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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

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

Summary

The present study, submitted pursuant to Human Rights Council resolution 51/32, highlights several areas that present particular challenges to the implementation of the Durban Declaration and Programme of Action, and includes conclusions and recommendations

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* The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 51/32, in which the Council requested the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action to prepare a comprehensive study on the implementation of the Durban Declaration and Programme of Action, with a focus on areas presenting particular challenges. In view of the reduced word limit, timeline and available resources, the Group considers the study to be an initial step towards enhancing the implementation of the Programme of Action as there are challenges beyond those covered in the study.

2. In advance of the commemoration, in 2025, of the sixtieth anniversary of the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination and, in 2026, of the twenty-fifth anniversary of the adoption of the Durban Declaration and Programme of Action, the Group endeavoured to present qualitative and quantitative data.[1] In accordance with its mandate, and taking into consideration the indicators developed by the Economic Commission for Latin America and the Caribbean and the Office of the United Nations High Commissioner for Human Rights (OHCHR),[2] the Group paid special attention to measures aimed at eradicating racism, racial discrimination, xenophobia and related intolerance, including laws, strategies and plans containing references to the Durban Declaration and Programme of Action.

3. The study is based on a review of 27 submissions[3] and publicly available material. The Group was committed to avoiding the duplication of information available in reports of the Secretary-General, the United Nations High Commissioner for Human Rights and the human rights bodies and mechanisms on measures for the eradication of racism, racial discrimination, xenophobia and related intolerance.

II. National level

A. Sources and causes

4. In the Durban Declaration and Programme of Action, States acknowledged that colonialism, slavery and the trade in enslaved persons, including the transatlantic trade in enslaved Africans, apartheid and genocide, were among the main sources and manifestations of racism, racial discrimination, xenophobia and related intolerance and affirmed that, wherever and whenever they occurred, they must be condemned and their recurrence prevented.[4] States were also called upon to honour the memory of victims.[5]

5. In that regard, the Group took note of the initiatives and upcoming reports on reparations, including the draft general recommendation of the Committee on the Elimination of Racial Discrimination,[6] the fourth session of the Permanent Forum on People of African Descent, the thirty-fifth session of the Working Group of Experts on People of African Descent, the report of the United Nations High Commissioner for Human Rights on measures to confront legacies of enslavement, the trade in enslaved Africans, colonialism and successive racially discriminatory policies and systems[7] and the OHCHR publication entitled

[1] Materials prepared for the Durban Review Conference were also reviewed.

[2] See *People of African Descent in Latin America and the Caribbean: Developing Indicators to Measure and Counter Inequalities* (United Nations publication, 2020). One of the indicators is the existence of a State policy, plan or strategy that includes provisions of the Durban Declaration and Programme of Action.

[3] Submissions are available from https://www.ohchr.org/en/calls-for-input/2025/call-submission-written-contributions-comprehensive-study-group-independent.

[4] Durban Declaration, paras. 13–15.

[5] Ibid., para. 99.

[6] See https://www.ohchr.org/en/calls-for-input/2025/call-inputs-cerd-general-recommendation-regarding-reparations-historical.

[7] See https://www.ohchr.org/en/calls-for-input/2025/call-inputs-2025-report-un-high-commissioner-human-rights-human-rights-council.

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"Reparatory justice for people of African descent".[8] The Group reviewed the Committee's concluding observations, endeavouring to determine how many countries had reported acknowledging or condemning colonialism, slavery and the trade in enslaved persons, apartheid and genocide and had taken actions to honour the memory of the victims.

6. Research in the Universal Human Rights Index revealed that the first reference to colonialism had appeared in 2010, in the concluding observations of the Committee on the Elimination of Racial Discrimination on the periodic reports of France, in which the Committee welcomed the point made by the head of the French delegation during the Durban Review Conference in 2009 on the duty of remembrance and the wish of France that a tribute be paid to the victims of slavery, the trade in enslaved persons, apartheid and colonialism.[9]

7. It was not until six years later that the Committee on the Elimination of Racial Discrimination revisited the issue of colonialism in its concluding observations, following its reviews of Spain, the United Kingdom of Great Britain and Northern Ireland and the Holy See. From 2010 to 2024, references to colonialism were made by the Committee in its concluding observations on Brazil,[10] France,[11] Germany,[12] Italy,[13] Luxembourg,[14] Portugal,[15] Namibia,[16] Netherlands (Kingdom of the),[17] Spain,[18] the United Kingdom,[19] the United States of America[20] and the Holy See.[21]

8. In that context, the Committee on the Elimination of Racial Discrimination welcomed the recognition by the Government of Germany of its wrongful colonial acts and acknowledged its apologies for the genocide of the Ovaherero and Nama peoples in Namibia. It noted the acknowledgement by the delegation of the United States, during the dialogue, that the displacement of Native Americans and the enslavement of Africans and the lingering legacies thereof were contributing factors in the racial disparities and inequities that the State still faced. The Committee recommended to Portugal and the United Kingdom to acknowledge past wrongs.

9. With regard to colonialism, research indicated that the most common recommendation of the Committee on the Elimination of Racial Discrimination, provided to 7 out of 12 countries (France, Germany, Italy, Luxembourg, Portugal, United Kingdom and United States), underlined the need to take measures to ensure that the history of colonialism and slavery and their lasting consequences were included in school curricula.[22]

10. All of those references to colonialism seem to suggest that it is solely a matter of the past; however, the Special Political and Decolonization Committee emphasizes that colonialism is not over and that there are still 17 Non-Self-Governing Territories under four administering powers (France, New Zealand, United Kingdom and United States).[23] In some documents of the Committee on the Elimination of Racial Discrimination on those countries,

[8] See https://www.ohchr.org/sites/default/files/2024-12/reparatory-justice-african-descent-people-1-en.pdf.
[9] CERD/C/FRA/CO/17-19, para. 8.
[10] CERD/C/BRA/CO/18-20, paras. 15 and 58.
[11] CERD/C/FRA/CO/22-23, para. 34; and CERD/C/FRA/CO/17-19, para. 8.
[12] CERD/C/DEU/CO/23-26, paras. 20 and 47–50.
[13] CERD/C/ITA/CO/21, paras. 36 and 37.
[14] CERD/C/LUX/CO/18-20, paras. 25 and 26.
[15] CERD/C/PRT/CO/18-19, paras. 35, 36 and 46.
[16] CERD/C/NAM/CO/16-18, paras. 20 and 31.
[17] CERD/C/NLD/CO/22-24, para. 28.
[18] CERD/C/ESP/CO/21-23, paras. 29 and 30.
[19] CERD/C/GBR/CO/24-26, paras. 26, 57 and 58; and CERD/C/GBR/CO/21-23, paras. 34 and 35.
[20] CERD/C/USA/CO/10-12, paras. 50, 55 and 58.
[21] CERD/C/VAT/CO/16-23, paras. 16 and 24.
[22] See CERD/C/FRA/CO/22-23, CERD/C/DEU/CO/23-26, CERD/C/ITA/CO/21, CERD/C/LUX/CO/18-20, CERD/C/PRT/CO/18-19, CERD/C/GBR/CO/24-26 and CERD/C/USA/CO/10-12.
[23] See https://www.un.org/dppa/decolonization/en/nsgt.

