



General Assembly

Distr.: Limited
1 November 2021

Original: English

Seventy-sixth session

Third Committee

Agenda item 72 (b)

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

Guinea:* draft resolution

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

The General Assembly,

Recalling all its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action adopted by the World Conference,¹ in particular its resolutions [66/144](#) of 19 December 2011, [67/155](#) of 20 December 2012, [74/137](#) of 18 December 2019 and [76/1](#) of 22 September 2021, and in this regard underlining the imperative need for their full and effective implementation,

Recalling also the suffering of the victims of racism, racial discrimination, xenophobia and related intolerance, and the need to honour their memory,

Calling upon States to honour the memory of victims of the historical injustices of slavery, the slave trade, including the transatlantic slave trade, colonialism and apartheid,

Stressing that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance has the same status as the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields, and that the Durban Declaration and Programme of Action remains a solid basis and the only instructive outcome of the World Conference, which prescribes comprehensive measures for combating all the scourges

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

¹ See [A/CONF.189/12](#) and [A/CONF.189/12/Corr.1](#), chap. I.



of racism and adequate remedies for victims, and noting with concern the lack of effective implementation thereof,

Alarmed at the global rise in hate speech, constituting incitement to racial discrimination, hostility and violence, stressing the importance of addressing it, and in this regard noting the issuance of the United Nations Guidance Note on Addressing and Countering COVID-19-related Hate Speech on 11 May 2020,

Underlining the need to promote tolerance, inclusion 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,

Alarmed at the spread in many parts of the world of various racist extremist movements based on ideologies that seek to promote nationalist, right-wing agendas and racial superiority, and stressing that these practices fuel racism, racial discrimination, xenophobia and related intolerance,

Deploing the ongoing and resurgent scourges of racism, racial discrimination, xenophobia and related intolerance in many regions of the world, often targeting migrants and refugees, as well as people of African descent, expressing concern that some political leaders and parties have supported such an environment, and in this context expressing its support for migrants and refugees in the context of the severe discrimination that they may face,

Reaffirming the necessity of eliminating racial discrimination against migrants, including migrant workers, in relation to issues such as employment, social services, including education and health, and access to justice, and that their treatment must be in accordance with international human rights instruments and free from racism, racial discrimination, xenophobia and related intolerance,

Deploing the recent incidents of excessive use of force and other human rights violations by law enforcement officers against peaceful demonstrators defending the rights of Africans and of people of African descent, and recalling Human Rights Council resolutions [43/1](#) of 19 June 2020² and [47/21](#) of 13 July 2021,³

Recognizing that racism, racial discrimination, xenophobia and related intolerance have a deep negative impact on the enjoyment of human rights, and therefore require a united and comprehensive response from the international community,

Expressing concern at the loss of life and livelihoods and the disruption to economies and societies by the coronavirus disease (COVID-19) pandemic, and its negative impact on the enjoyment of human rights around the world, disproportionately affecting certain individuals, including those facing racism, racial discrimination, xenophobia and related intolerance, which the pandemic has highlighted and exposed, including underlying deep and long-standing structural inequalities and fundamental problems in various areas of social, economic, civil and political life, and its exacerbation of existing inequalities, and recalling that systemic and structural racism and racial discrimination further exacerbate inequality in access to health care and treatment, leading to racial disparities in health outcomes and a higher rate of mortality and morbidity among individuals and groups facing racial discrimination,

² See *Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 53 (A/75/53)*, chap. IV, sect. A.

³ *Ibid.*, *Seventy-sixth session, Supplement No. 53 (A/76/53)*, chap. VII, sect. A.

Noting with concern the disproportionate impact of the COVID-19 pandemic on the existing inequalities within our societies and regret that, in that context, persons belonging to racial and ethnic minorities and to other groups, including Asians and people of Asian descent, especially women and girls, have been victims of racist violence, threats of violence, discrimination and stigmatization,

Recalling the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the Programmes of Action for those Decades were not fully implemented and that their objectives have yet to be attained,

Reiterating 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, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Underlining the intensity, magnitude and organized nature of slavery and the slave trade, including the transatlantic slave trade, and the associated historical injustices, as well as the untold suffering caused by colonialism and apartheid, and that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples continue to be victims, and acknowledging that the ongoing effects must be remedied,

Acknowledging the efforts and initiatives undertaken by States to prohibit racial discrimination and racial segregation and to engender the full enjoyment of economic, social and cultural rights, as well as civil and political rights,

