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

Crossings and journeys: people of African descent in global migration and the enduring architecture of racialization

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

Summary

The present document contains the report of the Working Group of Experts on People of African Descent on its thirty-seventh and thirty-eighth sessions, prepared pursuant to Human Rights Council resolutions 9/14 and 54/26. At its thirty-seventh session, held in Geneva from 11 to 13 November 2025, the Working Group focused on the theme "Crossings and journeys: people of African descent in global migration and the enduring architecture of racialization" and held an event entitled "Durban memoirs". The Working Group held its thirty-eighth session in Geneva from 20 to 22 April 2026. The session, which included two panel discussions with various stakeholders and also considered internal matters, was held in private.

The Working Group has concluded that current migration governance often does not respect human rights standards and reflects embedded racist attitudes through border management, exacerbated by the criminalization of immigration and the use of artificial intelligence (AI), which result in numerous grave abuses against Africans and people of African descent on the move. The Working Group makes recommendations, in particular for the adoption of inclusive, rights-based migration frameworks that uphold human rights and promote cooperation, ensuring protection for Africans and people of African descent in countries of origin, transit, and destination, that embed humane governance in migration and border management, and that ensure that border practices are grounded in human rights, dignity and racial justice for Africans and people of African descent on the move.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

I. Introduction

1. The present report is submitted to the Human Rights Council in accordance with Council resolutions 9/14 and 54/26, in which the Council requested the Working Group to submit an annual report on all activities relating to its mandate. The report is focused mainly on the deliberations of the Working Group at its thirty-seventh session.

2. The Working Group of Experts on People of African Descent held its thirty-seventh and thirty-eighth sessions at the United Nations Office in Geneva from 11 to 13 November 2025 and 20 to 22 April 2026 respectively. Representatives of Member States, international organizations, regional organizations and non-governmental organizations as well as invited panellists took part in both sessions. At the thirty-eighth session, the Working Group held two panel discussions with the participation of representatives of Member States, international organizations, regional organizations, civil society organizations and academia.

II. Organization of the thirty-seventh session

A. Opening of the session

3. The opening statement was delivered by Peggy Hicks, Director, Thematic Engagement, Special Procedures and Right to Development Division, Office of the United Nations High Commissioner for Human Rights (OHCHR). Ms Hicks said that fundamental human rights – including the right to be free from racial discrimination – were facing pushbacks in many countries, including within migration governance. She noted that, for many migrants and refugees of African descent or of African origin, the migration journey was also an encounter with layered, systemic and often violent forms of racial discrimination at every stage: from departure and transit to border crossing and return. Furthermore, the pervasive legacies of enslavement and colonialism had resulted in exclusion and marginalization that acted as powerful drivers of migration. She underscored that many migratory movements were rooted in systemic racism, which fuelled poverty and conflict, and in a lack of protection in countries of origin. She noted that the lack of safe and legal migration pathways compelled many Africans and people of African descent to rely on increasingly dangerous routes. She also noted that Africans and people of African descent on the move were often subjected to discriminatory attitudes, racial profiling, exploitation by criminal networks, smugglers and traffickers, and violent operations by security forces and border control officials in some transit countries.

4. Ms. Hicks warned that women and girls of African descent experienced multiple and intersecting forms of discrimination based on their race, gender and migration status, including a heightened risk of sexual and gender-based violence, such as rape, sexual exploitation, and trafficking during transit and in detention centres. She called on States to show greater respect for human rights obligations in migration governance and increased accountability under international law.

5. The representatives of China, Ecuador, Ethiopia, the Gambia, Ghana (also on behalf of the African Group), Mexico, Morocco, Nigeria, the Russian Federation, South Africa, Togo and Venezuela (Bolivarian Republic of), and of the European Union, made statements. Michaela Moua, the European Commission's Anti-Racism Coordinator, delivered a statement. Civil society organizations delivered speeches.

B. Election of the Chair

6. Isabelle Mamadou was elected Chair of the Working Group during a special meeting that took place on 8 December 2025. The outgoing Chair, Bina D'Costa, welcomed the new Chair of the Working Group. Ms. Mamadou thanked Ms. D'Costa for her achievements during her tenure as Chair.

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7. At its sixty-first session, held from 23 February to 31 March 2026, the Human Rights Council appointed John Phillip Binondo (Philippines) as a member of the Working Group.

C. Organization of work

8. The Working Group adopted the agenda and programme of work for its thirty-seventh session. The Chair, Ms. D'Costa, introduced the agenda, elaborating on the rationale for it and on the expected outcomes from the session. She indicated that the Working Group had received submissions from different stakeholders in preparation for the session and had built on more than twenty years of its activities, including its thematic reports, to develop the topic under consideration at its thirty-seventh session.

III. Activities of the Working Group (June 2025–June 2026)

9. The Chair noted that she had presented the reports of the Working Group to the Human Rights Council at its sixtieth session and to the General Assembly at its eightieth session.

10. At its thirty-eighth session, the Working Group held two panel discussions. The first commemorated the twenty-fifth anniversary of the adoption of Durban Declaration and Programme of Action. The panel comprised the representatives of Brazil, South Africa and Spain, and two experts. The second panel discussion examined recent developments regarding the reparations agenda of the African Union and at the global level, as well as initiatives taken or envisaged by individual Member States to advance the pursuit of reparatory justice for Africans and people of African descent. It comprised the representatives of Algeria, Colombia, the Gambia and Ghana, a member of the Committee on the Elimination of Racial Discrimination, a rapporteur of the African Union Committee of Experts on Reparations and the Director of the Museum of Ethnography of Geneva. Both events brought together participants from Member States, international organizations, regional organizations, civil society organizations and academia. The Working Group also held an expert consultation to gather substantive inputs and deepen its reflection on land rights of people of African descent, which will be the thematic focus of its thirty-ninth session, to be held in November 2026. The Working Group held closed meetings during which it considered internal matters, including its work in 2026, its country visits, its rules of procedure and methods of work, its communications, its advocacy and partnership strategies and its coordination with the other United Nations anti-racism mechanisms.

11. The Working Group undertook a country visit to Mexico from 11 to 20 May 2026. It issued a media statement with its preliminary findings at the end of its visit and held a media conference afterwards. The Chair thanked the Government of Mexico for its cooperation and for facilitating the visit.

12. The Working Group continued to actively participate in events online or in-person, to interact with Member States, United Nations human rights mechanisms, civil society and other stakeholders regarding the implementation of the Second International Decade for People of African Descent (2025–2034) and the Durban Declaration and Programme of Action as they related to its mandate, and for the promotion and protection of the rights of people of African descent globally including the pursuit of reparatory justice. In that context, on 1 October 2025, Ms. D'Costa, as Chair, presented the Working Group's reports to the Human Rights Council in Geneva and, on 6 November 2025, to the Third Committee of the General Assembly. In Geneva, she met with the representatives of the Permanent Missions of Brazil, Jamaica, Mexico, Morocco and Saudi Arabia to discuss issues relating to the mandate of the Working Group and for a reinforced cooperation with these States. In October 2025, Ms. D'Costa, as Chair, served as a keynote speaker at "Advancing equality in an era of democratic backsliding" – a panel discussion at the Council of Europe's annual European Commission against Racism and Intolerance seminar. Her presentation, entitled "The state of racism, intolerance and related forms of discrimination in Europe", examined contemporary challenges to equality and human rights in the region. In July 2025, she delivered a keynote speech at the OHCHR-organized Asia-Pacific regional launch of the Second International Decade for People of African Descent.

