67 per cent of the total school population. In addition, free State scholarships are available for the children of migrant workers employed in the private sector and the State allows communities of foreign residents to establish their own schools. They are provided with school

buildings or land upon which to build a school, and are exempt from fees for electricity and water.

37. In Turkey, the Ministry of National Education has been making various efforts to ensure that Syrian nationals in the country receive an education of equal quality and under equal conditions as Turkish students. Since the beginning of the migration influx, the Ministry has also made efforts to ensure that Syrian children receive an education. Turkey considers education not only a basic right for Syrian children, but also a crucial element for them to overcome the challenging times they are going through and build a future for themselves. Syrian citizens under temporary protection can receive an education in State schools affiliated to the Ministry and the temporary education centres opened under circular No. 2014/21. Foreign students have been offered information meetings on education services, and school principals and teachers working at schools with a dense foreign student population have been offered seminars on intercultural skills under projects carried out in cooperation with international organizations. The aim is to ensure that Syrian students quickly adapt to the educational institutions affiliated to the Ministry.

38. Also in Turkey, as part of a project to support the integration of Syrian children into the Turkish education system, training was provided to administrative personnel and teachers, and a certification programme was offered on psychosocial support for child victims of migration and trauma. Instructors who had completed a train-the-trainers course on improving counselling services for Syrian nationals taught an on-site course on counselling services for Syrian nationals to 1,100 teachers in 18 provinces. A guidebook on counselling services for individuals with temporary protection status was distributed to all school counsellors in an effort to improve the quality and efficiency of counselling services offered to Syrian nationals with temporary protection status. From 2015 to 2017, a project was carried out to promote social inclusion in areas with dense Roma populations by increasing the capacity of public institutions and service providers to offer improved education, health, employment, social protection and welfare services to Roma citizens and disadvantaged individuals.

## **VII. Contribution of the Durban follow-up mechanisms and of the Office of the United Nations High Commissioner for Human Rights**

39. OHCHR has identified equality and non-discrimination as one of its strategic priorities. The Office continues to promote equality and to counter discrimination through laws and institutions, and to encourage rights-based and inclusive public narratives. OHCHR gives particular attention to discrimination against women, persons with disabilities and migrants. It also contributes to intensified efforts to combat hate speech in the digital media and seeks to ensure that a human rights-based approach to discrimination and inequality is adopted in the United Nations system and in the implementation of the 2030 Agenda for Sustainable Development.

40. The operational work of OHCHR is systematically aimed at ensuring that more effective laws, policies and practices are implemented to combat discrimination in all its forms and that authorities actively work to leave no one behind, including by addressing the root causes of inequality. OHCHR also systematically strives to ensure that justice systems and related institutions increasingly monitor and investigate discrimination and provide redress to victims; that effective principles and practices are followed to counter discrimination and hate speech in the digital media; that the human rights of all migrants, in particular those in vulnerable situations, are protected; and that the United Nations system implements a coherent and human

rights-based response to inequality and discrimination, including intersecting and multiple forms of discrimination. Finally, the Office systematically endeavours to foster public support for equal, inclusive and diverse societies without discrimination.

41. OHCHR has continued to provide substantive and technical support to the four Durban follow-up mechanisms, namely the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination, the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action, and the Working Group of Experts on People of African Descent. In doing so, the Office aims to facilitate the implementation of the Durban Declaration and Programme of Action and to address the complex issues related to racial discrimination, as well as to raise awareness of the dangers of racial discrimination, its persistence and its contemporary forms.

42. The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action held its sixteenth meeting in Geneva from 27 August to 7 September 2018 and from 11 to 12 December 2018. Participants discussed the state of racial discrimination worldwide and shared their views on the Durban follow-up mechanisms, in particular ways to enhance their effectiveness and improve synergies between them. The Working Group reviewed the progress achieved in implementing the programme of activities for the International Decade for People of African Descent and in carrying out the recommendations adopted at its previous meeting. The Working Group held a one-day meeting to consider drafting a United Nations declaration on the promotion of and full respect for the human rights of people of African descent. The Working Group discussed the impact of extremist political parties and movements with respect to the rise of racism, racial discrimination, xenophobia and related intolerance.