Emphasizing that, despite efforts in this regard, millions of human beings continue to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations, some of which manifest in violent forms,

Welcoming the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action,

Recalling the appointment of the five independent eminent experts by the Secretary-General on 16 June 2003, pursuant to General Assembly resolution [56/266](#) of 27 March 2002, with the mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon,

Underlining the primacy of the political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance for the successful implementation of the Durban Declaration and Programme of Action,

Recalling its resolution [2142 \(XXI\)](#) of 26 October 1966, in which it proclaimed 21 March as the International Day for the Elimination of Racial Discrimination,

Recalling also its resolution [62/122](#) of 17 December 2007, in which it designated 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade,

Recalling further, in the above context, the erection of the permanent memorial for the victims of slavery and the slave trade, including the transatlantic slave trade, the *Ark of Return*, based on the theme “Acknowledge the tragedy, consider the legacy, lest we forget”,

Welcoming the call upon all the former colonial Powers for reparations, consistent with paragraphs 157 and 158 of the Durban Programme of Action, to redress the historical injustices of slavery and the slave trade, including the transatlantic slave trade,

Recognizing and affirming that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations is a matter of priority for the international community,

I

International Convention on the Elimination of All Forms of Racial Discrimination

1. *Reaffirms* the paramount importance of universal adherence to and the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,⁴ adopted by the General Assembly in its resolution [2106 A \(XX\)](#) of 21 December 1965, in addressing the scourges of racism and racial discrimination;

2. *Calls upon* States that have not done so to accede to and/or ratify the Convention, and States parties to consider making the declaration under article 14 of the Convention, as well as to consider withdrawing reservations to article 4 of the Convention, as a matter of urgency, and to consider withdrawing reservations that are incompatible with the object and purpose of the Convention;

3. *Underlines*, in the above context, that the provisions of the Convention do not respond effectively to contemporary manifestations of racial discrimination, in particular in relation to xenophobia and related intolerance, which is recognized as the rationale behind the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001;

4. *Takes note* of the acknowledgement by the Human Rights Council and its subsidiary structures of the existence of both procedural and substantive gaps in the Convention, which must be filled as a matter of urgency, necessity and priority;

5. *Expresses its concern* at the lack of progress in the elaboration of complementary standards to the Convention to fill existing gaps through the development of new normative standards aimed at combating all forms of contemporary and resurgent scourges of racism;

6. *Recalls* Human Rights Council resolution [34/36](#) of 24 March 2017,⁵ in which the Council requested the Chair-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination to ensure the commencement of the 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;

7. *Requests* the Chair-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards to present a progress report to the General Assembly at its seventy-seventh session;

⁴ United Nations, *Treaty Series*, vol. 660, No. 9464.

⁵ See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. IV, sect. A.

II

International Decade for People of African Descent

8. *Recalls* the proclamation of the International Decade for People of African Descent, as contained in its resolution [68/237](#) of 23 December 2013, and the celebratory launch of the Decade on 10 December 2014;

9. *Also recalls* the programme of activities for the International Decade for People of African Descent, in which it was recommended that a forum on people of African descent be established and that consideration be given to the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent;

10. *Requests* the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Permanent Forum of People of African Descent, in accordance with their respective mandates, to contribute to the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent, in close coordination with existing United Nations mechanisms relevant to the fight against racism, racial discrimination, xenophobia and related intolerance;

11. *Recalls* the draft programme of action for the International Decade for People of African Descent as an instructive framework in which all the initiatives aimed at improving the quality of life of people of African descent are anchored and which, if adopted, would contribute to the programme of activities for the implementation of the International Decade for People of African Descent;

12. *Takes note* of the reports of the Secretary-General on the programme of activities for the implementation of the International Decade for People of African Descent⁶ and on a global call for concrete 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;⁷

13. *Acknowledges and profoundly regrets* the untold suffering and evils inflicted on millions of men and women and children as a result of slavery, the slave trade, the transatlantic slave trade, colonialism, apartheid, genocide and past tragedies, noting that some States have taken the initiative to apologize and have paid reparations, where appropriate, for grave and massive violations committed, and calling upon those that have not yet expressed remorse or presented apologies to find some way to contribute to the restoration of the dignity of victims, and calls upon all the relevant States that have not already done so to dispense reparatory justice, contributing to the development and recognition of the dignity of the affected States and their people;

14. *Takes note* of the report of the Working Group of Experts on People of African Descent,⁸ invites the Human Rights Council, through the Chair of the Working Group, to continue to submit a report on the work of the Working Group to the General Assembly, and in this regard invites the Chair of the Working Group to engage in an interactive dialogue with the Assembly under the item entitled “Elimination of racism, racial discrimination, xenophobia and related intolerance” at its seventy-seventh session;

⁶ [A/76/322](#).