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13. With the same purpose, in February and June 2026, Ms. Mamadou, as the new Chair, met with representatives of the Permanent Missions of Brazil, Canada, Colombia, the Gambia, Jamaica, Mexico, South Africa and Spain to the United Nations Office at Geneva to secure support for the mandate of the Working Group and to discuss the enhancement of cooperation and issues related to people of African descent. In April 2026, she participated in the fifth session of the Permanent Forum on People of African Descent, held in Geneva, where she delivered a statement at the high-level segment. In February 2026, she participated in the twenty-fifth session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, in Geneva. In January 2026, she acted as moderator at the OHCHR Hybrid Roundtable Consultation on addressing racial and intersecting forms of discrimination against people of African descent in relation to drug policy.

14. On 2 October 2025 and 24 June 2026, both Chairs of the Working Group successively participated in the coordination meetings with the other United Nations anti-racism mechanisms, to continue strengthening collaboration on issues of mutual concern. As a result, in 2025 and 2026 the Working Group issued joint statements with the anti-racism mechanisms to commemorate the International Day for the Elimination of Racial Discrimination and the International Day for Women and Girls of African Descent, and contributed to the twenty-fourth and twenty-fifth sessions of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, held in Geneva, with a focus on developing the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent.

15. In addition, Ms. D'Costa spoke and participated at the following events: a series of lectures at three universities in Mindanao, in the Philippines; two panel discussions, on reparations and the human rights of people of African descent, and on advancing dialogue on international human rights law, racial justice, and global advocacy initiatives affecting people of African descent – co-organized by the St. John's Center for International and Comparative Law Human Rights Advocacy Programme and the New York City Bar Association, in the United States of America; a seminar for emerging leaders participating in the Australia–Africa Diplomacy Programme, focusing on shared global challenges and evolving geopolitical dynamics in a multipolar world order; and the workshop of the Activist–Academic Alliances for Gender and Climate Justice, convened by Diverse Voices and Action for Equality, of Fiji. She also led a panel discussion at the Australian National University on gender justice, protection from human rights violations, and feminist leadership, highlighting the role of women of African descent in addressing challenges across Asia and the Pacific; the event was co-hosted by the United Nations Population Fund (UNFPA) and the Australian Research Council Centre of Excellence for the Elimination of Violence Against Women. Furthermore, Ms. D'Costa actively engaged with civil society organizations and regional stakeholders on issues at the intersection of climate justice, racial justice and gender equality, contributing to strengthened collaboration between academic institutions and grass-roots advocacy networks. She visited the Aeta community in Porac in the Philippines, and engaged with women parliamentarians and contributed to raising awareness of the experiences and rights of people of African descent in Asia.

16. The current Chair of the Working Group, Ms. Mamadou, participated in the following events and discussions: the Global Symposium for Bridging the Gap in Sexual and Reproductive Health of Afrodescendent Women and Adolescents, organized by UNFPA; the regional launch of the Second International Decade for People of African Descent, in Europe, organized by OHCHR; and the workshop entitled "Freedom of religion or belief and religions or belief systems of African origin", organized by the Special Rapporteur on freedom of religion or belief, Geledés and the Geneva Human Rights Hub.

17. Working Group member Barbara Reynolds participated as a panellist and keynote speaker in the following events: "Anchoring reparatory justice for people of African descent in international human rights law and discourse: complementarities and parallels in government and non-government actions", organized in collaboration with the International Federation for Human Rights; and "Priorities for the Second Decade and expectations towards Member States and partners", organized by OHCHR, marking the launch of the Second International Decade for People of African Descent; and as a panellist at the "Film screening and panel discussion on the historic United Nations resolution recognizing slavery and the slave trade as among the gravest crimes against humanity", organized by the

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International Decade for People of African Descent – Guyana Assembly; and at "Reparations in a world in crisis: perspectives from the voices of Black women", organized by several non-governmental organizations in Geneva.

18. Working Group member Catherine Namakula took part as a panellist and keynote speaker at the following events: the Reparations Dialogue, hosted by the Centre for Human Rights, University of Pretoria, where she gave opening remarks; the "Ideation Session" on the African Union theme of the year, hosted by African Renaissance, in Nairobi; and the ninth Pan-African Congress, in Lomé. She also participated in a radio talk show (Talking History), which was streamed from Kingston. Furthermore, she acted as a member of the African Union Committee of Experts on Reparations and as the Vice-Chair for East Africa and rapporteur of the Working Group on the Global Governance Infrastructure.

19. The Working Group continued to engage actively with Member States through its communications procedure. From June 2025 to June 2026, the Working Group sent or joined 14 communications concerning allegations of human rights violations in Belarus, Brazil, Colombia, the Dominican Republic, Ecuador, Equatorial Guinea, Honduras, Tunisia, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Working Group also issued or joined in 28 press releases and public statements, while maintaining its engagement through social media. It urged States to ensure accountability for human rights violations affecting people of African descent and to take measures to eradicate systemic racism.

IV. Summary of deliberations

Crossings and journeys: people of African descent in global migration and the enduring architecture of racialization

20. The Working Group dedicated its thirty-seventh session to discussion on the theme of "Crossings and journeys: people of African descent in global migration and the enduring architecture of racialization". Racism, racial discrimination, xenophobia and related intolerance and racialized precarity have shaped human mobility – including the crossings and journeys of Africans and people of African descent across global migration pathways.

21. The first panel discussion focused on racialized migration control and governance and was presided over by the Chair of the Working Group, Ms. D'Costa.

22. Dêlidji Eric Dégila opened the discussion by observing a paradox: unprecedented mobility versus fortified, technologized and racialized borders. He traced contemporary migration controls to colonial laws and hierarchies, reproduced nowadays through visas, externalization and securitization. He noted that media narratives fuelled fear, dehumanization and policy exceptionalism, despite most African migration actually taking place within the continent. He warned that externalization created zones of precarity and asymmetric "partnerships" that monetized surveillance.

23. Pia Oberoi continued the discussion, examining racialized migration control. She connected migration governance to transatlantic slavery and colonialism, noting that discriminatory structures persisted. She observed that securitized regimes, restrictive visa issuance and precarious pathways excluded African migrants. For example, temporary labour-migration programmes constrained rights, entrenched class- and race-based hierarchies, normalized prolonged family separation and dehumanized workers. She emphasized that systemic reform towards a human rights-based approach was urgent, as were the recognition of migrants as rights holders and the necessity of removing the legacies of racialized exploitation.