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there were brief references to “jurisdictions” and “overseas territories”, while in others there were no references.[24]

11. The commitments set out in the Durban Declaration and Programme of Action were recalled in only one recommendation, made to Portugal, to consider, in line with its commitments to the provisions set out in paragraphs 100–102 of the Declaration, apologizing for its role in the transatlantic trade in enslaved Africans and the trade in enslaved persons and slavery practices in its former colonies, adopting specific legislation to address the lasting consequences of those practices and providing reparations for grave and massive atrocities committed and guarantees of non-repetition.[25]

12. Further review of the concluding observations of the Committee on the Elimination of Racial Discrimination regarding additional references to slavery and enslavement, including contemporary forms, added 11 more countries to the aforementioned 12: Bolivia (Plurinational State of),[26] China,[27] Dominican Republic,[28] Iraq,[29] Morocco,[30] Mauritius,[31] Mauritania,[32] Nepal,[33] Niger,[34] Qatar[35] and Senegal.[36] Some recommendations included an emphasis on the need to include in school curricula the history of trans-Saharan slavery and the Indian Ocean trade in enslaved persons and their consequences and promote research on those topics, with others calling for strengthening general education on human rights and remembrance of the transatlantic trade in enslaved Africans, both in schools and among the general public, and for taking measures to eliminate all forms of slavery and ensure that persons of slave descent had an identity document and access to education, employment and health services.[37]

13. References to apartheid were found in the concluding observations of the Committee on the Elimination of Racial Discrimination for Namibia and South Africa,[38] while references to genocide were included in concluding observations for Bosnia and Herzegovina, Germany, Iraq, Namibia, Rwanda, Serbia and the Holy See.[39]

14. The importance of honouring the memory of victims of past tragedies was highlighted by the Committee on the Elimination of Racial Discrimination in its concluding observations on Benin, Germany, Namibia and Senegal.[40]

15. During informal discussions among members of the Group and stakeholders, it was mentioned that the number of States that had acknowledged the atrocities caused by colonialism, slavery and the transatlantic trade in enslaved Africans, issued formal apologies and undertaken steps to honour the memory of the victims of past tragedies was much higher than those referred to in the concluding observations of the Committee on the Elimination of Racial Discrimination. In that context, the Group reiterated its previous recommendation that OHCHR create an interactive dashboard illustrating the number and forms of

[24] See CERD/C/GBR/CO/24-26, CERD/C/USA/CO/10-12, CERD/C/FRA/CO/22-23 and CERD/C/NZL/CO/21-22.
[25] CERD/C/PRT/CO/18-19, para. 36.
[26] CERD/C/BOL/CO/17-20, para. 18.
[27] CERD/C/CHN/CO/14-17, para. 50.
[28] CERD/C/DOM/CO/13-14, para. 9.
[29] CERD/C/IRQ/CO/22-25, paras. 23 and 24; and CERD/C/IRQ/CO/26-27, para. 18.
[30] CERD/C/MAR/CO/19-21, para. 42.
[31] CERD/C/MUS/CO/15-19, paras. 7 and 8; and CERD/C/MUS/CO/20-23, paras. 16 and 17.
[32] CERD/C/MRT/CO/8-14, paras. 13–16.
[33] CERD/C/NPL/CO/17-23, paras. 27 and 28.
[34] CERD/C/NER/CO/22-25, paras. 19, 27 and 31.
[35] CERD/C/QAT/CO/22-23, paras. 46 and 47.
[36] CERD/C/SEN/CO/19-23, para. 31.
[37] See CERD/C/MAR/CO/19-21, CERD/C/SEN/CO/19-23, CERD/C/NER/CO/22-25 and CERD/C/QAT/CO/22-23.
[38] CERD/C/ZAF/CO/9-11, para. 11; and CERD/C/NAM/CO/16-18, para. 31.
[39] See CERD/C/BIH/CO/14-15, CERD/C/DEU/CO/23-26, CERD/C/VAT/CO/16-23, CERD/C/IRQ/CO/22-25, CERD/C/NAM/CO/16-18, CERD/C/RWA/CO/13-17 and CERD/C/SRB/CO/1.
[40] See CERD/C/BEN/CO/1-9, CERD/C/DEU/CO/19-22, CERD/C/NAM/CO/16-18 and CERD/C/SEN/CO/19-23.

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acknowledgments of States, including formal apologies, and the steps that they had taken to honour the memory of victims.[41]

B. Financial resources

16. In the Durban Declaration and Programme of Action, States recognized that the success of the Programme of Action would require, inter alia, adequate funding at the national, regional and international levels.[42] In that regard, the Group invited States and other stakeholders to share information on the financial resources allocated to implement measures for the eradication of racism, racial discrimination, xenophobia and related intolerance.[43] Relevant details were provided in three submissions. Information on funding for such measures was not found in national reports or in inputs to the reports of the United Nations, including those of the human rights mechanisms. The Group reiterated that commitments, at any level, could not be implemented effectively without adequate resources. Moreover, budget underexpenditure might be discriminatory in impact. Allocations directed to areas with large ethnic minority populations, for example, might be underspent while those to majority areas were fully spent. For instance, only 9 per cent of the rations of the Glass of Milk Programme (Guatemala) had been distributed to school-aged students in areas categorized as the poorest, highly vulnerable to food insecurity and with the highest percentage of Indigenous People.[44]

C. Implementation monitoring

17. Another area that presents challenges is monitoring frameworks and progress indicators. In the Programme of Action, States, intergovernmental organizations and other stakeholders were invited to improve their data-collection methods, develop indicators of progress, establish effective mechanisms for the regular monitoring of the situation of marginalized groups, develop and evaluate legislation, policies, practices and other measures aimed at preventing and combating racism, racial discrimination, xenophobia and related intolerance and determine whether any measures had had an unintentional disparate impact on victims (paras. 92, 93, 95 and 110). In several submissions, concerns were expressed over the absence of robust monitoring and evaluation mechanisms and the lack of implementation frameworks, which decreased the ability of national and international bodies to review progress on the implementation of the Programme of Action. It was suggested that States develop indicators for that purpose and issue annual progress reports, develop racial equality monitoring and inclusion scorecards, mandate disaggregated data collection across all public services and develop performance metrics with community accountability. It was noted that, in some countries, ministries were tasked with the evaluation of anti-racism measures, which could lead to subjective results. In that regard, the Group emphasized the importance of assessments carried out by independent experts or bodies, with the meaningful participation of civil society organizations and marginalized groups.

D. Legal and policy measures

18. With regard to legal and policy measures, the Group noted with interest the variety of national approaches to the laws, decrees, decisions and institutional arrangements enumerated in the submissions. However, it noticed that some measures cited did not address racism, racial discrimination, xenophobia or related intolerance or mainstream anti-racism perspectives. Only the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance of South Africa explicitly referenced the Durban

[41] A/HRC/60/79, para. 88.
[42] Durban Programme of Action, para. 219.
[43] See https://www.ohchr.org/en/calls-for-input/2025/call-submission-written-contributions-comprehensive-study-group-independent.
[44] See https://internationalbudget.org/wp-content/uploads/realizing-human-rights-through-government-budgets-ohchr-ibp-2017.pdf.

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Declaration and Programme of Action. Beyond the inputs received, the Group was aware that the national action plans against racism of Belgium and Ireland also included references to the Durban Declaration and Programme of Action.