⁷ [A/75/561](#).

⁸ [A/76/302](#).

15. *Welcomes* the proclamation of 31 August as the International Day for People of African Descent;

16. *Also welcomes* the establishment of the Permanent Forum on People of African Descent as a consultation mechanism for people of African descent and other relevant stakeholders as a platform for improving the safety and quality of life and livelihoods of people of African descent, as well as an advisory body to the Human Rights Council, and to contribute to elaborating a United Nations declaration on the promotion and full respect of human rights of people of African descent, and requests the Secretary-General and the High Commissioner to strengthen the substantive support provided to the Forum in order to fulfil its mandate;

17. *Stresses* that everyone, including people and communities of African descent, should be able to participate in an inclusive manner and guide the design and implementation of processes that contribute to halting, reversing and repairing the lasting consequences and ongoing manifestations of systemic racism, and notably acknowledges the important role that young people have played and should continue to play in these processes;

18. *Encourages* States to examine the extent and impact of systemic racism and to adopt effective legal, policy and institutional measures that address racism beyond a summation of individualized acts, and recommends that progress be measured according to indicators grounded in impact rather than intent;

19. *Welcomes* the establishment of an international independent expert mechanism, comprising three experts with law enforcement and human rights expertise, aimed at furthering transformative change for racial justice and equality in the context of law enforcement globally, especially where relating to the legacies of colonialism and the transatlantic slave trade in enslaved Africans, to investigate the responses of Governments to peaceful anti-racism protests and all violations of international human rights law and to contribute to accountability and redress for victims;

20. *Requests* the Office of the United Nations High Commissioner for Human Rights and the Department of Global Communications of the Secretariat to continue awareness-raising efforts and public information campaigns in support of the International Decade for People of African Descent through the use of social networks and digital media, including the wide distribution of user-friendly, concise and accessible versions of material in this regard;

III

Office of the United Nations High Commissioner for Human Rights

21. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, 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, the Ad Hoc Committee on the Elaboration of Complementary Standards and the Permanent Forum of People of African Descent, and in this regard to ensure the participation of experts in each session of those follow-up mechanisms in order to provide advice on the specific issues under discussion and assist the mechanisms in their deliberations and the adoption of action-oriented recommendations in relation to the implementation of the Declaration and Programme of Action;

22. *Recalls* Human Rights Council resolutions [43/1](#) and [47/21](#), and welcomes the report of the United Nations High Commissioner for Human Rights on the

promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers and the annex thereto, entitled “Four-point Agenda towards Transformative Change for Racial Justice and Equality”, submitted pursuant to resolution [43/1](#);⁹

23. *Stresses* the importance of consolidating all efforts aimed at combating racism under a single anti-racial discrimination unit of the Office of the United Nations High Commissioner for Human Rights that focuses on issues relating to racial justice;

IV

Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action

24. *Recalls* the report of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action on its sixth session,¹⁰ and that the session, which included private and public sessions, was held in Geneva from 6 to 10 May 2019;

V

Trust fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination

25. *Recalls* the establishment by the Secretary-General, in 1973, of the trust fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination as a funding mechanism that has been utilized for the implementation of the activities of the three Decades for Action to Combat Racism and Racial Discrimination declared by the General Assembly, and in this regard appreciates the fact that the trust fund has also been utilized for the subsequent programmes and operational activities transcending the three Decades;

26. *Requests* the Secretary-General to include, in his report on the implementation of the present resolution to the General Assembly at its seventy-seventh session, a section outlining the progress in the implementation of paragraph 18 of its resolution [68/151](#) of 18 December 2013 regarding the revitalization of the trust fund for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and enhancing the effectiveness of the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action;

27. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals, as well as other donors in a position to do so, to contribute generously to the trust fund, and to that end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

VI

Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

28. *Takes note* of the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,¹¹ and encourages the Special Rapporteur, within her mandate, to

⁹ [A/HRC/47/53](#).

¹⁰ See [A/74/173](#).