24. Toni Haastrup analysed stratified mobility, whereby passports were keys or walls. She emphasized that the migration architecture was built on historical discrimination, contemporary externalization and data-driven security, producing predictable harms. She described racialized immobility at departure, layered and unaccountable transit controls, and hostile environments at destination – with compounded risks for women, LGBTQI+ persons and children. She urged the ending of externalization, the expansion of safe pathways, the abolishment of abusive detention, and ensuring accountability and reparations.

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25. During the ensuing discussion, delegations welcomed the analyses made by the panel, and underscored that racial discrimination continued to shape migration governance.

26. The Gambia cited disproportionate profiling, detention and deportation, urged safeguards against bias in visa and AI-enabled systems, and supported a dignified return for Africans and Afrodescendants, accompanied by reintegration. Nigeria outlined the free movement that existed within the Economic Community of West African States, its 2015 National Migration Policy and its rights-based border management, calling for reforms to dismantle structural racism and uphold equal access to protection.

27. The Bolivarian Republic of Venezuela raised concern about discriminatory laws in some countries which facilitated racial profiling and summary deportations, and requested guidance on remedies and reparation. Colombia described its comprehensive national framework which incorporated non-discrimination and non-refoulement. China urged compliance with international human rights law, training to end racial profiling, effective oversight, and access to remedies against abuses in migration policies and management.

28. Civil society organizations emphasized that racial justice should be embedded within migration governance. They noted the recognition of systemic racism and encouraged measurable anti-racism pledges.

29. In the closing remarks, Ms. Oberoi underscored that precarity and racialized vulnerability were systemic and were embedded in architectures of extraction across both regular and irregular pathways, and urged more efforts to implement the Global Compact for Safe, Orderly and Regular Migration in order to strengthen accountability and predictability. Mr. Dégila called for migration governance grounded in human dignity and fairness beyond power politics, highlighting double standards that privileged some migrants over others. He urged an end to migration externalization and emphasized human mobility as an opportunity for progress.

30. The second panel discussed the issue of precarity in transit. The discussion was moderated by a member of the Working Group, Ms. Reynolds.

31. Ahmed Bugre stressed that migration was about people, not numbers. He traced the criminalization of African mobility to the transatlantic slave trade and colonialism. Borders imposed by and in Europe, as well as colonial economic dependencies, continued to drive migration, now compounded by climate change. Mr. Bugre urged recognition of the right to migrate, placing human dignity at the centre and grounding migration policies in reparative approaches.

32. Danielle Isler framed the migration of people of African descent as a consequence of oppression, stressing that precarity in transit was produced by structural and institutional racism. She highlighted lethal routes to Europe and referenced record migrant deaths. She underscored that precarity had not emerged coincidentally, and explained that the issue of "carcerality" extended beyond prisons, and other formal places of deprivation of liberty, into everyday surveillance and racial profiling. She urged accountability for those creating conditions that forced African migrants to take the dangerous journey.

33. Valerie Svobodova stressed that, for people of African descent, protection often collapsed between borders – in camps and at checkpoints and informal crossings – turning transit into threats. She noted that there was a consistent pattern of abuse along land and sea routes, including sexual and gender-based violence, trafficking, torture, arbitrary detention, collective expulsions, and extortion. She encouraged a route-based approach to ensure continuity of protection, coupled with predictable, long-term investment and shared responsibility.

34. Michel-Ange Joseph situated Afrodescendant mobility, particularly Haitian trajectories, within a historical continuum of racialized exclusion. Precariousness is constant during departure, transit, reception and return. Mr. Joseph called for the inclusion of ethno-racial variables in migration records, humanitarian corridors with gender- and ethnicity-responsive design, access to documentation and regularization, mandatory anti-racism training for border and consular officials, meaningful participation of rights holders, and linkage to reparatory justice.

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35. During the ensuing discussion, the Bolivarian Republic of Venezuela reported on the detention of Venezuelans in a Member State reportedly with no respect for due process or for other legal safeguards. It asked the Working Group to condemn that situation.

36. Working Group member Ms. Namakula linked migration and reparations, tracing racialized ideologies, from notions of "natural slavery" to harmful inhumane hierarchies. She argued that Eurocentric education functioned as a push factor, by socializing African youth into skills and aspirations misaligned with local opportunities. She called for education to be decolonized and for broad reparative measures.

37. Working Group member Ms. Mamadou commended defenders working in difficult contexts and detailed abuses faced by migrants, including trafficking, arbitrary detention and sexual violence. She criticized security-led border policies and drew attention to abusive conditions in migrant detention centres, including overcrowding and indeterminate confinement, while calling for alternatives to detention.

38. China thanked the experts and expressed concern about discrimination against migrants of African descent in transitional spaces, emphasizing the disproportionate harms to women and children. China also raised concern about systemic abuse in detention and shelter facilities, including sexual harassment and a lack of healthcare and hygiene, as well as child exploitation and trafficking. It called for safe accommodation, psychosocial and legal support, effective complaint and accountability mechanisms, and equal access to education and medical care.

39. The Gambia observed that transit had become a space of danger and discrimination for many people of African descent, marked by arbitrary detention, extortion, forced labour and loss of life. It affirmed that human rights remained in force during transit, and urged accountability, humanitarian access and legal remedies.

40. Colombia provided information about its domestic policies and programmes relating to migration. These included strengthening the institutional response, improving integration assistance for migrants including those of African descent, setting up a "transit rooms" system which allowed spaces with necessary adequate conditions dedicated to migrants who had been admitted to the territory or who were to be deported, and carrying out awareness-raising campaigns for the general population and training for officials on the prevention of xenophobia, trafficking and child sexual exploitation.

41. Speaking on behalf of the Indigenous Chagossian people, one civil society organization recalled that a great proportion of this people had been forcibly removed from their Indian Ocean homeland to make way for the establishment of a military base, and described continuing racialized exclusion upon their arrival in the United Kingdom. Family separations, surveillance, poor living conditions and elder homelessness had been reported, alongside criticism of bureaucratic practices that reproduced colonial-era exclusion.

42. Several civil society organizations referred to extensive reports of human rights violations and abuses against African migrants and refugees in Libya. They called for immediate action by the international community to protect survivors and to support investigations and prosecutions.

43. In the closing remarks, Ms. Isler reflected on the time required for meaningful progress and urged perseverance in the face of ongoing deaths and structural violence. She cautioned that inaction risked regression and encouraged collective resolve to pursue transformative change.

44. Mr. Bugre recounted an incident of racial profiling at an airport to illustrate everyday criminalization, and described structural exclusion of African and Afrodescendent migrants in Europe, including temporary statuses without pathways to residency or citizenship, and the impact of these on children. He stressed the human and moral dimensions of migration, warning that securitization aggravated harm, and urged more humane migration governance.

45. The third panel discussion, on smuggling, trafficking and racialized risks, was facilitated by Ms. Namakula.

46. Sylvie Bollini examined the legal and operational differences between smuggling and trafficking, highlighting how racism increased vulnerability, misidentification and the

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exclusion of people of African descent from protection. She provided information about Council of Europe standards, including the recent guidance on the issues of combating racism, grant inclusion, healthcare discrimination and racial profiling. She noted concerns about rising levels of labour exploitation, calling for stronger protection for undocumented workers and safe reporting.