19. With regard to the importance of implementing the commitments in the Programme of Action effectively, the Human Rights Council Advisory Committee highlighted that the Durban Declaration and Programme of Action and its follow-up constituted the most relevant programmatic framework to guide States towards racial equality in the application of the International Convention on the Elimination of All Forms of Racial Discrimination. Its recommendations were grounded in the principles and legal obligations enshrined in the Convention and, as such, must be taken seriously by States. They provided a practical and normative road map that might be instrumental in enabling States to meet their obligations to address racial discrimination by all appropriate means, as required under international human rights law.[45]

20. In that context, the Group notes that caution should be exercised with regard to approaches promoting the "indirect" implementation of the Programme of Action, in which references to the commitments therein in legal, policy and other measures are deemed not necessary. Such precedents could weaken advocacy for the ratification and implementation of international instruments in both the hard and the soft law domains. Indirect implementation could undermine the extent of negotiated commitments, which often take months or years to conclude, and their alignment with international human rights standards. It could also weaken the accountability and advocacy efforts of civil society organizations and human rights defenders. Such an approach would make it much more challenging, if not impossible, to fulfil the mandate to follow the implementation of the provisions of the Durban Declaration and Programme of Action, as envisaged in paragraph 191 (b) of the Programme of Action.

III. Regional level

A. African Commission on Human and Peoples' Rights

21. In 2001, the African Commission on Human and Peoples' Rights welcomed the adoption of the Durban Declaration and Programme of Action and resolved to prepare a strategic plan for the implementation of the Durban outcomes.[46]

22. In 2022, in its resolution 543 (LXXIII), the Commission reaffirmed the Durban Declaration and Programme of Action as a comprehensive framework addressing racism, racial discrimination, xenophobia, and related intolerance and called upon States members of the African Union to respect their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination, the Declaration and the Programme of Activities for the Implementation of the International Decade for People of African Descent. The importance of the document as a comprehensive and visionary blueprint that embodied the world's commitment to tackle the scourge of racism in all its forms and manifestations was also highlighted in the concept note on the African Union theme of the year for 2025: "Justice for Africans and people of African descent through reparations".[47]

B. Inter-American system

23. In 2005, the General Assembly of the Organization of American States (OAS) adopted resolution 2126 (XXXV-O/05), on the prevention of racism and all forms of discrimination and intolerance and consideration of the preparation of a draft inter-American convention, in which it took into account the wording of the preamble of the Durban Declaration and Programme of Action. The same year, the Inter-American Commission on Human Rights

[45] A/HRC/48/72, paras. 12 and 27.

[46] See https://achpr.au.int/en/news/final-communiques/2001-10-27/final-communique-30th-ordinary-session-african-commission-human.

[47] Document EX.CL/1528(XLV) Rev. 1.

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created the mandate of Rapporteur on the Rights of Persons of African Descent and against Racial Discrimination.[48]

24. In 2008, the Inter-American Institute of Human Rights prepared a working document to support the efforts undertaken by States, and a working group was established to prepare a draft Inter-American convention against racism and all forms of discrimination and intolerance. The document included a list of seven key reasons that an Inter-American Convention was needed, one being to elevate the juridical level of important international advances, mainly those found in the Durban Declaration.[49]

25. In 2011, the Inter-American Commission on Human Rights reiterated that including the variable "Afro-descendance" in educational, health, employment and State instances, among others, was a State obligation according to the Durban Programme of Action.[50] It also recalled paragraphs from the Declaration addressing slavery and the trade in enslaved persons, including the transatlantic trade in enslaved Africans, and racial profiling.

26. References to the Durban Declaration and Programme of Action and the Durban Review Conference were included in several OAS resolutions on the recognition and promotion of the rights of people of African descent in the Americas.[51] Those resolutions included a footnote stating that, while Canada supported the essence and objectives of the resolution, it opposed the references to the Declaration and related processes. The same footnote was included in the OAS resolution on the recognition of the International Decade for People of African Descent, as it recalled the Declaration and the outcome document of the Durban Review Conference.[52]

27. In 2015, OAS issued *Observing the Electoral Participation of Indigenous Peoples and Afrodescendants: A Manual for OAS Electoral Observation Missions*, in which it noted that, prior to the Regional Conference of the Americas in preparation for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance, held in Santiago in 2000, people of African descent had not been recognized as a collective subject on the global level and the importance of populations of African descent in different countries and regions around the world had been ignored. There had been little knowledge regarding their contributions towards the construction of the societies of which they were part, not to mention their potential, the problems that they faced and the potential causes of and solutions to those problems. The road to Durban was essential to the process of recognizing people of African descent as subjects under international law and was one of the defining moments in the resurgence of the Afrodescendent social movement in the Americas.[53]

28. In 2020, the Economic Commission for Latin America and the Caribbean, in collaboration with OHCHR, issued a publication in which it proposed an indicator on the existence of a State policy, plan or strategy that included provisions of the Durban Declaration and Programme of Action.[54]

29. In 2024, the Follow-up Mechanism to the Belém do Pará Convention issued general recommendation No. 5 on gender-based violence against women of African descent, in which it recalled the Durban Declaration and Programme of Action, noting that racism and related intolerance manifested themselves in a differentiated manner for women and girls, contributing to the deterioration of their living conditions, poverty, violence, multiple forms of discrimination and restrictions or denials of their human rights.[55] In 2025, the Mechanism issued a report on gender-based violence against women of African descent in Latin America,

[48] See https://www.oas.org/en/media_center/press_release.asp?sCodigo=IACHR-03.

[49] See https://www.corteidh.or.cr/tablas/cd0382.pdf.

[50] See https://www.oas.org/en/iachr/afro-descendants/docs/pdf/AFROS_2011_ENG.pdf.

[51] See, for example, resolution 2784 (XLIII-O/13).

[52] Resolution 2824 (XLIV-O/14).

[53] See www.oas_metodologia_indig_afro_print_e.pdf. The Durban Declaration and Programme of Action was also recalled in a publication of the Inter-American Commission on Human Rights in 2021.

[54] *People of African Descent in Latin America and the Caribbean*, p. 16.

[55] See https://www.oas.org/en/mesecvi/docs/General%20Recommendation%20Violence%20Afrodescendant%20Women.pdf.

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highlighting that, since the 2001 Conference, the recognition of ethnicity, race and gender as intersecting barriers limiting the enjoyment of human rights by women of African descent had gained increasing prominence.[56]

C. European Union

30. The European Union has participated regularly in the sessions of the Durban follow-up mechanisms, in particular the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination. The European Union has also funded activities providing specific follow-up to the Durban Declaration and Programme of Action.[57]

31. In 2016, to commemorate the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action, a side event was organized at the thirty-third session of the Human Rights Council by the Permanent Delegation of the European Union to the United Nations Office and other international organizations in Geneva and other stakeholders. In its closing statement, the European Union stated that the fact that xenophobia and populist politics were again on the rise in many parts of the world, including in Europe, underlined the urgency of the debate and of implementing shared treaty obligations and the commitments made in the Durban Declaration and Programme of Action.[58]

32. In 2019, the European Parliament adopted resolution 2018/2899(RSP) on the fundamental rights of people of African descent in Europe, in which it included a reference to the Durban Declaration and Programme of Action, recognizing centuries of racism, discrimination and injustice faced by people of African descent.

33. In 2020, the European Commission launched the European Union Anti-Racism Action Plan 2020–2025, its first such plan, in which it encouraged States members of the European Union to adopt national action plans against racism and racial discrimination and emphasized that the International Convention on the Elimination of All Forms of Racial Discrimination was central to the fight against racism in cooperation and political dialogues with partner countries and regional and international organizations.[59] Although it had previously been acknowledged[60] that the Durban Declaration and Programme of Action was the first international instrument to urge States to develop and implement national action plans to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations,[61] it was not mentioned in the Anti-Racism Action Plan.

