



International Convention on the Elimination of All Forms of Racial Discrimination

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Held at the Palais Wilson, Geneva, on Monday, 7 March 2011, at 10 a.m.

Chairperson: Mr. Kemal

later: Mr. Calí Tzay (Vice-Chairperson)

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The meeting was called to order at 10.10 a.m.

Thematic discussion: Racial discrimination against people of African descent

1. **The Chairperson** recalled that the apartheid regime in South Africa had been one of the factors that had prompted the international community to draft the International Convention on the Elimination of All Forms of Racial Discrimination and to set up the Committee on the Elimination of Racial Discrimination just over 40 years ago. Unfortunately, the fall of the apartheid regime had not led to a global multiracial society and, even if it was no longer possible to practise blatant discrimination against other persons because of their race with impunity, racial discrimination was still rife throughout the world. Most of the time, it manifested itself in an insidious way, for example in sports stadiums, restaurants and other public places. Since time immemorial, people of African descent had been victims of racial discrimination in many areas such as employment, housing and health. The time had therefore come for the Committee to honour the contribution of people of African descent to the development of the societies in which they lived. The election of a man of African descent, Barack Obama, to head of the leading world Power, suggested that it was possible to look forward to a world where racial discrimination would be relegated to history books. He would like to invoke Barack Obama's famous campaign slogan, "Yes, we can", as his own slogan to reaffirm the determination of the Committee and its partners to eliminate all forms of racial discrimination.

2. **Ms. Pillay** (United Nations High Commissioner for Human Rights) had the honour of opening the thematic discussion on racial discrimination against people of African descent. In its resolution 64/169, the General Assembly of the United Nations had proclaimed 2011 to be the International Year for People of African Descent with a view to reinforcing national measures and regional and international cooperation activities to help people of African descent in order to guarantee people of African descent full exercise of their economic, cultural, social, civil and political rights, ensure their participation and integration in all aspects of society and promote a better understanding of and greater respect for the diversity of their heritage and culture.

3. By organizing the current thematic discussion, the Committee on the Elimination of Racial Discrimination was contributing to the success of the International Year which, in her opinion, should, above all, make it possible to achieve recognition for the role that people of African descent played in world development and in the fulfilment of the societies in which they lived, to remedy injustices and discriminatory acts committed in the past and to develop strategies aimed at guaranteeing equality of rights and elimination of the discrimination of which people of African descent were victims. There was no denying that people of African descent continued to suffer from racism, poverty and exclusion in many countries. They still had difficulties in realizing their fundamental rights, particularly their rights to an education and proper training, to health care, and to employment. The situation of women, children and migrants of African descent was even more worrying.

4. She recalled that participants in the Durban Conference had underlined the need to fully involve people of African descent in political, economic and social life, and to facilitate their full participation at all levels of decision-making. It was incumbent on all Member States to implement the recommendations drawn up in Durban and to respect the provisions of the international human rights instruments in order finally to achieve concrete progress in the effort to combat racial discrimination. She exhorted all States parties, experts and members of civil society to participate actively in the thematic discussion and to propose solutions which would have positive and concrete effects on people of African descent worldwide. To conclude, she recalled that the Office of the High Commissioner for

Human Rights would also organize a wide range of joint activities to celebrate the International Year for People of African Descent.

5. **Mr. Murillo Martínez** (Moderator) said that in particular the thematic discussion would seek to achieve a better understanding of the causes and consequences of racial discrimination against people of African descent through an exchange of information and analysis of the progress achieved and difficulties encountered in the effort to combat racial discrimination. He invited the representatives of States parties, United Nations bodies and specialized institutions, as well as national human rights institutions and non-governmental organizations (NGOs) to share their views on racial discrimination against people of African descent. The thematic discussion would take the form of an interactive dialogue after presentations of approximately 10 minutes by specialists who would speak about the following themes: people of African descent and the international human rights mechanisms: challenges and accomplishments; history and effects of the transatlantic slave trade on people of African descent; current socio-economic situations and issues of social inclusion relating to people of African descent; women of African descent; and people of African descent of more recent migration from Africa. He raised a number of questions which the participants might wish to look into, among which were the following: “Who were the descendants of the African diaspora?”; “Could one speak of structural discrimination against people of African descent?”; “What were the causes and consequences of racial discrimination against people of African descent?”; and “What was the link between racism and poverty?”.