47. Barryl A. Biekman underscored that people of African descent continued to face heightened risks of smuggling, trafficking and racialized migration regimes, rooted in the legacies of enslavement, colonization and exploitation. She highlighted how Africans and people of African descent on the move had often been criminalized rather than protected, and how visa discrimination, border externalization and racialized narratives reproduced structural inequalities. She affirmed that safe and regular migration pathways, grounded in equality and accountability, constituted essential elements for reparatory justice.

48. Amanuel Mahari described how smuggling and trafficking were shaped by structural inequalities, with distinctions between the two crimes often blurred, as migrants faced exploitation. Citing data from the International Organization for Migration, he observed that 40 million people of African descent lived as international migrants and 50 million were internally displaced – nearly half of the world's displaced population. Africans accounted for 36 per cent of identified trafficking victims and 46 per cent of unaccompanied trafficked children.

49. Maria Serrano referred to the Canadian Temporary Foreign Worker Programme, which she linked to conditions of racialized precarity and severe labour exploitation affecting migrant workers, including people of African descent. She noted that tens of thousands of such temporary foreign workers were recruited annually, with Jamaicans representing more than 5 per cent of the participants in the programme in 2024. She explained that employer-specific work permits bound workers to a single employer, leading to unpaid labour, unsafe conditions, racist abuse, gender-based violence, inadequate housing and risks amounting to trafficking.

50. During the ensuing discussion, Ms. Reynolds emphasized the need for greater conceptual clarity, calling for clearer distinctions between domestic work and domestic servitude and for a more consistent definition of "racialized risk". She stressed that maintaining a strict separation between smuggling and trafficking was essential, noting that trafficking was inherently coercive.

51. Ms. D'Costa echoed these concerns and invited panellists to clarify how such distinctions between trafficking and smuggling were applied in their respective institutional contexts, particularly on the Central Mediterranean and East Africa routes. She also cautioned against the growing conflation of trafficking with modern-day slavery, noting that such framing risked narrowing political debate and justifying coercion.

52. Nigeria highlighted its work to protect displaced populations, alongside recent legal reforms, strengthened border management and expanded survivor services, while calling for enhanced international cooperation and adherence to the principle of non-refoulement.

53. The Gambia described its national referral mechanism, which linked law enforcement, social services and civil society, as well as the development of anti-smuggling legislation, regional cooperation, and prevention efforts focused on youth empowerment and decent employment.

54. The Bolivarian Republic of Venezuela emphasized its constitutional guarantees of equality, its National Plan against Trafficking, and inter-institutional coordination mechanisms, including protections for migrant children and adolescents.

55. Colombia presented its human rights-based and victim-centred strategy for combating trafficking in persons, which integrated gender, ethnic and differential approaches, paying particular attention to Afrodescendent communities. It noted both progress and persistent gaps in data, resources and implementation.

56. Association Kartyé Lib highlighted the invisibility of the Indian Ocean region in global debates on migration, trafficking and forced labour and indicated that Eurocentric

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policies overlooked the colonial and postcolonial histories of Réunion and Mayotte. Réunion had been described as a "laboratory of forced globalization". She noted that contemporary flows from some neighbouring countries and islands must be situated within this context and specific histories integrated into policy.

57. Ms. Isler reflected on the social construction of categories such as trafficking, smuggling and irregular migration, arguing that the boundaries of legality were politically and economically produced. She pointed to a double standard whereby irregular migrants were criminalized while goods extracted through exploitative practices faced limited scrutiny. She concluded by calling for migration to be decriminalized for the sake of dignity and survival.

58. Panellists clarified key legal and conceptual distinctions. Ms. Bollini explained that, under European frameworks, article 4 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) differentiated forced labour, slavery and servitude, while Council of Europe case law distinguished domestic work from domestic servitude by the degree of coercion, and stated that trafficking was clearly separated from migrant smuggling.

59. Mr. Mehari cautioned against conflating trafficking and smuggling, while recognizing their interconnections under the separate protocols of the United Nations Convention against Transnational Organized Crime, explaining that smuggling could evolve into trafficking when individuals lost control over their movement.

60. Ms. Biekman clarified that "Afrophobia" denoted historically rooted, systemic racism against Africans and people of African descent, distinct from anti-Black racism. She stressed that precise terminology was essential to confront the legacies of slavery and colonialism.

61. Jan Lôn traced the shift from "Negrophobia" to "Afrophobia," noting its subsequent recognition, and argued that Afrophobia better captured the broader historical, cultural and geopolitical dimensions of discrimination.

62. Mr. Washington reflected on evolving racial terminology in the United States, invoked the "colour line" as a marker of global inequality, and urged unity and practical strategies for collective empowerment across the African diaspora.

63. Association Kartyé Lib described a grave humanitarian crisis stemming from visa restrictions between the Comoros and Mayotte that had been in place since 1995, estimating the number of deaths by 2011 on dangerous sea crossings at more than 10,000.

64. In the closing remarks, Ms. Bollini stressed that legal frameworks must be paired with practical measures, such as accessible legal assistance, strong civil society roles and international cooperation. She welcomed the focus on prevention shown by the Gambia, and highlighted the Council of Europe's North-South Centre as a platform for global citizenship education, with the engagement of several African States.

65. The fourth panel discussion looked at the issue of the media, representation and racialized narratives, and was chaired by Ms. Reynolds.

66. Claudia Miccichè examined how repetition, representation and invisible norms of whiteness in the media shaped perceptions of people of African descent. She noted that binary framings and repeated portrayals of migration as a "threat," together with reductive imagery and loaded terms such as "invasion" or "wave," normalized misperceptions and entrenched racialized narratives. She highlighted social media's dual impact, with algorithms amplifying divisive content while also enabling fact-checking and diverse voices. She urged multi-level responses: platform-supported fact-checking; critical media literacy in schools and universities; training of journalists on ethical language and image use in order to avoid stigmatizing coverage; and sustained funding for independent media.

67. Mr. Washington warned that media power shaped consciousness and racialized narratives. He argued that control of media enabled the criminalization of Blackness and the normalization of oppression. Drawing on film and media experience, he described an industry that profiled and marginalized. He linked these harms to platform consolidation that served

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profit while preserving structural injustice and numbing societies to racism and wealth gaps. He urged audiences to become critical consumers, rejecting content that sustained oppression and supporting creators who advanced justice.

68. Ms. Isler explained that language was not neutral and had historically legitimized enslavement, colonialism and exclusion. She observed that the media, as a "fourth estate", continued to employ dehumanizing labels such as "illegal aliens" and "human animals" and binary tropes contrasting "civilized" and "savage", which reinforced racialized othering and normalized violence. She called for comprehensive, multi-level responses, including integrating anti-racist communication and critical literacy in education; funding public awareness campaigns; ensuring media accountability and ethical standards; and strengthening the regulation of social media to prevent the spread of hate speech, supported by international cooperation.

69. During the ensuing discussion, Ms. D'Costa drew on the Australian experience to illustrate how racialized media framings, depicting migrants as "unwanted", "invaders" or "dishonest", erased the agency of people of African descent. She underscored the importance of language and representation in advancing reparatory justice and called for reframing Africans and people of African descent as active agents in their own histories.