34. In 2022, the Subgroup on the National Implementation of the Anti-Racism Action Plan 2020–2025 issued a checklist and reporting tool to support the development, implementation and monitoring of national action plans against racism.[62] In the tool, it was stated that such plans were a specific action to uphold the commitments made by member States in 2001 in the Durban Declaration and Programme of Action, and paragraph 99 of the Programme of Action was recalled.

35. In that context, Belgium stated that it had signed the Durban Declaration and Programme of Action in 2001 and that its national action plan against racism embodied that commitment and the request to adopt a national action plan against racism by the end of

[56] See https://www.oea.org/en/MESECVI/docs/MESECVI_CEVI_doc.294_24%20ENG.pdf.
[57] See https://www.osce.org/files/f/documents/8/4/29950.pdf.
[58] See https://www.eeas.europa.eu/node/10059_en.
[59] See https://commission.europa.eu/document/download/beb25da4-e6b9-459e-89f7-bcdbd3a8f0c8_en?filename=a_union_of_equality_eu_action_plan_against_racism_2020_-2025_en.pdf.
[60] See https://www.enar-eu.org/wp-content/uploads/napar_lessons_for_effective_national_anti-racism_policies_final.pdf.
[61] Durban Programme of Action, paras. 66, 99, 167 and 191 (a).
[62] See https://commission.europa.eu/system/files/2023-02/NAPAR%20Monitoring%20Checklist%20and%20Reporting%20Tool_PUBLICATION.pdf.

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2022.[63] Similarly, Ireland noted that its national action plan against racism was part its efforts to fulfil its obligations under the Convention, the Durban Declaration and Programme of Action and the Anti-Racism Action Plan 2020–2025.[64]

IV. International level

36. In the Durban Declaration and Programme of Action, it was underlined that the obstacles to overcoming racial discrimination and achieving racial equality lay mainly in the lack of political will and it was recognized that the success of the Programme of Action would require, inter alia, political will and international cooperation.

A. General Assembly resolutions

37. Some manifestations of political will for the implementation of the Durban Declaration and Programme of Action could be observed in the voting patterns of the General Assembly, which were similar to those of the Human Rights Council. In March 2002, the Assembly adopted resolutions 56/265, 56/266, 56/267 and 56/268, addressing racism and racial discrimination. All included references to the Durban Declaration and Programme of Action but only resolution 56/266, on the comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, was put to a vote. It was adopted by a vote of 134 in favour to 2 against,[65] with 2 abstentions.[66] In the explanation of vote, the European Union stated that it was disappointed that, unlike the other three resolutions, resolution 56/266 had not been adopted without a vote. It noted that, if the United Nations was to be effective in combating racism, resolutions must be based on consensus and discussions on racism should not be the pretext for political battles best fought elsewhere.[67]

38. During the next five sessions of the General Assembly, there were no substantive changes in the voting trend with regard to the omnibus resolution on the fight against racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action. The number of States Members of the United Nations that voted in favour varied from 172 to 183, as those that had voted against it varied from 2 to 3 and that had abstained, from 2 to 4.

39. General Assembly resolution 61/149 was the first resolution in which the Assembly referred to the decision to convene in 2009 a review conference on the implementation of the Durban Declaration and Programme of Action, to be conducted within the framework of the Assembly, and was adopted by 179 votes to 2, with 4 abstentions.[68] In the explanation of vote, the European Union reaffirmed its commitment to the implementation of the Durban Declaration and Programme of Action and recalled that it had repeatedly stressed that, in the light of the gravity of the subject, the follow-up must be agreed by consensus and conducted as a joint effort of the international community.[69] It was disappointed to learn that, a few days later, two draft resolutions had been submitted to the Human Rights Council by some of the main sponsors of the Assembly resolution, adopted with the support of 174 States, whose texts, according to the European Union, completely contradicted both the spirit and the letter of Assembly resolution 61/149 and the consensus reached in Geneva.

40. In 2007, the General Assembly adopted resolution 62/220 by 105 votes to 46, with 6 abstentions. From 2008 to 2024, the votes in favour varied from 104 to 138 in favour, from 6 to 22 against and from 33 to 48 abstaining. It appeared that, before the tenth and twentieth anniversary commemorations of the adoption of the Durban Declaration and

[63] See https://equal.belgium.be/en/introduction/action-plans/action-plan-against-racism.
[64] See https://assets.gov.ie/static/documents/national-action-plan-against-racism.pdf.
[65] Israel and United States.
[66] Australia and Canada.
[67] A/C.3/56/SR.62, para. 6.
[68] See A/61/PV.81.
[69] Ibid. pp. 9 and 10.

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Programme of Action, the number of supporting votes had decreased in comparison with the year before. The Group is of the view that the previous commemoration events were used by some groups to intensify lobbying against the implementation of the Declaration and increase misinformation regarding its content. The Group is concerned that the commemoration in 2026 of the twenty-fifth anniversary of the adoption of the Declaration could be used again by advocacy groups to undermine the commitments made in the Declaration. In that context, the Group invites the Office of the President of the General Assembly and OHCHR to develop mitigation measures.

41. During some of the General Assembly discussions, States that had abstained or voted against a resolution noted, in the explanations of their votes, that they could not support draft resolutions that endorsed without qualification the Durban Declaration and Programme of Action[70] or called for its implementation in its entirety.[71] In 2024, the United States stated that it had been proud to join in sponsoring Human Rights Council resolution 57/24, in which the Council had underlined the importance of the full and effective implementation of the paragraphs of the Durban Declaration and Programme of Action concerning the role of education in preventing and eliminating racism, racial discrimination, xenophobia and related intolerance.[72] Although calling for the implementation of the Declaration with qualifications is not the most desirable approach, such qualifications resemble States' declarations and reservations on some articles of international human rights treaties.

B. Human rights treaty bodies

42. Ten human rights treaty bodies focus on specific thematic issues or marginalized groups, including racial discrimination, torture, women, children, migrant workers and persons with disabilities.[73] Research revealed that only two of those bodies had included references to the Durban Declaration and Programme of Action in their documents: the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child. The former has been a strong supporter and key partner for the implementation of the Declaration, issuing its general recommendation No. 28 (2002) on the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in which it recommended that States take into account the relevant parts of the Declaration when implementing the Convention in the domestic legal order and include in their periodic reports information on action plans or other measures that they had taken to implement the Declaration and disseminate them in an appropriate manner. The Committee also expressed a willingness to cooperate with all relevant institutions of the United Nations system in following up the Declaration and with the Group of Independent Eminent Experts to coordinate its activities with the other treaty bodies with a view to achieving more effective follow-up of the Declaration and to take into consideration all aspects of the Declaration concerning the fulfilment of its mandate.

43. In the same vein, in its general recommendation No. 33 (2009) on follow-up to the Durban Review Conference, the Committee on the Elimination of Racial Discrimination welcomed the adoption of the outcome document of the Durban Review Conference and made similar recommendations to States. It recommended that relevant United Nations bodies and specialized agencies provide technical cooperation and assistance to States to enhance the effective implementation of the Convention, considering the Durban Declaration and Programme of Action and the outcome document of the Review Conference.[74]

44. In addition, in its reporting guidelines of 2007, the Committee recommended that States include in their reports information on action plans or other measures taken to

[70] Australia. See A/C.3/56/SR.62, para. 8.
[71] Canada. See A/56/PV.97, p. 4.
[72] See https://geneva.usmission.gov/2024/10/17/hrc-57-voting-statement-compilation/#:~:text=The%20United%20States%20thanks%20the,offline%20are%20equally%20protected%20online.
[73] See https://www.ohchr.org/en/treaty-bodies.
[74] The Declaration was also acknowledged in Committee's general recommendation No. 34 (2011) on racial discrimination against people of African descent.

