### Presentation on the Review of progress achieved concerning the implementation of the programme of activities for the ****UN International Decade for People of African Descent****

## 16th session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action

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This year marks the 70th anniversary of the *Universal Declaration of Human Rights* (UDHR). Although it was formulated and adopted during a time when most of the world was colonized and Africans and people of African descent had little opportunity to influence its content—its affirmation of the equality of human dignity and rights and non-discrimination was a monumental step forward in international law. As the *Durban Declaration and Programme of Action* (DDPA) emphasizes equality and non-discrimination are fundamental principles of human rights.

We are still in the process of honouring, elaborating on, affirming and reaffirming these principles and the International Decade for People of African Descent is an important step in the process. Make no mistake, the international situation of people of African descent—and here I would like to include continental Africans too—represent a unique and telling challenge to the universal human rights regime and points to crucial respects in which there is room for improvement in both its implementation and provisions.

Apart from asserting the inherent dignity and rights of people around the world, a true innovation of the Universal Declaration was to emphasize the principle and right of non-discrimination. The first ground of discrimination that Article 2 of the Universal Declaration mentions is race. This principle of affirming non-discrimination as a human right and protecting against racial discrimination, was further elaborated by the *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD) (1965). No previous convention had as much input in its development from people of colour and colonized and former colonized subjects—among them, Jamaican representatives. The broad definition of racial discrimination that is asserted in the first article of the ICERD does not merely protect against interpersonal forms of racial discrimination, but any other societal conditions that lead to an unequal enjoyment of dignity and rights between racial groups—including de facto segregation. ICERD also affirms that racial groups that do not enjoy equality of dignity and rights are entitled to special measures to guarantee, protect and promote equality of dignity and rights. Throughout the world people of African descent were and remain such a racial group. Still, throughout the world, people of African descent are still waiting to be recognized as such by their states and for their rights to equality, non-discrimination and special measures.

The DDPA—the world’s most comprehensive human rights instrument against racial discrimination—may be said to have picked up the baton from the Universal Declaration and ICERD by offering yet further affirmation of the principles of equality and non-discrimination. If the ICERD is structurally limited to how states treat their own members, the DDPA asserts that racial discrimination has both national *and* international dimensions and that the principles of equality and non-discrimination apply to international affairs too. And whereas, the ICERD in its preamble makes reference to colonialism as an expression of racial discrimination, the DDPA is even clearer in its assertion that histories and legacies of colonialism—including the crimes against humanity of enslavement and systemic racial discrimination (Apartheid)—is a major culprit of the structures of racial discrimination that we see in the world today. The DDPA also makes clear that this not least is true of the national and international forms of racial discrimination that continue to afflict Africans and people of African descent.

And so here we are, three years into the International Decade for People of African descent and the progress that it represents as an affirmation of our common humanity, equality, non-discrimination and justice. So far the response to the Decade of states across the Occident has been underwhelming. Here in Europe, only Germany and the Netherlands seem to have launched the Decade and the rest have mostly ignored it. This despite sizable Black populations—especially in countries like France and the UK. Despite a long-standing historical and contentious relationship to Africans and people of African descent in which justice is yet to be done. Despite that study after study across Europe—including the most recent EU *Minority and Discrimination Survey* from last year, the largest of its kind, and also a new EU report on Black Europeans that will be published later this year—clearly and unambiguously show that people of African descent are among the most discriminated against groups in Europe. And the growing tides of nationalism across Europe is not making this situation any better.

Even if states may remain reluctant to implement the programme of activities of the International Decade for People of African descent during its remaining years—the outcome of the Decade can and should still be fruitful to the UN and civil society in furthering human rights without discrimination.

For civil society, the Decade remains a unique opportunity to mobilize around the protection and promotion of human rights of people of African descent. The regional conference here at the Palace of Nations in November last year is an example of this. For this conference we, civil society representatives from Europe and North America formed an international coalition of NGOs that attended the conference with a joint agenda —including the European Network of People of African descent of which I’m a member, the Movement for Black Lives and the US Human Rights Network that are represented here today. This coalition has since grown to include prominent civil society members from Europe, the US, Latin America and Africa. Funds have successfully been raised for it and it now has several projects around the Decade in the pipeline—including growing to become a major international Pan-African organization, building bridges between the Diaspora and the Continent around common human rights issues and being involved in the Declaration by setting up a civil society working group for it at Howard University of prominent legal experts and representatives of civil society.

Even more importantly, there are several things that can be done around the Decade at the UN level for furthering human rights. First and foremost, the creation of the Declaration that we will be discussing tomorrow. As hopefully will become more obvious after tomorrow, there are ample reasons for the UN to pursue a Declaration for people of African descent as a vanguard standard for the protection and promotion of human rights. In this spirit and the spirit of the DDPA—of which the Declaration is a result—Members of the Intergovernmental Working Group may want to consider including provisions for both the national and international levels and in including the international level also include the rights to equality, self-determination, sovereignty and access to justice of African states. Similarly, a UN Forum could, and perhaps should—especially if the Declaration is meant to address anti-black racism in its national and international dimensions—include Africans as well.

Other examples that the UN could pursue in making the outcome of the Decade fruitful and sustained is to set up a Voluntary Fund for people of African descent (or maybe Africans and people of African descent), and to organize a major international scholarly conference—perhaps as a collaboration between the OHCHR and UNESCO—on “recognition, justice and development” for people of African descent, which could result in a three part book series on the theme, replete with analysis and recommendations.

These are merely a few examples. The only limitations to what we can do are ourselves. Let us therefore find it in ourselves to bring out our highest aspirations for justice and keep in mind that justice isn’t anything personal or else it would not be justice and that a world of justice is a win-win for everyone. In the words of Martin Luther King Jr., “Injustice anywhere is a threat to justice everywhere.”