*People of African descent and the international human rights mechanisms:
challenges and accomplishments*

6. **Mr. Thornberry** said that the Committee on the Elimination of Racial Discrimination had always been interested in the issue of people of African descent but it was the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban in 2001, that had attracted more particularly the attention of the international community to that group of victims of racism and discrimination. The Durban Declaration and Programme of Action had included a section which related expressly to African people and people of African descent. Following on from the recommendations drawn up at Durban, in 2002 the Committee had adopted general recommendation No. 29 concerning discrimination based on descent (paragraph 1 of the first article of the Convention). Although people of African descent were mentioned, the Committee primarily focused on the problem of castes and similar systems based on the passing down of hereditary status. Recognizing that people of African descent contributed greatly to the development and fulfilment of the societies in which they lived, the Committee had wanted to dedicate a specific thematic discussion to them which should lead to the drafting of a new general recommendation. The participants in the discussion might wish to suggest issues to address in the general recommendation. He thought that, in particular, the Committee should list all the areas in which people of African descent were subjected to discrimination (health, employment, housing, education, structural inequalities, racial profiling, hate speech, etc.) and should ask the States parties to pay greater attention to that group of people, by systematically gathering statistical data on them.

7. **Ms. Najcevska** (Chair of the Working Group of Experts on People of African Descent) said that racism was still alive and that one of the most obstinate forms in which it appeared, was that directed against people of African descent. It was a very specific, deep-rooted type of discrimination which existed in very diverse political systems and geographical settings. She proposed that the special dual role of the international human rights mechanisms developed to combat racism and discrimination against people of African descent at national and international levels should be examined.

8. The international human rights mechanisms had been and remained one of the most powerful tools in combating racial discrimination. However, besides their visible positive impact on the situation of people of African descent, there were several issues that should be taken into account in order to progress in that direction. First of all, ratification by States of international instruments and legislative changes at a national level were not followed by tangible effects and measurable results. Secondly, the effectiveness of international mechanisms was very much related to the recognition of people of African descent, which went through four stages: first, they had to define themselves as such and be prepared to express themselves as a group of people; second, they should be recognized as a group of people by the States they were living in; third, the specific needs and living conditions of people of African descent in different countries should be taken into consideration; and fourth, the specific ways in which people of African descent were discriminated against should be recognized.

9. The predominant individual-oriented approach of anti-discrimination legislation had shown its limits in punishing acts of racial discrimination. As a result, many cases of discrimination went unpunished, because not all victims were prepared to defend their rights before the courts. Moreover, individual cases did not carry sufficient weight to influence policies and change discriminatory practices. There was a need to shift the whole approach to combating discrimination from a reactive, or complaint-led, approach, towards a proactive one at the national and international levels.

10. New manifestations of discrimination and segregation had appeared, one of whose main characteristic was the invisibility of people of African descent. That invisibility was due to insufficient statistical data on people of African descent, particularly in European countries where they were not specifically identified in national statistics. Consequently, even though people of African descent might outnumber other ethnic minorities in some European countries, there was no statistical evidence to support the notion that they might qualify for special measures.