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implement the Durban Declaration and Programme of Action at the national level.[75] All concluding observations of the Committee have a section on follow-up to the Declaration, in which it analyses information provided or highlights the lack thereof. The harmonized guidelines on reporting under the international human rights treaties, including the guidelines on a core document and treaty-specific guidelines and documents, do not include references to the Declaration.[76] The OHCHR training guide on reporting to the treaty bodies does not include cross-cutting references to the Declaration, except with regard to the Committee on the Elimination of Racial Discrimination.[77]

45. From 2007 to 2014, the Committee on the Rights of the Child highlighted the importance of implementing the provisions of the Declaration in its concluding observations on 19 countries.[78]

46. The general recommendations and comments of the treaty bodies provide important normative guidance and can enhance the implementation of the Durban Declaration and Programme of Action. Currently, there are few joint recommendations or comments on the matter: the Committee on the Elimination of Racial Discrimination has been developing one with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, which also has produced joint comments with the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women. It is important to ensure that the Durban Declaration and Programme of Action is mainstreamed into all relevant general recommendations and comments of the treaty bodies.

47. Another challenge for the implementation of the Durban Declaration and Programme of Action is the lack of information from a considerable number of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination: as of April 2024, the reports of 46 States were at least 10 years overdue.[79] Moreover, the reports of 16 States were at least five years overdue,[80] indicating that the international community has not been made aware of the state of racism, racial discrimination, xenophobia and related intolerance in 62 of the 182 States Parties.[81] In addition, 11 countries are not States Parties, meaning there is no information from 73 out of 193 United Nations Member States, amounting to a gap of 38 per cent. The Group recalls that the prohibition against racial discrimination is deeply entrenched in international law and has been recognized as having the exceptional character of jus cogens, which creates obligations *erga omnes*, an obligation from which no derogation is acceptable.[82] The Group is of the view that States that are not Parties to the Convention should be approached to provide information on measures prohibiting racial discrimination.

48. The situation is rendered even more challenging by the lack of information on the extent that States Parties have incorporated the International Convention on the Elimination of All Forms of Racial Discrimination into their national legal systems; such incorporation varies significantly across countries. It is important to note that the ratification of international human rights treaties does not automatically mean their full incorporation into domestic legal systems. For instance, in countries with a dualist system, international law and domestic law are seen as separate systems; treaties must be transposed into national legislation before they have any legal effect domestically.[83]

[75] CERD/C/2007/1, para. 18.
[76] See HRI/GEN/2/Rev.6, E/C.12/2008/2, CCPR/C/2009/1 and CEDAW/C/74/3/Rev.1.
[77] See https://www.ohchr.org/sites/default/files/Documents/Publications/PTS20_HRTB_Training_Guide_NotesforFacilitators_PartII.pdf.
[78] See, for example, CRC/C/MYS/CO/1, CRC/C/MDV/CO/3, CRC/C/PAK/CO/3-4 and CRC/C/TJK/CO/2.
[79] A/HRC/60/74, para. 79.
[80] Ibid. para. 80.
[81] See https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-2&chapter=4&clang=_en.
[82] A/HRC/57/72, para. 113.
[83] See https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2014)036-e.

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C. Special procedures of the Human Rights Council

49. Out of 60 special procedures of the Human Rights Council, only 4, including 1 of the Durban follow-up mechanisms, have referenced the Durban Declaration and Programme of Action: the Working Group of Experts on People of African Descent, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on trafficking in persons, especially women and children,[84] and the Special Rapporteur on the rights of Indigenous Peoples.[85] For instance, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance included references to the Durban Declaration and Programme of Action in reports on visits to five countries: Brazil,[86] Italy,[87] Netherlands (Kingdom of the),[88] Qatar[89] and United States.[90]

50. The Group is of the view that many more special procedure mandate holders could contribute to the implementation of the Durban Declaration and Programme of Action and enhance the fulfilment of their mandates by drawing on the comprehensive provisions of the Declaration. They include the Special Rapporteur on the human rights of migrants, the Special Rapporteur on the right to education, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on minority issues, the Special Rapporteur on extreme poverty and human rights, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and the Working Group on discrimination against women and girls.

D. Human Rights Council Advisory Committee

51. The Human Rights Council Advisory Committee has issued two reports on racial equality and justice: on appropriate ways and means of assessing the situation of racial equality[91] and on advancing racial justice and equality by uprooting systemic racism.[92] In the first, it highlighted that the Durban Declaration and Programme of Action and its follow-up constituted the most relevant programmatic framework to guide States towards racial equality in the application of the International Convention on the Elimination of All Forms of Racial Discrimination and that it contained a great repository of measures and initiatives drawn from the principles and obligations contained in the Convention and therefore must be seriously considered by States, as they might be instrumental to States' compliance with their obligation to address racial discrimination by all appropriate means.[93]

52. The Advisory Committee described the Durban Declaration and Programme of Action as the most comprehensive and potentially transformative road map towards racial justice and equality to have been adopted through an unprecedented inclusive process. It highlighted that the strong consensus reached in the Declaration had subsequently been eroded by persistent misinformation and encouraged States to refamiliarize themselves with the content of the document and its true nature, engage in dialogue and support ongoing processes at the United Nations for its implementation, and to expedite their efforts to fully implement it as a starting point for addressing systemic racism at the national and international levels.[94]

[84] See A/HRC/41/54/Add.1.
[85] See A/HRC/11/11.
[86] A/HRC/59/62/Add.1.
[87] A/HRC/4/19/Add.4.
[88] A/HRC/44/57/Add.2.
[89] A/HRC/44/57/Add.1.
[90] A/HRC/56/68/Add.1.
[91] A/HRC/48/72.
[92] A/HRC/54/70.
[93] A/HRC/48/72, para. 27.
[94] A/HRC/54/70, para. 27.

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53. In its reports, the Advisory Committee emphasized the need to develop an analytical and methodological framework, including indicators, as a tool to measure, assess and monitor progress towards racial equality by States, enabling them to better shape and target policies and other measures to prevent and eliminate racial discrimination and inequality.[95] In that regard, it recommended the strengthening of the capacity of OHCHR to develop an analytical and methodological framework to assess, measure and monitor progress towards racial equality at the national and international levels and to identify global trends, patterns and challenges, to identify parameters and sets of indicators useful for analysing the drivers and impact of structural or systematic racism and monitoring progress towards racial equality, to compile, on the basis of national experiences, examples of concrete actions and good practices to support States in measuring their progress towards racial equality, to compile and widely disseminate examples of positive action and to draw principles and common standards from their application.[96]