¹¹ See [A/76/369](#).

continue to focus on the issues of racism, racial discrimination, xenophobia and related intolerance and incitement to hatred, which impede peaceful coexistence and harmony within societies, and to submit reports in this regard to the Human Rights Council and the General Assembly;

29. *Reiterates its previous requests* to the Special Rapporteur to consider examining national models of mechanisms that measure racial equality and their value added in the eradication of racial discrimination and to report on such challenges, successes and best practices in her next report, and expresses concern at the lack of progress in this regard;

VII

Commemoration of the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action

30. *Welcomes* the convening of a one-day high-level meeting 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, on 22 September 2021, on the theme “Reparations, racial justice and equality for people of African descent”;

31. *Also welcomes* the adoption of the political declaration aimed at mobilizing political will at the national, regional and international levels for the full and effective implementation of the Durban Declaration and Programme of Action and its follow-up processes;¹²

32. *Emphasizes* the critical importance of increasing public support for the Durban Declaration and Programme of Action and the participation of civil society and other relevant stakeholders in its realization;

33. *Invites* Member States, United Nations entities, international and regional organizations, civil society, including non-governmental organizations, and other stakeholders to organize and support various high-visibility initiatives, aimed at effectively increasing awareness at all levels, to commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action;

34. *Requests* the Secretary-General to establish a programme of outreach, with the involvement of Member States and United Nations funds and programmes, as well as civil society, including non-governmental organizations, to appropriately commemorate the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action;

35. *Calls upon* Member States and the United Nations system to intensify efforts to widely distribute copies of the Durban Declaration and Programme of Action, and encourages efforts to ensure its translation and wide dissemination;

36. *Requests* the Office of the United Nations High Commissioner for Human Rights and the Department of Global Communications of the Secretariat to launch a public information campaign for the commemoration of the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action, including the wide distribution of user-friendly information materials through the United Nations system, inter alia, through United Nations information centres;

37. *Expresses its appreciation* for the continuing work of the mechanisms mandated to follow up on the World Conference and the Durban Review Conference;

¹² Political declaration entitled “United against racism, racial discrimination, xenophobia and related intolerance” (resolution 76/1).

VIII

Follow-up and implementation activities

38. *Acknowledges* the guidance and leadership role of the Human Rights Council, and encourages it to continue to oversee the implementation of the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference;

39. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the Human Rights Council with all the support necessary for it to achieve its objectives in this regard;

40. *Requests* the Human Rights Council to consider, at its fifty-first session, the question of developing a multi-year programme of activities to provide for the renewed and strengthened outreach activities needed to inform and mobilize the global public in support of the Durban Declaration and Programme of Action and to strengthen awareness of the contribution that they have made in the struggle against racism, racial discrimination, xenophobia and related intolerance, in consultation with Member States, national human rights institutions, relevant civil society organizations and United Nations agencies, funds and programmes;

41. *Welcomes* the efforts undertaken by the Human Rights Council, through its Advisory Committee, in preparing a study on appropriate ways and means of assessing the situation regarding racial equality, while identifying possible gaps and overlaps;

42. *Also welcomes* the special meeting of the Economic and Social Council on the theme “Reimagining equality: eliminating racism, xenophobia and discrimination for all in the decade of action for the Sustainable Development Goals”, held on 18 February 2021;

43. *Further welcomes* the commemorative plenary meeting of the General Assembly held on 21 March 2021 to mark the International Day for the Elimination of Racial Discrimination, on “Youth standing up against racism”;

44. *Welcomes* the commemorative plenary meeting of the General Assembly held on 25 March 2021 to mark the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade;

45. *Also welcomes* the commemorative activities from 31 August to 4 September 2021 in San José and Cahuita, Costa Rica, to mark the first-ever International Day for People of African descent;

46. *Requests* the Secretary-General to submit to the General Assembly at its seventy-seventh session a report on the implementation of the present resolution;

47. *Requests* the President of the General Assembly and the President of the Human Rights Council to continue to convene annual commemorative meetings of the Assembly and the Council during the commemoration of the International Day for the Elimination of Racial Discrimination, with the appropriate focus and themes, and in this context encourages the participation of eminent personalities active in the struggle against racial discrimination, Member States and civil society organizations in accordance with the rules of procedure of the Assembly and the Council, respectively;

48. *Decides* to remain seized of this priority matter at its seventy-seventh session under the item entitled “Elimination of racism, racial discrimination, xenophobia and related intolerance”.