11. Although most States had ratified the international instruments protecting the rights of ethnic minorities, and several international mechanisms had been put in place to combat discrimination based on ethnicity or membership of a minority group, people of African descent continued to suffer regular violations of their civil, political, economic, social and cultural rights since they were invisible as a minority. However, in conformity with the international instruments protecting the rights of ethnic minorities and indigenous peoples, people of African descent could be classified as an ethnic minority in the States in which they lived and, consequently, claim certain rights including the right to benefit from special measures. It was for that reason that some States refused to recognize them as a minority or indigenous people. Consequently, it was generally indigenous peoples who benefited from proactive measures, while people of African descent remained excluded from the relevant laws. However, it had to be recognized that the self-identification of people of African descent as an ethnic minority was problematic in many ways and remained controversial, some believing that the rights claimed by the majority of people of African descent were a "hybrid" of existing international standards protecting minority rights and of those on indigenous peoples' rights.

12. The invisibility of people of African descent was also due to the lack of a specialized instrument to protect their fundamental rights. The establishment of such an instrument should be part of the agenda for future work.

13. In conclusion, she advocated affirmative action. Even if the proactive measures were not at all consistently applied, even at the time, they had given encouraging results in the fields of education, housing, health, culture and participation in the decision-making process. Therefore, a systematic approach was required to promote and implement proactive measures, and international human rights mechanisms should play a leading role

in that respect. In future, those mechanisms should include specific measures to address the inequity traps that people of African descent were captured in and devise special tools that would enable an effective fight against the unique structural discrimination faced by that group.

14. **Ms. McDougall** (Independent Expert on Minority Issues), recalled the important events that had punctuated the history of efforts to combat racial discrimination within the framework of the United Nations, in particular the work of prominent figures of African descent who had lobbied for the inclusion in the United Nations Charter of guarantees of fundamental human rights and emphasized that as a result of the exceptional impact of the Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban in 2001, the specific problems faced by people of African descent had been taken into consideration. The Declaration and Programme of Action adopted at the Durban Conference was a unique document as it presented a particularly comprehensive set of recommendations intended to address the situation of people of African descent. The process of the Durban Conference had given fresh momentum to various groups within the African diaspora worldwide by providing them with an opportunity to meet and by strengthening their capacity for action.

15. Since 2005, when her mandate had been established, she had been studying in greater depth the situation of minorities of African descent living in different regions of the world. During her visits to various countries, she had been able to examine at first hand the issues surrounding the exclusion of people of African descent, particularly in France, Guyana, Colombia, Canada and the Dominican Republic. In the latter, she had reported together with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the internalization of racism over the centuries, with light-skinned people of colour oppressing and discriminating against those with darker skin.

16. The recent establishment of a new mechanism, the Forum on Minority Issues, had brought about a greater understanding of the situation of people of African descent in a broader array of countries and regions of the world with respect to the right to education and the right to participate in political and economic life, which were issues that deserved the greatest attention. People of African descent had played a major role in shaping the discussions and recommendations of the Forum. For that reason, the recommendations from the first three sessions of the Forum (A/HRC/10/11/Add.1; A/HRC/13/25 and A/HRC/16/46) should be reflected in the Committee's documents.

17. One of the problems facing people of African descent was ignorance of the diversity that existed within that group. The African diaspora was in fact extremely diverse and the needs and expectations of communities varied greatly because their origins, languages, cultures and reasons for leaving Africa were very different. It was estimated that there were currently between seven and nine million people of African descent living in Europe. Their presence could be traced back to both voluntary and forced migrations including the transatlantic slave trade, the consequences of colonization and African-American military deployments in Europe. Amongst them were refugees and asylum-seekers, students and professionals working in the area. The largest populations of people of African descent were in France, the United Kingdom and the Netherlands. In the western hemisphere, it was estimated that one third of the population was of African descent. The largest populations were in Brazil, Colombia, the United States and the Caribbean, where people of African descent were the majority. It was therefore necessary to bear in mind the diversity of their situations and to examine the specific situation and visibility of each community in order to promote and protect its rights.