43. At its ninety-eighth session, held in Geneva from 23 April to 10 May 2019, the Committee on the Elimination of Racial Discrimination initiated the drafting of general recommendation No. 36 on preventing and combating racial profiling. The Committee has so far received over 40 submissions in that regard from Member States, national human rights institutions, civil society organizations, regional organizations and human rights mechanisms. Substantive contributions were also provided by the Working Group of Experts on People of African Descent, the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action, and the Rule of Law, Equality and Non-discrimination Branch of OHCHR.

44. The Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention held its tenth session in Geneva from 8 to 18 April 2019, which consisted of 18 meetings. During the first part of the session, the Committee considered the following, previously agreed topics: protection of migrants against racist, discriminatory and xenophobic practices; racism in modern information and communication technologies (racial cybercrime); and comprehensive anti-discrimination legislation. Six substantive experts engaged with the Committee on those topics. They gave their views on migrants, on racist and xenophobic practices, and on racial cybercrime. Furthermore, they informed participants about the manifestations and scope of those phenomena and the capacity of the international framework to address them. During the session, the Committee addressed Human Rights Council resolution [34/36](#), in which the Council requested the commencement of negotiations on the draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature during the tenth session of the Ad Hoc Committee. The request had been welcomed by the General Assembly in its resolution [73/262](#).

45. At the session, the Ad Hoc Committee adopted conclusions and recommendations on the three agreed topics, as well as a summary of issues and possible elements pertaining to the implementation of General Assembly resolution [73/262](#) and Human Rights Council resolution [34/36](#) in relation to the draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature. The report of the Chairperson-Rapporteur on the tenth session of the Ad Hoc Committee will be considered at the forty-second session of the Human Rights Council, in September 2019.

46. At its sixth meeting, held in Geneva from 6 to 10 May 2019, the Group of Independent Eminent Experts noted that the Durban Declaration and Programme of Action continued to enjoy strong support and recognition in the United Nations as a comprehensive framework and solid foundation for combating racism, racial discrimination, xenophobia and related intolerance ([A/74/173](#)). The Group recommended the holding of a one-day high-level meeting at the General Assembly to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action, at the level of Heads of State and Government, as was done for the tenth anniversary. The group recommended that the high-level meeting include round-table thematic discussions, with the participation of representatives of Governments, regional organizations, human rights mechanisms and civil society organizations. The group also recommended that the Human Rights Council decide on a road map for specific activities, including panel discussions, leading up to the commemoration.

47. The Group of Independent Eminent Experts viewed the twentieth anniversary as an important opportunity to enhance public understanding about the comprehensive nature of the Durban Declaration and Programme of Action and invited all relevant stakeholders, including States, international and regional organizations as well as non-governmental organizations, the media, academia and other interested parties, to organize high-visibility initiatives to commemorate the anniversary. The Group further noted with concern the lack of public knowledge about the real content of the Durban Declaration and Programme of Action, which had constituted a serious obstacle towards generating political will for its full and effective implementation.

48. In 2018, the Working Group of Experts on People of African Descent issued a call for submissions to gather all available data and analysis to conduct a mapping exercise and prepare a baseline report on the human rights situation of people of African descent. The report is to serve as a tool to increase visibility, identify gaps and guide the formulation of policies and actions to prevent, combat and eradicate racism, racial discrimination, xenophobia, Afrophobia and related intolerance faced by people of African descent. At its twenty-fourth session, held in Geneva from 25 to 29 March 2019, the Working Group focused on the theme “Data for racial justice”. The Working Group discussed the human rights situation of people of African descent around the world. It also took a comprehensive look at various intersections of big data and racial justice (and injustice) around the world. It concluded that, to inform policy priorities relating to equality and opportunity for people of African descent, it was crucial to map and analyse disaggregated data. The annual report of the Working Group will be presented to the Human Rights Council at its forty-second session, in September 2019.

49. The Working Group also conducted country visits to Belgium (4–11 February 2018 and Argentina (11–18 March 2019). At the end of each visit, the Working Group released media statements containing its preliminary findings and recommendations. Reports on the visits will be submitted to the Human Rights Council at its forty-second session. The Working Group continued to actively promote and participate in activities to assist stakeholders in the implementation of the programme of activities for the International Decade for People of African Descent. In that connection, the

Working Group held a side-event at United Nations Headquarters in New York on 29 October 2018 entitled “Towards a declaration on the promotion and respect of the rights of people of African descent”. The Chair of the Working Group also participated in the one-day consultation on the modalities, format and substantive and procedural aspects of the permanent forum on people of African descent, held in Geneva on 10 May 2019.