E. Universal periodic review

54. Research revealed that the importance of the Durban Declaration and Programme of Action had been highlighted as part of the universal periodic review during the period 2008–2022: 14 States[97] had received recommendations encouraging them to make progress towards implementing the commitments contained therein. Some recommendations conveyed broader suggestions, such as pursuing initiatives within the framework of the Durban Declaration and Programme of Action.[98] Others provided more specific guidance, such as the one to Ireland, supported by the Government, to develop a new national action plan against racism with clear indicators, time frames and resources in compliance with the Durban Declaration and Programme of Action[99] and the one to France, also supported by the Government, to consider its commitment in line with paragraph 101 of the Durban Declaration and Programme of Action when addressing questions with respect to legislation and studies on colonialism and the trade in enslaved persons, in particular with respect to overseas territories.[100] France also made a voluntary commitment to organize a consultation to elaborate a national action plan to follow up on the Vienna Declaration and Programme of Action and the Durban Declaration and Programme of Action.[101]

F. Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action

55. The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action has discussed various thematic issues based on the provisions of the Declaration. Recent thematic issues have included training and awareness-raising for law enforcement officials and the judiciary, monitoring and investigating hate speech and hate crime and the protection of migrants and refugees.[102] The session reports included many conclusions and recommendations, which had been extensively negotiated and agreed by participating States, although it did not appear that those processes had resulted in an increased rate of implementation of recommendations. The Working Group also prepared the programme of activities for the first International Decade for People of African Descent. In its resolution 76/226, the General Assembly requested the Working Group to devote at least half of its annual session to the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of

[95] A/HRC/48/72, paras. 63–66; and A/HRC/54/70, paras. 43 and 56.
[96] A/HRC/48/72, para. 76 (d).
[97] Austria, Belgium, Czechia, France, Ireland, Italy, Namibia, Poland, Slovenia, South Africa, Switzerland, Syrian Arab Republic, Tunisia and United States.
[98] A/HRC/36/16, para. 139.42.
[99] A/HRC/49/18, para. 157.51.
[100] A/HRC/8/47, para. 60.12.
[101] Ibid., para. 63.6
[102] See A/HRC/37/77.

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African descent. During its session in January 2025, the Working Group also discussed the commemoration of the twenty-fifth anniversary of the adoption of the Declaration.[103]

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

56. In paragraph 191 (b) of the Durban Programme of Action, the United Nations High Commissioner for Human Rights was requested to cooperate with five independent eminent experts, one from each region, to follow the implementation of the provisions of the Durban Declaration and Programme of Action. In its resolution 51/32, the Human Rights Council decided that the Group would also function as an advisory mechanism for the Council and the General Assembly on the implementation of the Durban Declaration and Programme of Action and work towards mobilizing global political will for concrete action.

57. For many years, the Group was not fully operational due to persisting challenges with its membership. In April 2025, the membership of the group was completed with the appointments of Salome Mbugua of Ireland and Mansoor Ahmad Khan of Pakistan.

58. For that reason, the Group had never prepared an annual progress report on the implementation of the Durban Declaration and Programme of Action, taking into account information and views provided by States, the human rights treaty bodies, the special procedures and other mechanisms of the Council, international, regional and non-governmental organizations and national human rights institutions.

H. People of African descent

59. It is emphasized in the Durban Declaration and Programme of Action that colonialism led to racism, racial discrimination, xenophobia and related intolerance and that Africans and people of African descent, Asians and people of Asian descent and Indigenous Peoples were victims of colonialism and continue to be victims of its consequences.

60. In the Durban Programme of Action, the Commission on Human Rights was requested to establish a working group or other mechanism of the United Nations to study the problems of racial discrimination faced by people of African descent living in the African diaspora and to make proposals for the elimination of racial discrimination against people of African descent. The United Nations, international financial and development institutions and other appropriate international mechanisms were also called upon to develop capacity-building programmes, to assign particular priority and allocate sufficient funding within their areas of competence and budgets to improving the situation of Africans and people of African descent, to carry out special projects, through appropriate channels and in collaboration with Africans and people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between those populations and experts in those areas and to develop programmes intended for people of African descent, allocating additional investments to health systems, education, housing, electricity, drinking water and environmental control measures and promoting equal opportunities in employment, as well as other affirmative or positive action initiatives (paras. 6–8).

61. Since the adoption of the Durban Declaration and Programme of Action, several mechanisms have been established to address racial discrimination faced by people of African descent: the Working Group of Experts on People of African Descent, in 2002, the Permanent Forum on People of African Descent, in 2021, and the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, in 2021. In 2021, the United Nations High Commissioner for Human Rights presented an agenda towards transformative change for racial justice and equality for Africans and people of African descent, pursuant to an in-depth analysis grounded in: (a) the obligations of States in international human rights treaties; (b) general comments and recommendations of the treaty

[103] See https://www.ohchr.org/en/events/events/2025/23rd-session-intergovernmental-working-group-effective-implementation-durban.

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bodies; (c) international human rights norms and standards; and (d) political commitments made by States, notably the Declaration.[104] In that framework, the High Commissioner provided recommendations on addressing systemic racism against Africans and people of African descent in line with international human rights law obligations and political commitments, notably the Declaration, in order to create conditions of life that upheld dignity and rights and achieved equality and justice.[105]

62. The Working Group of Experts on People of African Descent was established by the Commission on Human Rights in 2002 as part of a strategy for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action. The Working Group has consistently advocated the broader implementation of the Declaration.[106] References to it were not found in recent country visit and thematic reports, including the ones focused on children of African descent[107] and on fulfilling the economic, social and cultural rights of people of African descent in the age of digitalization, artificial intelligence and new and emerging technologies.[108]

63. The fellowship programme for people of African descent was initiated by the OHCHR Anti-Racial Discrimination Section in 2011. It enables the fellows to deepen their understanding of international human rights law and the United Nations human rights system, including the provisions of the Durban Declaration and Programme of Action and the follow-up mechanisms. The General Assembly expressed support for the programme in its resolution 69/16.

64. In 2013, in its resolution 68/237, the General Assembly proclaimed 2015–2024 the first International Decade for People of African Descent.[109] In the adopted programme of activities, it was underlined that the Decade was an integral part of the full and effective implementation of the Durban Declaration and Programme of Action. It was acknowledged that the Durban process had raised the visibility of people of African descent and contributed to a substantive advancement in the promotion and protection of their rights.[110] One of the specific objectives for the first Decade was to adopt and strengthen national, regional and international legal frameworks in accordance with the Declaration and the International Convention on the Elimination of All Forms of Racial Discrimination and to ensure their full and effective implementation. In its resolution 79/193, the Assembly proclaimed the Second International Decade for People of African Descent, commencing on 1 January 2025 and ending on 31 December 2034.

65. The mandate of the Permanent Forum of People on African Descent includes the responsibility to identify and analyse best practices, challenges, opportunities and initiatives to address, as appropriate, the issues highlighted in the provisions of the Durban Declaration and Programme of Action relevant to people of African descent.[111] During Forum sessions, it was noted that the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Declaration remained the cornerstones in addressing racial discrimination against people of African descent. Speakers also stressed the importance of the Declaration in addressing systemic racism[112] and the critical awareness-raising role it gave to education.[113]

[104] A/HRC/47/53, annex. See also the conference room paper of the Human Rights Council 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, para. 9, available at https://www.ohchr.org/sites/default/files/Documents/Issues/Racism/A_HRC_47_CRP_1.pdf.

[105] See the conference room paper of the Human Rights Council on the promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent, para. 14.

[106] A/HRC/54/71, paras. 6 and 12.

[107] A/HRC/51/54.

[108] A/HRC/57/70.

[109] See also A/70/339, A/71/290, A/72/323, A/73/354, A/74/308, A/75/363, A/76/322 and A/77/333.