18. The collection of demographic data disaggregated by membership of a minority group continued to be vital. Some countries such as France refused to officially recognize

any minority, whilst others lacked the capacity for detailed census taking that could yield disaggregated data, and yet others such as Canada had very sophisticated data-capturing mechanisms but disaggregated the data in a way that disguised as much as it revealed about the situation in the country. Canada used a single category, “visible minorities” to represent groups as diverse as the descendents of African slaves brought to the United States in the nineteenth century, migrants from the Caribbean, economic migrants and refugees, professionals immigrating from Africa and Asian immigrants. A more thoughtful consideration of how data was to be disaggregated in conformity with the right to self-identification was required.

19. Despite their diversity, people of African descent had one point in common: the fact that they experienced the same prejudices everywhere, based on their skin colour and origin, regardless of their nationality, gender, age or level of education, with the problem being particularly serious in Europe. According to the outcome document of a recent summit of European parliamentarians of African descent, black people living in Europe were more and more often the targets of hate crimes and racial profiling. According to the European Union Minorities and Discrimination Survey (EU-MIDIS), carried out in 2009 in the 27 member States of the Union, black people were amongst those most affected by discrimination in the workplace and from the police. According to the 2007 and 2008 annual reports of the European Union Agency for Fundamental Rights (FRA), racial and ethnic minorities disproportionately experienced discrimination in access to housing, education, health care, employment and in terms of participation in political life. They were also disproportionately discriminated against by the criminal justice system.

20. There were often great disparities between international standards, national standards and the realities on the ground because although an increasing number of countries had adopted anti-discrimination laws, those laws were generally not enforced. Most of them applied only to the public sector, giving the impression that governments were unwilling to confront the acts of discrimination that occurred in civil society. Where anti-discrimination sanctions were solely a part of criminal law, they were particularly ineffective.

21. While invidious forms of overt discrimination were re-emerging, other forms of discrimination had become institutionalized and systematically integrated into the functioning of most public and private institutions. Such forms of discrimination were hidden within seemingly neutral laws, bureaucratic regulations and cultural norms such as merit systems, as well as in academic testing regimes which concealed deliberate discrimination preventing any progress. During her visits to countries, she had noted a growing sense of frustration and resentment amongst people who were trying to respect the rules of a society that continued to exclude them, particularly in terms of access to employment.

22. Finally, she congratulated the Committee on the Elimination of Racial Discrimination for the adoption of its general recommendation No. 32 on the meaning and scope of special measures in the International Convention on the Elimination of Racial Discrimination and called upon the Committee to refer systematically to that recommendation during the examination of State party reports and to insist that affirmative action be evaluated only in terms of its results.

23. **Mr. Murillo Martínez** (Moderator) said that the comments made by Ms. McDougall, particularly those dealing with institutional discrimination, were extremely useful and would certainly help the following speakers to structure their discussion.

History and effects of the transatlantic slave trade on people of African descent

24. **Mr. Moussa Iye** (UNESCO Division of Cultural Policies and Intercultural Dialogue), on behalf of UNESCO, praised the United Nations for having declared 2011 the

International Year for People of African Descent and said that he hoped that it would be an opportunity not only to continue the work of ensuring the implementation of the Declaration and Programme of Action adopted at the Durban conference in 2001, but also to spur consideration of new approaches which would allow people of African descent to enjoy all of their rights.

25. He gave an account of the outcomes of work carried out by UNESCO as part of the flagship “Slave Route” Project, and highlighted that populations of African descent were subjected to a triple denial: of humanity, of identity and of sovereignty/citizenship. More than any other community, those populations had suffered and were continuing to suffer from the most basic yet most efficient and enduring form of stigmatization, namely that based on the level of melanin, which determined the colour of their skin. As a result, people of African descent were continually required to define themselves in relation to a scale of colours and values established by others. That constant scrutiny had led them to imprison themselves within the imagination of others in a desperate search for recognition.

26. The painful quest for identity and dignity had had serious effects for those involved at all levels, but amongst many of them it had also developed a creative force and exceptional resilience which had helped them to survive the large-scale efforts at dehumanization represented by slavery and colonization.