70. Ms. Namakula emphasized that media narratives operated as both push and pull factors for irregular migration. She noted that persistent depictions of Africa as a continent defined by crisis discouraged engagement with the region and fuelled outward migration, while idealized portrayals of Western countries generated unrealistic expectations.

71. Althea Stevens emphasized that harmful narratives persisted in the West Bronx of New York City, where media reporting disproportionately focused on violence and crisis, while overlooking positive community initiatives, including youth development programmes and cultural activities. She called for greater investment in youth engagement and media education to enable young people to participate as storytellers and accountability actors.

72. June Lewis described the persistence of racist hate speech and systemic discrimination in the United Kingdom. She noted the continued normalization of racist rhetoric in public discourse and outlined systemic barriers faced by Black journalists, including limited representation in senior editorial roles.

73. Marie-Lyne Champigneul noted that media in the Indian Ocean region remained shaped by colonial-era stereotypes, with Afrodescendent and Indigenous Peoples portrayed through reductive narratives of poverty or social conflict. She noted, however, that community and independent media had begun creating more representative narratives.

74. China expressed deep concern regarding the spread of false and misleading information targeting migrants, particularly those of African descent. It noted that, in several countries, politicians and public figures actively incited hatred by portraying migrants as security threats, social burdens or cultural invaders, thereby reinforcing racist conspiracy theories that distorted public perception and fuelled xenophobia.

75. The Bolivarian Republic of Venezuela observed that xenophobic rhetoric and discriminatory media narratives continued to stigmatize migrants, particularly people of African descent, by depicting them as scapegoats or security threats. It warned that such narratives fostered fear from, and exclusion of, migrants of African descent and led to human rights violations against them, including physical violence. The Bolivarian Republic of Venezuela urged media outlets to avoid dehumanizing language and to amplify the perspectives of Afrodescendants and migrants.

76. Brazil emphasized that the media and audiovisual industries played a decisive role in shaping perceptions of racialized groups and had historically portrayed Afrodescendants through stereotypes linking them to marginalization, criminality and social inferiority. This had been perpetuated not only through explicit content but also through the persistent erasure of Black voices in decision-making and cultural spaces, contributing to the normalization of structural racism and the proliferation of discriminatory content online.

77. Ms. Miccichè stressed the need to address the persistent use of harmful language and imagery in migration reporting. She noted that terms such as "illegal" continued to appear,

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despite recognition that "undocumented" was more accurate. While numerous good practices existed, she observed inconsistent implementation and limited accountability among journalists. She recommended structured training of journalists on ethical framing and cited the Week Against Racism, in Switzerland, as a model for reflection.

78. Mr. Washington underscored the need for accountability and structural reform in media production, noting that discriminatory language persisted. He highlighted biased editorial choices that portrayed Ukrainian refugees sympathetically while depicting Haitian and African asylum-seekers through racist tropes, including violent border imagery. He concluded that dismantling racism in media required confronting language bias and profit-driven systems.

79. Ms. Isler emphasized that imagery held a weight equal to that of language in shaping public perception. She noted that media in many countries routinely highlighted a suspect's nationality or ethnicity in crime reporting, reinforcing racial stereotypes. She stressed the need for comprehensive journalist training addressing the historical and social context of racism.

80. Mr. Washington emphasized the ethical responsibility of media professionals, noting that those with influence must act with purpose and accountability. He cautioned that while harmful speech must be challenged, regulatory approaches risked silencing voices which unveiled injustices. He urged audiences to exercise conscious media consumption, emphasizing that attention functioned as a form of currency.

81. Ms. Miccichè reflected on how to avoid reinforcing structural racism in digital environments dominated by algorithmic repetition. She emphasized the importance of personal responsibility and critical engagement, encouraging participants to seek diverse viewpoints and disrupt echo chambers. She concluded that through intentional engagement, societies could counter cycles of inequality and foster more inclusive spaces.

82. Ms. Reynolds concluded the panel session by recalling that the discussion was grounded in human rights principles recognizing the equality and dignity of all persons. She encouraged greater attention to Black-owned and independent outlets. She underscored that media professionals bore responsibility for how they portrayed people of African descent, while audiences also played a role in interpreting and elevating human rights-based narratives.

83. The fifth panel discussion, on detention, surveillance and technologies of control, was moderated by Ms. Reynolds.

84. Priya Gopalan examined how detention, surveillance and emerging migration-control technologies disproportionately affected people of African descent. She recalled international standards requiring immigration detention to be exceptional and non-discriminatory, yet research and practice showed racialized patterns in alternatives to detention. She highlighted algorithmic bias and the privatization-driven commodification of detention, noting that both of these deepened discrimination and reproduced structural racism. She underscored the racialization of the death penalty and the heightened risks that migrants faced of wrongful conviction, inadequate legal safeguards and discriminatory justice. She concluded that systemic racism persisted in migration governance and required urgent acknowledgment and reform.

85. Mr. Washington observed that the deployment of digital surveillance technologies to control migrants was part of a larger societal trend of "hypersurveillance" through digital technologies, which was threatening everyone's freedom of movement and freedom of choice. He noted that economic interests and greed were major drivers of the development both of surveillance technologies and of prison infrastructure. He stressed the need for a strategy grounded in global solidarity to protect fundamental freedoms and human rights.

86. Carolina Hernández highlighted findings of a joint OHCHR–University of Essex study entitled *Digital Border Governance: A Human Rights-Based Approach,* which revealed that while digital technologies were transforming migration control, with increasing use of biometrics, drones and algorithmic risk assessments, these technologies were often reproducing unequal systems of power and enduring structures of racialized control. As a result, people of African descent were being disproportionately subjected to wrongful

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exclusion, prolonged procedures, or detention based on algorithmic assumptions that were neither transparent nor reviewable. In light of these findings, OHCHR was working on "Guidelines on human rights-based digital border governance", which recommend that digital border measures have a clear legal basis and comply with the principles of legality, necessity and proportionality; that racial discrimination be explicitly prohibited and monitored; that human rights impact assessment, transparency and participation be strengthened; that accountability, oversight and remedy be ensured; and that people on the move, including people of African descent, be seen not as data points but as rights holders.

87. Modi Ntambwe highlighted the human rights impact of recent trends in European Union migration governance, which were described as reinforcing structural inequalities and reproducing historical racial hierarchies. She observed that the expansion of migrant detention systems and public narratives linking Africans to insecurity had contributed to the increased criminalization and racial profiling of Africans and people of African descent on the move. She further expressed concern at the externalization and monetization of migration control through European and bilateral agreements. She urged a rights-based migration governance framework that prioritized integration, labour inclusion, non-discrimination and transparent data reporting.

88. Luisa Barbosa explained that immigration systems worldwide had increasingly politicized and criminalized migration, expanding detention and the use of intrusive technologies such as GPS tagging and digital surveillance. Research showed that many governments, particularly in North America and Europe, as well as in Australia, had adopted digital monitoring tools with limited transparency, oversight or consent, often replicating detention harms in digital form and disproportionately affecting people of African descent and other racialized communities. Research had found that surveillance technologies and algorithmic systems reinforced discrimination, stigma and structural racism while causing significant mental and physical harm.