[110] General Assembly resolution 69/16, annex, paras. 2 and 3.

[111] General Assembly resolution 75/314, para. 1 (d).

[112] See A/HRC/54/68.

[113] See A/HRC/57/68.

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66. In 2021, the Human Rights Council established the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement. The mandate for the Mechanism does not include references to the Durban Declaration and Programme of Action.[114] References to the Declaration were not found in its country visit or thematic reports. The Group recalls that the Durban Declaration and Programme of Action includes 12 specific, action-oriented recommendations to States focused on law enforcement, including those set out in paragraph 72 of the Programme of Action, which has been recognized as the first international definition of racial profiling.

I. Indigenous Peoples

67. Paragraphs 203–209 of the Durban Programme of Action are focused on Indigenous Peoples; States are called upon to conclude negotiations on and approve as soon as possible the text of the draft declaration on the rights of Indigenous Peoples. In 2007, the United Nations Declaration on the Rights of Indigenous Peoples was adopted and the Expert Mechanism on the Rights of Indigenous Peoples was established. References to the Durban Declaration and Programme of Action were not found in any United Nations instruments or mechanisms focused on Indigenous Peoples.

J. Asians and people of Asian descent

68. The issue of racism, racial discrimination, xenophobia and related intolerance against Asians and people of Asian descent was analysed extensively for the first time in the United Nations during the eleventh session of the Group, held in 2025.[115] The summary of the thematic deliberations and the relevant conclusions and recommendations can be found in the report on the session.[116]

K. Sustainable Development Goals

69. The Advisory Committee has underlined that the Sustainable Development Goals and the 2030 Agenda for Sustainable Development have had a limited impact on reversing systemic inequalities, in part due to the absence of an explicit human rights-based approach, noting the lack of any reference in the Goals and the 2030 Agenda to the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action. While some targets mention “race”, that ground is absent from indicators, data sources and monitoring processes.[117]

70. One global indicator under OHCHR custodianship is the prevalence of discrimination, as set out in targets 10.3.1 and 16.b.1 of the Sustainable Development Goals. That indicator is defined as the proportion of the population reporting having personally felt discriminated against or harassed during the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law. The focus of the indicator is on individuals – what they have felt and perceived. Surveys have included 12 grounds of discrimination, one of them being ethnicity/colour/language.[118] In that regard, the Group is of the view that combining ethnicity, colour and language may produce distorted results and omit the true extent of racial discrimination. It reiterates the importance of including “race” in accordance with human rights instruments. The Group emphasizes the importance of highlighting intersecting forms of discrimination, in accordance with paragraph 7 of general

[114] See Human Rights Council resolutions 47/21 and 56/13.
[115] See also https://www.ohchr.org/en/press-releases/2021/05/committee-elimination-racial-discrimination-closes-one-hundred-and-third#:~:text=The%20Committee%20had%20also%20adopted,Palestinian%20Territory%2C%20including%20East%20Jerusalem.
[116] A/HRC/60/79.
[117] A/HRC/54/70, para. 13.
[118] A/HRC/60/79, para. 39.

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recommendation No. 32 (2009) of the Committee on the Elimination of Racial Discrimination.

L. Strategies and action plans

71. Several United Nations strategies and strategic action plans are focused on specific grounds of discrimination and groups that can play a key role in the effective implementation of the Durban Declaration and Programme of Action.

72. The United Nations System-Wide Gender Equality Acceleration Plan was launched in 2024 as a flagship initiative to accelerate progress on gender equality across the United Nations system. The scope of the plan is both internal and external, including to work with Member States to uphold normative gains on gender equality, to open multiple opportunities for local women, girls and their representatives to access financing and to build strategic partnerships with the private sector and philanthropy to support transformation. The third generation of the United Nations System-wide Action Plan on Gender Equality and the Empowerment of Women raised the bar for gender mainstreaming in the United Nations system, integrating actions from the Acceleration Plan and elevating the accountability framework requirements for the Beijing Declaration and Platform for Action and the achievement of the Sustainable Development Goals.[119] With regard to intersectionality, the plan highlights that the United Nations will ensure an intersectional lens, addressing older women, women with disabilities, refugee women and other marginalized women[120] but explicit references to race and ethnicity or the Durban Declaration and Programme of Action were not found.

73. The United Nations Disability Inclusion Strategy, launched in 2019, plays a key role in enabling Member States to achieve the Sustainable Development Goals and the implementation of the Convention on the Rights of Persons with Disabilities and other instruments. The scope of the Strategy is internal and external. The accountability framework contains two aligned components: an entity accountability framework with 15 common-system indicators focused on the areas of leadership, strategic planning and management, inclusiveness, programming and organizational culture and a United Nations country team accountability scorecard on disability inclusion, with a focus on delivery at the country level and on joint programmes and processes. The Strategy emphasizes that an intersectional approach will be undertaken to address the structural and dynamic consequences of the interaction between multiple and intersecting forms of discrimination, including by taking into consideration all conditions that can create a substantively distinct life experience for persons with disabilities, based on factors such as sex, age, gender identity, religion, race, ethnicity, class and other grounds.[121] References to the Durban Declaration and Programme of Action were not found in the Strategy and references to the disaggregation of data include disability and sex.

74. The United Nations Youth Strategy was launched in 2018 to guide the United Nations system's work with and for young people. The scope of the strategy is both internal and external. Phase 2 includes a comprehensive strategic priorities and results framework, charting a path forward to intensify impact and drive transformative change with and for young people worldwide. It is rooted in the principles of meaningful youth engagement, a rights-based approach and gender equality and is focused on generating high-quality tools, research and data, including disaggregated data on gender, age and disability, to support evidence-based advocacy and programming. It emphasizes that all efforts should be made to ensure inclusiveness and a diversity of voices, regardless of race, sex, language, religion, age, ethnicity, gender identity and expression, disability, migrant or economic status and other

[119] See https://gendercoordinationandmainstreaming.unwomen.org/un-swap-30-framework-and-technical-guidance.

[120] See https://www.un.org/sites/un2.un.org/files/2024/12/unw_geap_deck_detailed_plan_final.pdf.

[121] See https://www.un.org/en/content/disabilitystrategy/assets/documentation/UN_Disability_Inclusion_Strategy_english.pdf.

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characteristics.[122] References to the Durban Declaration and Programme of Action were not found and references to the disaggregation of data include gender, age and disability.

75. The strategic action plan for addressing racism and promoting dignity for all in the United Nations Secretariat was launched in 2021. It includes recommended actions to address racism and bring about cultural change to transform the United Nations into a workplace where racism is actively addressed, where there is accountability for racist conduct and where the Organization provides a dignified and inclusive workplace for all. The strategic plan underlines that discrimination based on national or ethnic origin is experienced by United Nations staff, often in conjunction with other grounds, such as race, colour, gender and language, highlighting the need to consider the compounded nature of intersectional discrimination.[123] The scope of the action plan is internal, limited to the Secretariat as a workplace; references to the Durban Declaration and Programme of Action were not found in the document.

76. Moreover, on the basis of a review of publicly available documents and informal consultations with stakeholders, it appears that some United Nations bodies and entities have appointed gender focal points, with varying functions and responsibilities, while similar ones for anti-racism measures were not found.