27. The work carried out by UNESCO in that area had demonstrated the causative link between, on the one hand, the increase of power and wealth in Europe and the Americas generated by the trade in African slaves and later by the pillaging of their countries’ resources, and on the other hand, the disintegration of Africa and the poverty of people of African descent. There was also a causative link between the racism and racial discrimination suffered by those people and the justifications for slavery and colonization that had developed over the years.

28. In order to better combat racism and discrimination, it was crucial to take a fresh look at slavery and the slave trade so as to understand the genealogy that linked them to the prejudices that had developed to justify that crime against humanity. The tragedy of slavery and the slave trade and their consequences also allowed a better understanding of what some called the original sin of the humanism of human rights. In fact, it was worthwhile recalling that it had been at the same time as the Enlightenment philosophies had developed in Europe that the monstrous “Black Codes” and white supremacy theories had emerged and facilitated a moral, intellectual and/or judicial justification of that crime against humanity.

29. Therefore, prior to any research, the question of slavery and the slave trade had to be addressed first and foremost as an ethical and moral issue. It was a matter of assessing the extent of the barbarity that societies had been and were capable of generating, and of the intolerable contradiction between proclaiming great humanist principles and accepting a socio-economic system based on the dehumanization of people. Studying the effects of slavery and the slave trade facilitated a better understanding of the ethical and social divide within contemporary societies.

30. It should also be taken into account that the commodification process used to transform African slaves into tools of production was still having an impact on present-day issues. The policy of pernicious conditioning, the worst form of which was the theory that black people were congenitally inferior and that their status as slaves was therefore justified, was still visible. It was evident in racist attacks and amongst white supporters in European football stadiums hosting teams made up of black players, where in their ape-like imitations those supporters unconsciously reproduced the theory of the animalistic nature of black people which had justified slavery.

31. Another noteworthy ethical aspect of slavery and the slave trade was that of understanding specific contemporary situations. The current state of development in Africa, for example, could not be explained without reference to the extensive disintegration of African societies and the human, intellectual and cultural bleeding that Africa had systematically and enduringly suffered over the centuries of the trans-Saharan, transatlantic and trans-Indian Oceanic slave trade.

32. It was also impossible to comprehend the exclusion and poverty of certain populations of African descent in the Americas, the Caribbean, the Indian Ocean and elsewhere without taking into account the system of inequality and exploitation inherited from slavery which had endured long after slavery had been abolished.

33. His organization hoped that 2011 would be an opportunity to get back to basics better to understand the situation of people of African descent and to consider new ways of responding to their needs and of combating modern forms of racism. Urgent action was required because, in the words of Martinican writer Aimé Césaire: “A civilization that chooses to close its eyes to its most crucial problems is a stricken civilization. A civilization that uses its principles for trickery and deceit is a dying civilization.”

Interactive dialogue

34. *Mr. Calí Tzay took the Chair.*

35. **Mr. Murillo Martínez** (Moderator) said that the partial reading of history had led to unawareness of and obliviousness to the role played by the slave trade in the accumulation of capital and wealth in countries participating in the triangular trade. The former United Nations Secretary-General, Mr. Kofi Annan, had stated at the Durban Conference that it was possible to identify “families” of States which had benefitted from and which were still reaping the economic benefits of the trade. The thematic discussion on people of African descent should therefore address both the question of the history of the slave trade in dynamic terms and the question of reparation and the psychological effects of the slave trade on the slaves and their descendants.

36. **Mr. Riedel** (Committee on Economic, Social and Cultural Rights) congratulated the Committee for having organized the thematic discussion on racial discrimination against people of African descent and for thereby paving the way for an in-depth analysis of the issue. Many treaty bodies dealt with that question, within the framework of their mandates and from various perspectives, but the Committee he belonged to was the first and only body to have carried out a horizontal analysis. The Committee on Economic, Social and Cultural Rights had thereby addressed discrimination against people of African descent in the areas of access to health care, housing, education and the employment market. It was willing to cooperate fully with the Committee on the Elimination of Racial Discrimination to allow the issue of discrimination against people of African descent to be dealt with more holistically within the United Nations system. Racism came in many, systematic forms, and hidden discrimination and the so-called “invisible” victims of racism had necessarily to be taken into account to devise new ways of breaking the vicious circle.