89. In the ensuing discussion, Zaved Mahmood presented the United Nations system common position on incarceration. He explained, with regard to the common position, that the United Nations system had identified as a major challenge the overrepresentation among the prison population of minority groups and discriminated-against groups, including Africans and people of African descent. In response, United Nations agencies had committed to advocating for criminal justice and prison systems that were free from racism, racial discrimination, xenophobia and related intolerance. Other commitments included supporting States on alternatives to detention and non-custodial measures, the social reintegration of former prisoners, and the decriminalization of – inter alia – homelessness, poverty and drug use.

90. The Bolivarian Republic of Venezuela stated that biometric databases, biased predictive algorithms and metadata were not neutral tools but the expression of a techno-colonial power. It added that the racial bias embedded in those systems was part of their core function to sort human worth by race, class and geography.

91. Ms. Champigneul explained that, in Réunion, a prison dating back to 1718 had been turned into a United Nations Educational, Scientific and Cultural Organization (UNESCO) world heritage site linked to enslavement and the slave trade. She said that by transforming a symbol of oppression into a space dedicated to knowledge and understanding, the aim of the site had now become to disseminate knowledge about what had happened in the prison in the context of slavery and forced labour, and more broadly, about the social and economic history of the island.

92. Ms. Lewis raised concerns about the overrepresentation of the Black population among the incarcerated population in the United Kingdom and among those incarcerated under the Mental Health Act.

93. Mr. Washington highlighted the challenge posed by decisions related to technology development, and its use in migration control, which were closely linked to economic interests. In his view, there was a need for international and domestic laws and regulations to ensure that respect for human dignity was prioritized over private economic interests.

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94. Ms. Gopalan stated that a key challenge was the profit motive driving big tech companies, which required a multilayered response combining regulation and the development of more inclusive alternative technologies. She recalled core international law principles on migrant detention, according to which deprivation of liberty of asylum-seeking, refugee, stateless or migrant children is prohibited, and that migration-related decisions must respect the best interests of the child. She stressed that children should not be separated from parents or legal guardians, and that detention of children should not be justified to preserve family unity; instead, alternatives should apply to the entire family.

95. Ms. Ntambwe emphasized that technologies should be used to guarantee freedom of movement and the right to move for all, by creating safe, welcoming and inclusive environments for migrants.

96. Ms. Hernández emphasized that technology was not inherently detrimental to the rights of migrants, but that its impact depended on how it was embedded within migration governance systems and on the safeguards put in place. She stressed the need for clear safeguards and due diligence processes to ensure that technologies were used in ways that were lawful, necessary and proportionate, that risks were identified and mitigated and that effective remedies were available.

97. The sixth panel discussed deportation and the afterlife of movement and was facilitated by Ms. D'Costa.

98. Swati Parashar examined India–Africa relations through a racial lens, recalling long-standing historical ties and exchanges between Africa and South Asia, as well as the presence in India of communities of African descent originating from Bantu populations that had arrived over a period of centuries and had contributed significantly to Indian society. While South-South economic, security, political and diplomatic cooperation had strengthened in recent decades, that has not improved conditions for Africans or people of African descent in India. These communities continued to face discrimination and socioeconomic deprivation, while African migrants were subjected to racial violence, high incarceration rates and deportation.

99. Emmanuel Achiri argued that European Union migration governance was rooted in the enduring legacies of slavery and colonialism, producing borders and deportation systems that disproportionately targeted people of African descent. He explained that the term "migrant" had been racialized in European narratives, particularly in the media, to evoke images justifying heightened surveillance, policing and exclusion. He raised concerns about the European Union's proposed return regulation legitimizing racial profiling, as well as expanding detention (including of children), weakening safeguards and enabling deportations to countries where African and Afrodescendent people had no personal connection, often exposing deportees to violence, persecution or even death. He asserted that deportation functioned as a modern form of racial control, and called for rights-based residence pathways, regularization, firewalls between public services and immigration enforcement, and migration systems grounded in dignity rather than racialized exclusion.

100. Mr. Bugre described the lived realities of detention and deportation for African migrants and people of African descent, emphasizing that these practices were frequently used as tools of coercion and control. He observed that migrants, including African and Afrodescendent migrants, resisting forced return were often held in prolonged administrative custody without consular support, and that deportation itself generated profound shame, trauma and social stigma. Drawing on his experience, he noted that individuals were routinely apprehended through workplace or street raids and removed without the opportunity to collect belongings or wages, leaving them vulnerable, isolated, and at risk of homelessness, remigration, criminalization or suicide.

101. Valérie Assouline addressed children's rights in migration and justice, noting that large numbers of children crossed borders daily to flee war, poverty and hunger, with children of African descent among the most vulnerable and girls facing double invisibility as children and as females. She recalled that the Convention on the Rights of the Child required States to guarantee protection, education, healthcare and a decent life, yet implementation remained weak. While citing Canada as an example of diversity, inclusion and protection of rights, she stressed the need for continued innovation and to listen to every child.

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102. During the ensuing discussion, Ms. Reynolds stressed the need to consider the "push" and "pull" factors of migration which had forced people of African descent into very dangerous, horrendous migration journeys, despite coming from mineral-rich and fertile lands. She stressed that the issues of migration were aggravated on the basis of colour and language.

103. The Gambia stated that it was working closely with international organizations on voluntary return and readmission of migrants. It noted that support to returning migrants should be a shared responsibility between the return countries and the destination countries. It recommended that a study be conducted to identify best practices on migration management.

104. The Bolivarian Republic of Venezuela expressed concerns at the situation of Venezuelan migrants who had been deported or deceptively sent from the United States to El Salvador to be detained in a maximum security prison. It affirmed the commitment of the State to protect its citizens and their decent treatment abroad.

105. Brazil supported a humane approach to migration governance to prevent xenophobia, racism and other forms of discrimination and to promote respect, reparation and equality. It stated that it had launched a humanitarian programme in January 2025 to ensure the dignified reception of vulnerable repatriated nationals and was developing a national policy on migration, refugees and stateless persons. Brazil recalled that States should guarantee human rights for all and combat systemic racism, racial discrimination and xenophobia during transit and after arrival.

106. A representative of a civil society organization expressed support for developing an approach to voluntary returns, in place of deportation. Such voluntary returns would allow Africans and people of African descent to return to the African continent in a fair, sustainable and constructive manner.

107. Elodie Tranchez encouraged the Working Group of Experts on People of African Descent to support regular dialogue and coordination with United Nations human rights treaty bodies and the European Court of Human Rights, including between secretariats, on issues pertaining to deportation and non-refoulement of migrants across the Mediterranean Sea, as well as on the refusal to rescue ships at sea.

108. Ms. Isler asked how healing and reparation could be provided effectively to migrants who had been deported to their home country or to a third country. She also asked about the return of bodies of undocumented migrants who had died during the migration journey.

109. Awa N'Diaye stressed the need to reinforce South-South solidarity and good governance in African countries, as well as to encourage the voluntary return of people of African descent to the African continent.