M. United Nations entities

77. Paragraphs 153–156 of the Programme of Action include specific recommendations to the Department of Peace Operations, the World Health Organization (WHO), the International Labour Organization (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

78. The Programme of Action encourages WHO and other relevant international organizations to promote and develop activities for the recognition of the impact of racism, racial discrimination, xenophobia and related intolerance as significant social determinants of physical and mental health status and to prepare specific projects, including research, to ensure equitable health systems for the victims. In its submission, WHO emphasized that it was committed to supporting States to address racism, racial discrimination and xenophobia in the context of health and to advance health equity in line with the principles outlined in the Durban Declaration, the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination and other human rights instruments.

79. WHO pointed out that it had acted at the global, regional and country levels to combat racism and racial discrimination and to advance the right to health and other health-related rights, including through technical contributions on health to human rights mechanisms and intergovernmental processes, awareness-raising and advocacy, the development of normative guidance and contributions to research. The most recent activities, implemented since 2020, include input to the draft United Nations Declaration on the respect, protection and fulfilment of the human rights of people of African descent, a regional consultation and webinar on gender-based violence and ethnicity and input to the development of general recommendation No. 37 (2024) on equality and freedom from racial discrimination in the enjoyment of the right to health of the Committee on the Elimination of Racial Discrimination. In 2020 and 2021, WHO and UNESCO co-led a United Nations-wide high-level consultative process that culminated in a report on frontier dialogue consultations on addressing structural racial and ethnicity-based discrimination,[124] which included references to the Durban Declaration and Programme of Action. In 2021, WHO joined the United Nations network on racial discrimination and protection of minorities. The network

[122] See https://www.un.org/youthaffairs/sites/default/files/2025-05/Youth2030-Phase2-May%202025.pdf.

[123] See https://hr.un.org/sites/hr.un.org/files/sap_final_report_0.pdf.

[124] See https://www.who.int/publications/m/item/frontier-dialogue-consultations-on-addressing-structural-racial-and-ethnicity-based-discrimination.

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included specific references to the Declaration in its checklist to strengthen United Nations work at the country level to combat racial discrimination and advance minority rights.[125]

80. The Human Rights Council, in its resolution 57/24, recognized the important role played by UNESCO in relation to education against racism, racial discrimination, xenophobia and related intolerance, in particular the Routes of Enslaved Peoples: Resistance, Liberty and Heritage programme; the thirtieth anniversary of the programme's launch was celebrated in 2024. In its 2024 report on the global outlook on racism and discrimination, UNESCO noted that some of colonialism's lasting impacts, as recognized in the Durban Declaration and Programme of Action, included entrenched racism, racial discrimination, xenophobia and related intolerance;[126] however, its toolkit entitled "Fighting racism and discrimination," which serves as a practical guide for policymakers, activists and other organizations, does not include references to the Declaration.[127]

V. Conclusions and recommendations

81. **The Group notes with deep concern the growing pushback against anti-racism measures in many parts of the world and reiterates that the Durban Declaration and Programme of Action and the International Convention on the Elimination of All Forms of Racial Discrimination provide a comprehensive United Nations framework and solid foundation for combating racism, racial discrimination, xenophobia and related intolerance.**

A. National level

82. **The Group urges States to acknowledge formally the atrocities caused by colonialism, slavery and the trade in enslaved persons, including the transatlantic trade in enslaved Africans, apartheid and genocide, issue a formal apology and honour the memory of the victims. It recommends that they include that information in reports submitted to the Committee on the Elimination of Racial Discrimination and other treaty bodies.**

83. **The Group urges States to include references to the Durban Declaration and Programme of Action in all measures aimed at eradicating racism, racial discrimination, xenophobia and related intolerance.**

84. **The Group encourages States to provide up-to-date information on financial resources for measures enhancing the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action. Budgets and related processes should be designed, executed and reviewed in consultation with marginalized groups and civil society organizations.**

85. **The Group urges States to develop indicators for monitoring the progress of anti-racism measures, highlighting those undertaken to implement the Durban Declaration and Programme of Action. The Group also urges States to establish independent mechanisms to monitor and evaluate the progress of such measures, with the effective participation of the relevant marginalized groups and civil society organizations.**

B. Regional level

86. **The Group encourages regional bodies, organizations and mechanisms to develop and implement measures that contribute to the eradication of racism, racial discrimination, xenophobia and related intolerance and the effective implementation of**

[125] See https://www.ohchr.org/sites/default/files/Documents/Issues/Minorities/AnnotatedChecklist.pdf.
[126] See https://unesdoc.unesco.org/ark:/48223/pf0000392188.
[127] See https://unesdoc.unesco.org/ark:/48223/pf0000387454.

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the Durban Declaration and Programme of Action and include references to its provisions.

87. **The Group commits to approaching regional development banks to discuss opportunities for collaboration regarding the implementation of the Durban Declaration and Programme of Action and the eradication of racism, racial discrimination, xenophobia and related intolerance.**

C. International level

88. **The Group recommends that all human rights mechanisms, including the human rights treaty bodies, the special procedures of the Human Rights Council, the Durban follow-up mechanisms, the universal periodic review and other intergovernmental and expert mechanisms, contribute regularly to the implementation of the Durban Declaration and Programme of Action and include references to its provisions, inter alia, in general comments and recommendations, concluding observations and thematic, country visit and session reports.**

89. **The Group invites treaty bodies, in particular the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child, the Committee on the Rights of Migrant Workers, the Committee on Economic, Social and Cultural Rights and the Human Rights Committee, to issue a joint recommendation and comment on the occasion of the twenty-fifth anniversary of the adoption of the Durban Declaration and Programme of Action. The Group encourages the treaty bodies to issue more joint recommendations and comments and to mainstream into all of them the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action.**

90. **The Group recommends that OHCHR include information about the Durban Declaration and Programme of Action in all induction materials and briefings for the human rights mechanisms, including the treaty bodies, special procedures and universal periodic review. Information on the Declaration should also be included in all OHCHR training materials.**

91. **The Group strongly supports the recommendation of the Human Rights Council Advisory Committee on the necessity of developing an analytical and methodological framework, including indicators, as a tool to monitor and assess progress towards racial equality. The Group is committed to the development of such a framework for monitoring the implementation of the Durban Declaration and Programme of Action.**

92. **The Group encourages the United Nations to broaden the scope of the strategic action plan for addressing racism and promoting dignity for all in the United Nations Secretariat to include an external component, similar to those in the strategies on gender, disability and youth, envisaging actions for the mainstreaming of anti-racism activities in programmes implemented by all United Nations entities and country teams. It also encourages the mainstreaming of relevant commitments into all United Nations strategies and action plans.**

93. **The Group encourages United Nations entities, bodies and mechanisms to appoint focal points on racism, in addition to gender focal points, or to combine the functions through the appointment of diversity focal points to provide guidance to staff on how to mainstream anti-racism into programme planning, monitoring, reporting, data collection and analysis, outreach and partnerships.**

94. **The Group encourages OHCHR to review the Sustainable Development Goal indicators, in particular the one on the prevalence of discrimination, as set out in targets 10.3.1 and 16.b.1 of the Goals, including a reference to ethnicity/colour/language as a ground, and to issue guidance on possibilities for including race and measuring racial discrimination.**

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95. **The Group commits to strengthening outreach and partnerships with the Department of Peace Operations, WHO, ILO, UNESCO and other United Nations entities to discuss opportunities for implementing and reporting on the implementation of the Durban Declaration and Programme of Action. In the same vein, it commits to approaching multilateral financial and development institutions, in particular the World Bank, the International Monetary Fund and the World Trade Organization.**

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