37. **Mr. Estebes Morales** (Deputy Minister for Foreign Affairs of Guatemala) said that his country, which had been a co-sponsor of General Assembly resolution 64/169 proclaiming 2011 as International Year for People of African Descent, placed great importance on efforts to combat racism and discrimination against people of African descent, who still suffered from marginalization in all societies. The year 2011 would provide a valuable opportunity to improve their quality of life and to remedy the institutional discrimination of which they were victims in the areas of access to health care, education, housing and justice. Guatemala hoped that the conclusions of the interactive dialogue, which had been organized by the Committee within the context of the current thematic discussion, would be included in the Committee’s general recommendations.

38. **Mr. Rodriguez Hoyer** (Brazil) said that Brazil, where over half the population was of African descent, had the second largest number of people of African descent in the world, and that an ever greater number recognized themselves as of African descent. The International Year of People of African Descent was an occasion for celebration, but also for remembrance. It offered the opportunity to pay tribute to the millions of African men and women who had been forced to leave the continent. To learn from and avoid repeating past mistakes, States should guarantee, not only in law but in practice, the right of each person to food, decent housing and work, as well as access to quality education, health and culture.

39. Brazil was proud to have a multiracial, multicultural, multi-ethnic and multireligious society, which was part of the Brazilian people's identity. However, racism and prejudice had left many people at the margin of social and economic benefits, and such diversity concealed huge social inequalities.

40. Awareness of social inequalities and the resolve to overcome them was one of the victories of the Black movement. Only after having overcome those inequalities would Brazil consolidate itself as a fair, democratic and egalitarian society. For that reason, the Brazilian Government spared no effort to increase racial and social inclusion through broad, sector-specific and affirmative action policies. The enactment in 2010 of the Racial Equality Act had been a decisive demonstration of the determination of the State to guarantee equal opportunities to people of African descent and to promote tolerance. The Act was legally enforceable before domestic courts and encompassed a broad range of measures, including affirmative action, in areas such as gender equality, health, education, culture, religion, the Quilombola communities, sport, leisure, access to land, capacity-building, cybercrime and housing; and it was to be implemented in both the private and the public sectors.

41. In Brazil, as in many countries in the world, people of African descent were disproportionately affected by poverty and exclusion. While such situations persisted, the commitments agreed in the Durban Conference in 2001 and in the Durban Review Conference in Geneva in 2009 would remain distant objectives and the mandate bestowed by the international community would not have been achieved.

42. **Ms. Crickley** said that racism affected many different groups of people whose only common denominator was skin colour. She drew attention to the fact that in Europe black people often identified themselves as "black Europeans" and not as people of African descent. When drafting the general recommendation on discrimination against people of African descent, the Committee should distinguish between people of African descent and people of African origin, and take into consideration all categories of people concerned, including those who had been part of the great wave of migration across the globe for the past twenty years: asylum-seekers, migrant workers and people of African descent coming to Europe from the Caribbean and South America. According to a study conducted in Europe, people of Sub-Saharan African origin were more affected by racism than people of North African origin, which was why it was important to distinguish between those groups of people and, when drafting the general recommendation, not to lose sight of the plight of the most vulnerable minorities, particularly women.

43. **Mr. Avtonomov** said that human trafficking alone did not explain racism, since countries that had not participated in human trafficking such as Norway, Sweden and Finland were not necessarily exempt from racism. He underscored the importance of remaining vigilant in combating prejudice and discrimination, failing which such phenomena would resurface or indeed intensify. Russia was evidence of such a situation. The country had shown solidarity to Africa in the 1960s and 1970s and had subsequently experienced a new surge of the scourge of racism in the 1990s. He endorsed Ms. Crickley's suggestion that the general recommendation should encompass all people of African

descent, regardless of their origins, their personal history and the reason for them being in one country or another.