110. Mr. Bugre explained that the claims for healing and reparations for African and Afrodescendent migrants stemmed from the acknowledgement that migration governance was fundamentally grounded in the legacies of enslavement and colonialism. He noted that "voluntary return" had often referred to policies encouraging the return of migrants against their will. Regarding the situation of migrants who died during or after their journey, he explained that the State would usually limit its activities to conducting DNA testing and issuing the death certificate for the family.

111. In the closing remarks, Mr. Achiri stressed that voluntary returns were not always carried out fairly and of the returnees' own free will. He underscored that there were no real voluntary return schemes because of political factors. Lastly, he criticized the practices and the nature of trade agreements and relations between the European Union and African countries, whereby the former pressured the latter to significantly restrict the freedom of movement of Africans and people of African descent, within their own continent and abroad.

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V. Conclusions and recommendations

112. **The Working Group thanks Member States, representatives of international organizations and civil society and other relevant stakeholders for their active participation.**

113. **Considering the above, the Working Group makes the conclusions set out below.**

1. Racialized governance and migration control

114. **The Working Group is of the view that contemporary migration governance carries echoes of racially discriminatory and colonial historical legacies. Reported violent and discriminatory border regimes, precarious migration pathways and systemic gaps reproduce global inequalities and deny migrants' fundamental human rights in many States.**

115. **The Working Group concludes that humanizing migration requires recognizing the dignity and equality of all people on the move, including Africans and people of African descent, and addressing the racialized narratives, policies and practices that devaluate their experience and suffering.**

116. **The consultation carried out shows that sanctions on transport providers for not monitoring compliance with laws and visa regimes generate a market in "illegality", pushing Africans and people of African descent into dangerous routes while preserving the fiction of choice. Economic conditionalities, unequal trade and climate vulnerability, as legacies of extraction, structure the compulsion to move, yet global protection frameworks rarely recognize these drivers as valid grounds for protection, with particular consequences for Africans and people of African descent on the move. Gendered constraints are particularly acute: care responsibilities, exposure to sexual and gender-based violence, and limited access to lawful labour migration channels compel many women into risky intermediated pathways.**

117. **The Working Group concludes that temporary labour migration programmes often perpetuate exploitation and racial discrimination, reducing migrants to commodities in racialized supply chains rather than recognizing them as rights holders.**

118. **The views and testimonies of civil society organizations have underlined how externalization has shifted migration control beyond several States' territorial borders into Africa and other countries of origin and transit. Framed as "partnerships" or "development assistance", these arrangements are marked by unequal power relations, where Africa and other countries of origin and transit are pressured to align with security agendas of Northern countries – expanding surveillance rather than genuine mobility. Such arrangements highlight the expansion of deportation and migration-control practices beyond national borders, raising contested questions of legality and creating significant risks for dignity and safety and for due process for Africans and people of African descent.**

119. **The Working Group appreciates the best practice initiatives shared by Member States on migration governance, stresses that far more must be done and affirms that Member States bear the primary responsibility for confronting and dismantling these systemic injustices.**

2. Precarity in transit

120. **Precarity in migration appears not as accidental but rather as a policy choice by many countries.**

121. **The loss of life and liberty as Africans and people of African descent migrate from one place to another has reached alarming levels.**

122. **Experiences and reports illustrate the existence of a global hierarchy in freedom of movement, characterized by false perceptions based on race and colour that enable and facilitate the movement of some as "expatriates" and others as "migrants", some as the "circulation of talent" and others as a "crisis to be managed".**

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123. **Precarity is often embedded in both journeys and crossings, with age, gender, race and migration status as exacerbating factors, and humiliation and degrading policies and practices normalized as means of migration control.**

3. Smuggling, trafficking and racialized risks

124. **Racism and racial discrimination grounded in legacies of the past intersect with other factors and realities, especially gender and age as well as migration and economic status, in deepening the state of vulnerability of Africans and persons of African descent to trafficking and smuggling, racial profiling, victim blaming, denial of protection, denial of access to regular status and documentation, deportation, sexual or gender-based violence, exploitation and abuse, as well as to exceptional, discriminatory or exclusionary migrant schemes, policies and practices, and reprisals for seeking justice.**

125. **The Working Group commends the acceptance of, ratification of, accession to or succession to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, of 15 November 2000, by 153 States Members of the United Nations, and its approval by the European Union. The Working Group takes note of the optional reporting mechanism supported by sessions of States Parties.**

126. **Measures taken by several States Parties to establish institutional mechanisms to implement the principles of the above-mentioned Protocol are welcomed by the Working Group. However, the Working Group regrets the absence of explicit racial justice objectives, safeguards against racial discrimination and measurable outcomes.**

127. **The Working Group reached the conclusion that reparations, decolonization and self-determination for persons of African descent are indispensable elements of a human rights-based response to the root causes of irregular migration. Contributing factors for irregular migration, such as a lack of pathways for safe and regular migration, resource deprivation, structured poverty, land dispossession, proxy wars and violent and unconstitutional changes of government are rooted in neocolonial undertakings.**

4. Media, representation and racialized narratives

128. **Harmful racialized narratives in media have delegitimized migration and contributed to the prejudice, discrimination and dehumanization that Africans and people of African descent face in their journeys and border crossings.**

129. **Media actors and platforms have, in many contexts, contributed to perpetuating falsehoods and negative stereotypes of Africans and people of African descent and have failed to challenge the presumed neutrality of language, policies and practices that prioritize "whiteness" and demonize blackness.**

130. **As a result, African and Afrodescendent voices are often marginalized and excluded in public discourse on migration in several countries.**

5. Detention, surveillance and technologies of control

131. **The Working Group concludes that AI and related digital technologies have exacerbated already difficult conditions and discriminatory treatment of African and Afrodescendent migrants. When deployed without adequate safeguards, these technologies can reinforce racial discrimination, surveillance and social control, affecting Africans and people of African descent on the move.**

132. **So-called smart borders are pushing migrants to find and forge longer and more deadly routes. In several countries, biometric registration is being integrated into migration governance without sufficient safeguards, particularly when personal data are collected, processed and shared without human rights safeguards, transparency oversight and accountability mechanisms. Technology, therefore, risks perpetuating and not preventing racial discrimination and inequities.**

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133. **African and Afrodescendent migrant workers reportedly face increased scrutiny, surveillance and scapegoating, social isolation, and limited access to accurate information and finance/credit because of algorithmic bias. In some instances, phones and credit cards are being deployed to electronically track and trap migrants.**

134. **Human rights-based and non-custodial alternatives-to-detention programmes build trust and support migrants to participate in migration processes. Proper management of alternatives-to-detention programmes through case-by-case resolution and holistic support for migrants ensures that they do not degenerate into de facto alternative detention.**

6. Deportation and the afterlife of movement

135. **The Working Group concludes that deportation has become a coercive and punitive instrument of migration management and control, often preceded by prolonged detention, with disproportionate effects on Africans and people of African descent on the move. Raids at workplaces or on the street in several jurisdictions strip migrants of possessions, wages and dignity, while employer–police collusion exacerbates exploitation in many instances. Deportation produces cascading harms, shame, ostracization, disruption of lives, vulnerability in unfamiliar urban settings, repeat irregular migration, and heightened risks of mental health crises.**

