

April 14<sup>th</sup>, 2023

**REF: Inputs for the preparation of the report of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolution 47/21**

Your Excellency,

On behalf of the Inter-American Commission on Human Rights (IACHR), I have the honor of addressing Your Excellency to provide inputs regarding to “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 through transformative change for racial justice and equality”.

**Background**

- The IACHR is a principal and autonomous body of the Organization of American States (“OAS”) whose mission is to promote and protect human rights in the American hemisphere. In 2005, the IACHR created the [Rapporteurship](#) on the Rights of Afro-descendants and against Racial Discrimination due to the racial disparities that have marked the history and politics of all the countries in the hemisphere.
- The President of IACHR, Margarette May Macaulay is the Rapporteur for the Rights of Persons of African Descent and against Racial Discriminations Commissioner. She is in her second term, having been re-elected on June 28, 2019, by the 49th General Assembly of the OAS for a four-year term which ends December 31, 2023.

*Inter-American treaties promotion and engagement*

- The Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance (Also known as "CIRDI"), was adopted in 2013 and entered into force in 2017.
- To date, it has been ratified by 6 States (Costa Rica; Uruguay; Antigua and Barbuda; Ecuador; Mexico, and Brazil).
- CIRDI provides that An Inter-American Committee for the Prevention and Elimination of Racism, Racial Discrimination, and All Forms of Discrimination and Intolerance shall be established and shall be comprised of one expert appointed by each of the States Parties who shall execute his or her functions in an independent manner and shall monitor the commitments undertaken in this Convention. The Committee shall be established when the first of the Conventions comes into force and its first meeting shall be convened by the General Secretariat of the OAS as soon as the tenth instrument of ratification of either Convention has been received.

United Nations High Commissioner for Human Rights  
Office of the United Nations High Commissioner for Human Rights (OHCHR)  
Geneva, Switzerland

Published reports by Inter-American Commission

- **Annual Report 2021, 2022**  
Chapter IV.A. includes the monitoring of the situation of people of African descent and against discrimination in the 35 member countries. Both progress and challenges are highlighted.
- **Situation of Human Rights in Haiti, 2022. [Thematic report](#)**  
The context of structural racial discrimination against Haitians in the Dominican Republic is highlighted.
- **Economic, social, cultural, and environmental rights of people of African descent, 2021. [Thematic report](#)**  
This report brings out eight new innovative standards on ESCER to combat racial discrimination, including intercultural education, intersectional health policies, collective ownership, among others.
- **Working visit to Colombia on protests and national strike, 2021. [Country observations and recommendations](#)**  
In this report, the IACHR refers to ethno-racial violence in the context of the social protests of 2021, highlighting patterns of excessive use of force against Afro-descendants.
- **Situation of human rights in Brazil, 2021. [Country Report](#)**  
This report stands out that Brazil faces structural challenges to overcome aspects related to historical racial discrimination and its impact on Afro-descendants, Quilombola communities, and indigenous peoples.
- **Police violence against people of African descent in the United States, 2019. [Thematic report](#)**  
This report examines the persistent situation of structural discrimination against people of African descent in the United States and, in particular, deep-seated racial disparities in policing and the criminal justice system.
- **Human rights defenders and social leaders in Colombia, 2019. [Thematic report](#)**  
In this report, the IACHR observes the main types of violence faced by human rights defenders and social leaders in Colombia. It highlights the differentiated attacks on Afro-descendant social leaders.
- **Human Rights Situation in Honduras, 2019. [Thematic report](#)**  
During the IACHR's visit to the Garífuna Community of San Juan, several community members stated that they occupy a small percentage of their lands and territories. This is due to the fact that the Honduran State granted property titles to third parties who were not members of the community. The IACHR also received testimonies indicating that many of the community members had to move due to pressure related to their territories from third parties.

Sentences of the Inter-American Court

- **Case of the workers of the Fireworks Factory in Santo Antônio de Jesús and their families vs. Brazil.** [Judgment](#) of July 15, 2020  
In this judgment, the Court addresses the intersection of factors of discrimination of the victims, who were poor, women, Afro-descendants, and in some cases, pregnant, and girls.
- **Case of Acosta Martínez et al. v. Argentina.** [Judgment](#) of August 31, 2020  
This is the first ruling on racial profiling in Inter-American jurisprudence. The Court emphasized that Acosta was the victim of arbitrary detention and as a result lost his life, all framed in a context of violence against the Afro-descendant population in Argentine.

Paramount press releases by Inter-American Commission

- *IACHR: Education with an Intercultural Perspective is Necessary to Eradicate Racial Discrimination.* March 21<sup>st</sup>, 2023. [Press release](#) March 21, 2023
- *IACHR condemns the deaths of Tyre Nichols and Keenan Anderson due to police violence in the United States of America.* The IACHR has also noted with concern that other persons of African descent were brutally killed in 2022 due to police violence in the United States of America. February 9<sup>th</sup>, 2023. [Press release](#) No. 019/23
- *IACHR calls on States to Promote Respect for African-Derived Religions in the Americas.* August 31<sup>st</sup>, 2022. [Press release](#). No. 193/22
- *States must protect the labor rights and social security of Afro-Latino and Afro-Caribbean women domestic workers.* July 25<sup>th</sup>, 2022. [Press release](#). No. 167/22
- *IACHR Condemns Police Violence Against Afro-Descendant Persons in Brazil, Calls on State to Fight Racial Profiling.* June 1<sup>st</sup>, 2022. [Press release](#) No. 120/22
- *International Day for Afro-Latina, Afro-Caribbean, and Diaspora Women: IACHR Calls on States to Combat Political Violence against Women of African Descent.* July 25<sup>th</sup>, 2021. [Press release](#) No. 191/21.
- *IACHR calls on the States of the region to eliminate all forms of racial discrimination, promote cultural change and adopt comprehensive reparation measures for people of Afro-descendant.* September 12<sup>th</sup>, 2020. [Press release](#) No. 216/20
- *The IACHR expresses strong condemnation for George Floyd's murder, repudiates structural racism, systemic violence against Afro-Americans, impunity, and the disproportionate use of police force, and urges measures to guarantee equality and non-discrimination in the United States.* June 8<sup>th</sup>, 2020. [Press release](#) No. 129/20