

Speech of the Special Rapporteur on Racism, Ms. Ashwini K.P.

Permanent Forum of People OF African Descent

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Excellencies, distinguished panelists, representatives of states and civil society and comrades, it is a great honour that at the very beginning of my tenure as the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, I sit here with you to exchange views for a brighter present and future for people of African descent. I was appointed as the sixth Special Rapporteur on contemporary forms of racism by the Human Rights Council and started my mandate on 1 November 2022.

I sit here amongst you not just as a mandate holder but also as someone who has repeatedly faced issues of exclusion similar to that my mandate seeks to address. Being a former untouchable my lived experiences of discrimination, marginalisation and struggles have also made me what I am today and I have the honour of sitting amongst august dignitaries discussing the most pertinent issues. The black movement has shaped my understanding of assertion and with the shared experiences and struggle I am here to collaborate learn, and initiate a process of social transformation

We cannot speak of racism without having people of African descent at the forefront. The dark eras of slavery, apartheid and colonialism, and their negative legacies are at the heart of many of today's most pressing global challenges, including the climate crisis. I see people of African descent as key constituencies of my mandate and commit, at the beginning of my mandate, to continue the work of my predecessors to advocate for improvements in the lived experiences of people of African descent and their overall empowerment around the world. I intend to ground the work of my mandate in the standards laid out in the Convention on the Elimination on Racial Discrimination, the 2001 Durban Declaration and Programme of Action and take an approach that addresses intersectional forms of discrimination and "leaves no-one behind".

Since its establishment the mandate has always been firmly committed to working with all UN mechanisms that combat racism and racial discrimination against people of

African descent, including the Committee on the Elimination of Racial Discrimination and the Working Group of People of African Descent I am honoured to extend this cooperation to the newly established Permanent Forum and thank them for the opportunity to take part today to discuss the important issue of climate crisis and environmental injustices.

When discussing this significant topic, I would like to highlight the reports of my predecessor Ms E. Tendayi Achiume to the 2022 General Assembly on the ecological crisis, climate justice and racial justice. She aptly applied a historical and racialised lens to these issues and I will draw on her reports, as well as my own lived experiences, as a human rights practitioner from the global south.

Climate change is negatively impacting the full and effective enjoyment of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments, including those enshrined in the International Convention on the Elimination of all Forms of Racial Discrimination. Among the human rights being threatened and violated are the rights to life, adequate food, safe drinking water and sanitation, the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, adequate housing, self-determination, just and favourable conditions of work, development, the right to a clean, healthy and sustainable environment and livelihoods, as well as the right to education and cultural rights. Intersectional analyses of environmental and climate-related human rights violations should recognize that environmental racism and climate injustice interact with other forms of social exclusion, such as discrimination on the grounds of gender, age and disability.

Understanding contemporary climate and environmental injustice alongside the racially discriminatory landscape requires a historicized approach to how “race” and racism have shaped the political economy of climate and environmental realities, as well as the governing legal frameworks and worldviews these frameworks represent. Climate injustice is a consequence of historical and structural racism, exploitative economic models and the legacy of the trade in enslaved Africans. Systemic racism and contemporary legacies of colonialism negatively impact the right to a healthy environment.

People of African descent were victims of slavery, the slave trade and colonialism, and continue to be victims of the negative legacies of these horrendous human rights violations. . Regrettably, despite advances, racism, racial discrimination, xenophobia and related intolerance, both direct and indirect, de facto and de jure, continue to manifest themselves in inequality and systemic discrimination both within and between countries. The Intergovernmental Panel on Climate Change has expressed with high confidence that, despite regional variabilities, climate change is likely to have an overall negative effect on yields of major cereal crops across Africa.

The global ecological crisis is simultaneously a racial justice crisis. The devastating effects of ecological crisis are disproportionately borne by marginalized groups who are disproportionately concentrated in global “sacrifice zones”. Whereas sacrifice zones are concentrated in the formerly colonized territories of the Global South, the Global North is largely to blame for these conditions. In the post-colonial period, former colonies were used as dumping grounds for the North, and for the trade in harmful and toxic products. African countries were used as waste deposits and chosen as the sites for harmful industries, and certain communities faced disproportionate impacts from environmental crises.