50. In her report on global extractivism and racial equality to the Human Rights Council ([A/HRC/41/54](#)), the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance explained why the obligations concerning racial equality and non-discrimination enshrined in the international human rights framework must be central to reform, regulation and evaluation of the extractivist economy. In her reports on her visits to the United Kingdom of Great Britain and Northern Ireland, conducted from 30 April to 11 May 2018 ([A/HRC/41/54/Add.2](#)), and Morocco, conducted from 13 to 21 December 2018 ([A/HRC/41/54/Add.1](#)), she assessed the efforts made by the authorities in those countries to eliminate racism, racial discrimination, xenophobia and related intolerance.

51. OHCHR continues to hold its yearly three-week fellowship programme for people of African descent engaged in promoting the rights of people of African descent. Participants learn about and deepen their understanding of the international human rights law and the United Nations human rights framework, the international framework to combat racism, racial discrimination, xenophobia and related intolerance, and intersecting issues, with a focus on people of African descent. The objective is to strengthen participants’ skills to contribute to the protection and promotion of civil, political, economic, social and cultural rights of people of African descent in their respective countries and to equip them with the tools necessary to enhance the development of legislation, policies and programmes. Furthermore, the fellowship programme is aimed at strengthening collaboration of civil society with Governments and to undertake local awareness-raising activities. In 2018, the fellowship programme was held from 19 November to 7 December with the participation of 13 fellows from various parts of the world. Since 2011, 72 fellows from 32 countries have participated.

52. On 18 June 2019, the Secretary-General launched the United Nations strategy and plan of action on combating hate speech, developed by a working group led by the United Nations Office on Genocide Prevention and the Responsibility to Protect. The working group consisted of 13 entities of the United Nations system, namely the Alliance of Civilizations, the Executive Office of the Secretary-General, the Office of Counter-Terrorism, the Department of Global Communications, Global Pulse, OHCHR, the Department of Political and Peacebuilding Affairs, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the United Nations Children’s Fund, the United Nations Entity for Gender Equality and the Empowerment of Women, and the Envoy of the Secretary-General on Youth. The purpose of the Strategy and the Plan of Action is to enable the United Nations to address hate speech, which poses a threat to the principles, values and programmes of the Organization, through measures in line with international human rights standards. The objectives are twofold: to enhance and coordinate United Nations efforts to address root causes and drivers of hate speech, and to enable effective United Nations responses to the impact of hate speech on societies. The Special Adviser to the Secretary-General on the Prevention of Genocide will serve as the focal point for hate speech within the United Nations, facilitating and overseeing the development of more detailed guidance, in close cooperation with the working group and field presences around the world. The United Nations will also engage with

Member States regarding the implementation of the strategy and plan of action through a conference on the role of education in preventing and countering hate speech.

## **VIII. Conclusions and recommendations**

53. In response to the rise of racism, racial discrimination and xenophobia, Member States have stepped up their efforts to combat racism, racial discrimination, xenophobia and related intolerance. However, stronger political will and more concerted action are needed to reverse the rising trends of racist and xenophobic attitudes and violence. In addition to unequivocally condemning racism, xenophobia and intolerance, Member States are encouraged to undertake measures such as: enhancing the recognition, monitoring and collection of data on, and analysis of, hate speech trends, and enhancing the understanding of the root causes and drivers of hate speech, in order to take relevant action to best address and/or mitigate its impact; ensuring that the rights of victims are upheld and their needs addressed, including through advocacy for remedies, and access to justice and psychological counselling; addressing hate speech narratives and promoting the values of tolerance, non-discrimination, pluralism, and freedom of opinion and expression in the media; encouraging more research on the relationship between the misuse of the Internet and social media for spreading hate speech and the factors that drive individuals towards violence; protecting religious sites; and taking measures to build inclusive societies that promote interculturality, tolerance and respect for diversity.

