**28th Session of the Human Rights Council Advisory Committee**

***Item 2(e).* Advancement of Racial Justice and Equality**

**10 August 2022**

Thank you, Madam Chair,

In reference to HRC resolutions 47/21 and 48/18, we wonder if tackling racism can be helped with complimentary approaches that supplement the human rights and justice system by changing attitudes within society and law enforcement agencies.

Racism, as currently understood, has its origins in colonialism. However, it is not limited to one society. Several complex factors contribute to racism. Some of them are irrational prejudices, privilege, competition for resources and political populism, among many other factors. While legal actions are essential to ensure that victims get justice and act as a deterrence, there is also scope for preventative measures.

Racism doesn’t go away simply because the law prohibits it, and people are granted rights against it. Attitudes and prejudices cannot be eradicated by legal means.

Moreover, at the recent Standards Committee, it was becoming apparent that race and racism are ambiguous terms lacking clarity. Equally, terms such as hate crimes and hate speech lack clarity. Often hate speech is a prelude to racism.

Some feel that hatred of belief and culture should be included in hate speech and racism as culture often is an intricate part of some races. Hence addressing racism through the justice system has its limitations because some cultures believe that hate speech is a part of free speech, while others consider it highly offensive. We feel that people become racists because they are uncomfortable with diversity.

We suggest that States take a proactive approach to make people comfortable with diversity, different races and cultures. Some civilisations have successfully absorbed diversity for centuries, and some cultures promote acceptance of diversity rather than simply tolerance.

We think a UN Declaration on Diversity will encourage States to adopt systemic and proactive approaches to combating racism through policies of inclusion, consultations and promoting mutual coexistence of different communities and races. Taking a systemic approach that changes attitudes will be consistent with HRC Resolutions 47/21 and 48/18.

In the preamble to Resolution 47/21, It says ‘also recognising that systemic racism is intersectional by nature as it spreads in a variety of societal sectors and that to tackle systemic racism and discrimination, response measures should also be intersectional,’.

Further, it states that systemic racism needs a systemic response to rapidly reverse denial and alter structures, institutions and behaviours leading to direct or indirect discrimination against Africans and people of African descent in every part of life,

Further, it states, ‘including people and communities of African descent, should be able to participate in an inclusive manner and guide the design and implementation of processes that contribute to halting, reversing and repairing the lasting consequences and ongoing manifestations of systemic racism, and notably acknowledging the vital role that young people have played and should continue to play in these processes,

And particularly, article 8 Urges States to adopt a systemic approach to combating racial discrimination through the adoption and monitoring of whole-of-government and whole-of-society.

In HRC Resolution 48/18 para 14. ‘Requests the Advisory Committee to prepare a study in which it examines patterns, policies and processes contributing to incidents of racial discrimination and makes proposals to advance racial justice and equality,

We think a Declaration on Diversity will promote learning from best practices and what works and doesn’t. We believe there is a lot communities and cultures can learn from each other in the art of coexistence without prejudice or discrimination.

We will be happy to work with any members of the Advisory committee to work on a draft proposal for such a Declaration. We believe this is consistent with Resolution 47/21 and 48/18 in meeting article 8 of Resolution 47/21, particularly in 8) 8. Urges States to adopt a systemic

approach to combating racial discrimination through adopting and monitoring whole-of-government and whole-of-society.