Environmental justice and climate justice are often linked to the right to development on sustainable terms. The right to development implies the full realization of the right of people to freely determine their political status and to pursue their economic, social and cultural development” In many national contexts, environmental injustice is often analyzed in terms of socio-economic inequities with limited attention to racial and ethnic inequities, and there is widespread resistance to the collection of data disaggregated on racial and ethnic bases.

Systemic racial discrimination results in economic marginalization. The economic marginalization of racially marginalized peoples plays a major role in constraining their control over the development of their communities and their exposure to toxic waste and climate disasters. This economy reproduces conditions of underdevelopment, while at the same time accruing staggering profits to “developed” countries, their transnational corporations and a small group of elites in “underdeveloped” countries. racism, racial discrimination, xenophobia and related intolerance remain causes of underdevelopment.

As explained by Walter Rodney in his seminal book *How Europe Underdeveloped Africa*, “underdevelopment” is not the absence of development. The development of “developed” nations is built directly on the underdevelopment of nations widely referred to as “developing” nations.

Although the 2030 Agenda contains the powerful pledge to “leave no one behind”, its implementation framework fails adequately to prioritize racial justice, equality and non-discrimination. Accordingly, it is no surprise that adequate resources have not been directed to combatting racism, racial discrimination, xenophobia and related intolerance. Surveys of voluntary national reviews on progress on the 2030 Agenda by the Committee on Development Policy have shown that State reporting on the “leave no one behind” principle is generally shallow and pro forma, and when inequality is acknowledged, States focus on age, gender and sometimes migration status in their reporting, while racial and ethnic inequality is rarely mentioned.

While recognizing the progress made in the adoption of the 2030 Agenda, my predecessor, noted that it is incapable of fundamentally disrupting the dynamic of racially discriminatory underdevelopment embedded in the international economic order. The existing global economy for natural resource extraction is, environmentally unsustainable and the environmental protections proposed in the 2030 Agenda cannot meaningfully transform the extractivism economy.

When it comes to the solution, racially and ethnically marginalized groups are disproportionately exposed to human rights violations associated with the extraction or processing of climate-related initiatives that are designed without the input, consideration or leadership of racially marginalized peoples. Those with authority, control, influence and decision-making power within the global climate governance regimes largely neglect racial equality and non-discrimination norms that are foundational to international human rights and the international order more broadly. Overlooking credible solutions, research and knowledge have been monopolized by the North, and collectively held knowledge important to addressing the climate crisis, including indigenous knowledge, is being ignored.

There are vital debates about the need for greater compliance with existing international standards in the face of ecological crisis, but international law fails to provide robust

provisions for holding transnational corporations accountable for human rights violations that disproportionately affect peoples and territories colonially designated as non-white.

Moreover, questions of reparation and remediation for loss and damage caused by climate change and environmental degradation have purposefully been excluded from relevant frameworks by the powerful countries most responsible for the harm.

All these challenges should not make us blind to the successes we have achieved such as the steps taken by the states to recognise the right to a clean, healthy and sustainable environment which includes the right to a safe climate as a human right.

There are also racially and ethnically marginalized groups that challenge environmental racism and climate injustice on a daily basis, and that are charting paths toward climate justice and environmental justice more broadly. There are number of grassroots environmental and climate-justice initiatives that are also forging transnational alliances and centering racially and ethnically marginalized groups in environmental and climate-related knowledge production.

I would like to conclude my words with the key actions which should be taken in order for the international community to be able to bring racial, social economic justice to the forefront of 21st century environmentalism.

Distinguished delegates of member states, I urge you:

- To address systemic racism and provide justice and reparations to the victims, including those whose health has been affected, and to avoid entrenching racial injustice while addressing the climate and ecological crisis.
- To prioritize reparations for historical environmental and climate harms and for contemporary harms rooted in historic injustice.
- To systematically hold transnational corporations accountable for environmental racism and climate injustice.
- To institutionalize meaningful participation and decision-making of racially, ethnically and nationally marginalized persons and peoples in global and national climate governance, including women, gender-diverse persons, persons with disabilities, refugees, migrants and stateless persons.