136. **Deportation has frequently been framed through the lens of criminalization, which intensifies its punitive character and racialized impact. This framing extends exclusionary State power, disproportionately affecting people of African descent on the move, and subjects both adults and children to abrupt dislocation, trauma, and long-term instability. By linking deportation to criminalization, the process compounds mental health harms and intergenerational stress, underscoring the urgency of dismantling punitive approaches and advancing rights-based alternatives.**

137. **The Working Group concludes that migration governance should not be centred on deportation and removal but on rights-based alternatives. Alternatives to deportation exist, and removal should never be treated as the default option for Africans and people of African descent whose asylum applications have been rejected or whose residence permits have expired or been revoked. Establishing safe and regular pathways is essential to break the cycle of irregularity and to enable secure, dignified participation in society.**

138. **Regularization should not be treated solely as an exceptional measure, but as a rights-based tool that can correct systems producing irregularity and vulnerability. It should be grounded in dignity, security, legal certainty and full participation in society.**

139. **Consistent with the Durban Declaration and Programme of Action and aligned with the Second International Decade for People of African Descent (2025–2034), the recommendations included in the present report are aimed at strengthening a rights-based migration governance and protecting the dignity of all migrants, refugees and asylum-seekers, particularly those of African descent. In the light of these findings and conclusions, the Working Group recommends that Member States:**

(a) **Embed humane governance in migration and border management and ensure that border practices are grounded in human rights, dignity and racial justice for Africans and people of African descent on the move;**

(b) **Adopt rights-based migration frameworks that uphold human rights and promote cooperation, ensuring protection for Africans and people of African descent in countries of origin, transit and destination;**

(c) **Identify and replicate best practices to prevent racial profiling and xenophobia against Africans and people of African descent on the move, and adopt proven approaches that provide training tools, awareness-raising measures and operational criteria to eliminate racial profiling in migration. These initiatives should also promote rights-based migration narratives and inclusive public discourse that counter stereotypes and hate against Africans and people of African descent on the move;**

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(d) **Ensure equitable and rights-based migration partnerships and end transactional externalization practices, and, instead, co-create truly equal frameworks with Governments of African countries and other countries of origin and transit of people of African descent, centred on regular mobility, human rights and shared responsibility rather than on surveillance and control;**

(e) **Embed intersectional and anti-discrimination principles in migration governance, explicitly addressing the racialized hierarchies that underpin global migration governance systems and are discriminatory to Africans and people of African descent on the move;**

(f) **Prioritize protection of women and girls of African descent on the move, ensuring targeted measures to safeguard them from heightened risk of exploitation and gender-based violence, including sexual violence, along migration routes;**

(g) **Reform labour migration frameworks to uphold dignity and rights, undertaking comprehensive reforms of temporary labour migration programmes to ensure more protection to Africans and people of African descent;**

(h) **Guarantee access to essential services without fear of deportation and establish firewalls between immigration enforcement and public services, ensuring that Africans and people of African descent on the move can access healthcare, education, labour protections and justice without risk of arrest or removal;**

(i) **Open and expand safe and regular pathways that integrate a human-rights based approach, including pathways that facilitate family reunification as well as labour mobility opportunities at all skill levels, and ensure gender-responsive channels that do not tie migrant workers' status to a single employer, especially migrants of African descent;**

(j) **Empower independent oversight with full access and enforcement powers to suspend harmful systems that result in discrimination and other human rights violations against Africans and people of African descent on the move;**

(k) **Collaborate with civil society to establish independent mechanisms to document deaths and disappearances at border crossings and along migration routes, guarantee independent investigations of racial discrimination in migration control, and provide measures of support and redress for families and survivors;**

(l) **Ensure inclusive, meaningful and effective participation of people of African descent in migration policy formulation, implementation and evaluation;**

(m) **Acknowledge that the Durban Declaration recognized the transatlantic slave trade as a crime against humanity and ensure that migration-related harms affecting Africans and people of African descent are addressed in reparatory justice efforts through measures that are centred on healing, dignity and inclusion;**

(n) **Take measures to acknowledge and recognize the contribution of African and Afrodescendent migrants to the social and economic development of receiving countries, foster the inclusion of true and accurate African and Afrodescendent narratives in public discourse and integrate true and accurate portrayals of Africa and African history in school curricula;**

(o) **Enhance coordinated human rights-based global migration governance through North-South and South-South consultation;**

(p) **Enhance national, regional and international independent monitoring and accountability mechanisms relating to migrants' human rights as well as access to information for a reinforced protection of African and Afrodescendent migrants on the move;**

(q) **Institutionalize family, age and gender-responsive considerations in the administration of international, national and local migration policies and procedures;**

(r) **Ratify, domesticate (if required) and implement effectively the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United**

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Nations Convention against Transnational Organized Crime, and other relevant international human rights instruments, in order to ensure enhanced protection for Africans and people of African descent on the move;

(s) **Strengthen the implementation and reporting under the mechanism established by the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime by way of regular mandatory reporting bolstered by the inclusion of data on factors that aggravate risk, especially race and gender, and that constraint Afrodescendent migrants;**

(t) **Remove declarations or reservations to the Protocol and act in accordance with international human rights standards in applying migration policies. In this regard, member States of the European Union should ensure that implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, is consistent with the objectives and commitments of the European Union Anti-Racism Strategy 2026–2030;**

(u) **Enhance oversight and accountability for harmful racialized narratives, dehumanizing portrayals and discriminatory representation that incite prejudice and discrimination in media against Africans and people of African descent on the move on the grounds of race, colour and national origin, hold journalists accountable for false and inaccurate speech that incites harm and violence against African and Afro-descendent migrants, and provide training to journalists and public officials at both the national and the local level to detect and address racism, xenophobia, Afrophobia and discrimination in public policy and practice;**

(v) **Enhance oversight and governance of the use of AI and other digital technologies used in migration governance that amplify and increase the rapid dissemination of harmful stereotyping and other human rights harms as well as of false and injurious representations of Africans and people of African descent on the move;**

(w) **Establish clear legal bases for the use of technology at borders in line with the international law principles of legality, necessity and proportionality, institutionalize human rights-based approaches in the review and oversight of AI and other digitalized systems and processes, adopting shared monitoring, reporting and accountability mechanisms, and enhance transparency and the inclusion of Africans and people of African descent in the collection and analysis of big data that drive algorithmic bias and errors;**

(x) **Implement the Global Compact for Safe, Orderly and Regular Migration, the Global Compact on Refugees and the Global Digital Compact and ensure that transnational corporations and national industries that depend on migrant labour operate consistently in accordance with international human rights standards;**

(y) **Recognize the significant human rights impacts inherent in deportation and integrate human rights-based non-custodial alternatives-to-detention programmes in migration governance;**

(z) **Shift migration governance from punitive removal to community-based pathways for regular migration, including regularization, and support systems that prioritize healing and reintegration.**

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