54. Ultimately, progress in the global fight against racism, racial discrimination, xenophobia and related intolerance will be won only if all relevant stakeholders intensify their efforts and take measures in that regard. Examples of such measures include: the adoption of strong legal frameworks in conformity with international standards; the creation or strengthening, as appropriate, of national human rights mechanisms, in line with the Paris Principles, that play a role in protection, promotion and monitoring; the combating of impunity in connection with racist acts; the fostering of the roles played by political parties, civil society actors and the private sector in combating racism, racial discrimination, xenophobia and related intolerance; and, in the case of migrants and refugees, the granting of protection in accordance with international law, including international refugee law and international human rights law, in particular from all forms of discrimination.

55. In that connection, Member States are reminded of the relevance of the political declaration adopted by consensus during the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action on 22 September 2011, which, together with the outcome document of the Durban Review Conference, forms a solid basis for action to pursue the total elimination of racism, racial discrimination, xenophobia and related intolerance. Member States, regional organizations, civil society and other stakeholders are therefore encouraged to fully and effectively implement the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference.

56. Similarly, Member States are encouraged to support the United Nations Strategy and Plan of Action on Hate Speech to help to understand and prevent hate speech around the world and to allow the United Nations system to respond to the consequences of hate speech.

57. In addition, Member States are encouraged to fully and effectively implement their obligations under international law, in particular the non-discrimination clauses in the Charter of the United Nations, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Those States that have not yet done so are urged to ratify or accede to the Covenants and the Convention.

58. To enhance access to justice and remedies, Member States that have not yet done so are encouraged to make a declaration under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination that they recognize the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation.

59. Member States are encouraged to cooperate with the relevant human rights mechanisms, in particular 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 inviting those mechanisms to carry out country visits and implementing their thematic and country-based recommendations.

60. Member States and other stakeholders are invited to actively participate in the deliberations of the mechanisms established to follow up the Durban Declaration and Programme of Action and implement the recommendations emanating therefrom.

61. Member States that have not yet done so are encouraged to develop and implement national action plans to combat racism, racial discrimination, xenophobia and related intolerance.

62. International and regional organizations are encouraged to intensify collaboration in fighting racism, racial discrimination, xenophobia and related intolerance.

63. In line with the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference, Member States are encouraged to establish or strengthen, as appropriate, and equip specialized bodies and mechanisms for the implementation of public policies to eradicate racism, racial discrimination, xenophobia and related intolerance and promote racial equality with suitable financial resources, capabilities and capacities to survey, investigate, educate and undertake public awareness-raising activities.

64. Member States are encouraged to take all appropriate measures, in accordance with domestic legislation and international obligations, to prevent, combat and address all manifestations of racism, racial discrimination, xenophobia and related intolerance in the context of sporting events, and to ensure that racially motivated acts are properly addressed. Host countries of major sporting events are encouraged to seize the opportunity to develop awareness-raising and education campaigns aimed at sensitizing the public on the eradication of racism, racial discrimination, xenophobia and related intolerance.

65. Member States receiving migrants, including refugees, should ensure the effective protection, respect and fulfilment of their human rights in accordance with international law. Specifically, States should protect migrants from all forms of discrimination, including those who are most excluded and are

vulnerable to harm, such as migrants in irregular situations. States should embed equality and non-discrimination principles in migration law, policy and enforcement. States' implementation of the Global Compact for Safe, Orderly and Regular Migration should be geared towards upholding the principle of non-discrimination and be in line with the commitment to eliminate all forms of discrimination, including racism, racial discrimination, xenophobia and related intolerance against migrants.

66. Member States should repeal or amend all laws and measures that may give rise to discrimination against migrants, including direct and indirect discrimination and discrimination based on multiple grounds, and condemn and take effective measures against all acts and expressions of racism, racial discrimination, xenophobia and related intolerance against migrants.

67. In order to review progress with regard to the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference, all stakeholders are invited to regularly submit updated inputs in accordance with requests for information from OHCHR. Member States are also encouraged to convene a one-day high-level meeting at the seventy-sixth session of the General Assembly to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action, at the level of Heads of State and Government, as was done for the tenth anniversary of the Durban Declaration and Programme of Action.

68. With regard to the Permanent Forum on people of African descent, Member States are encouraged to create an inclusive and appropriately funded consultation mechanism aimed at positively transforming and improving the quality of life and livelihoods of people of African descent.

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