44. **Mr. de Gouttes**, recalling that he was one of the authors of general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, said that the Committee would have to keep in mind, when drafting the general recommendation, three major indicators of the racial discrimination of which people of African descent were frequently victims: firstly, racial profiling, which was reflected in arrests, identity checks, searches, and the unjustified placement of people in custody by law-enforcement officials; secondly, the low percentage of complaints from people of African descent who were victims of discrimination and who had limited access to justice, were unaware of their rights and lacked trust in the police and judicial authorities; thirdly, the high percentage of people of African descent in prisons and holding centres.

45. **Mr. Diaconu** said that within the framework of the discussion with the States parties, the Committee should address the question of institutional discrimination against people of African descent in the fields of work, education, housing and participation in public life, together with the question of special measures taken to combat institutional racism. Henceforth, in addition to the question of social origin which had led to a cast system, the Committee would have to focus on discrimination related to African descent.

46. **Mr. Saidou** said that the worst atrocities in the history of humanity had been committed against people of African descent, and that the greatest vigilance should always be exercised with regard to discrimination. Referring to the anti-Semitic remarks made recently in France by a well-known fashion designer and to the public outrage to which they had given rise, he regretted that the image of black people was so tarnished in the media and expressed the hope that people of African descent might achieve similar prominence in the collective unconscious. As part of its dialogue with States parties, the Committee could consider requesting States parties to incorporate general recommendation No. 31 into their positive law, so that people of African descent might be able to invoke it before the national courts.

47. **Mr. Ewomsan** said that he wondered whether, for the purposes of tackling institutional racism, it might not be preferable to combat the “afro-pessimism” which, in his view, was at the root of discrimination against persons of African descent and of the West’s perception of Africa and its culture – especially now that new information technologies had brought about cultural homogenization on a global scale, thus hampering the promotion of diversity and understanding between peoples.

48. **Mr. Lahiri** said that wanting to include in the general recommendation all persons of African descent without exception, namely any person possessing African DNA, could prove counterproductive. States parties might in fact decide to abolish all positive measures for fear of neglecting a particular population group and being accused of deliberately excluding it. In times of crisis, they could instead implement more general poverty-reduction strategies which would benefit people of African descent since they tended to be poor. He proposed that the general recommendation should thus focus on the 140 million people of African descent living in South America and the 90 million in North America, whose forefathers had been victims of slavery.

49. **Mr. Micek** (Human Rights Advocates) recalled that participation in public affairs was a fundamental right that ensured that the rights of minorities were protected and that citizens were heard. In many countries, however, members of minorities were excluded from political life without anyone batting an eyelid. In the United States of America, offenders in some States were deprived of the right to vote, and 13 per cent of black men in those States were thus unable to vote and were deprived of representation.

50. In Colombia, communities of African descent faced ecological problems that threatened their traditional way of life, but they were unable to make themselves heard despite the support of human rights activists who were themselves sometimes mistreated.

51. He welcomed the fact that in some regions of the world, offenders' right to vote had been guaranteed by the courts. Cases in point were the European Court of Human Rights and the Constitutional Court of South Africa, which had delivered judgments to such effect. It was the hope of Human Rights Advocates that States would realize the discrimination faced by members of minorities, agree to implement corrective measures, such as quotas and enforce the principle of proportional representation. His organization also wished to know what supplementary measures the Committee intended to propose to member States during the International Year for People of African Descent, to guarantee members of minorities adequate and equal representation in political decision-making.

52. **Ms. Biekman** (Type International), speaking on behalf of 21 organizations of black, migrant and refugee women and young people, expressed disappointment at the Dutch Government's seemingly half-hearted approach to the celebration of the International Year for People of African Descent and the tenth anniversary of the Durban Declaration. The Dutch Government had expressed the view that instead of celebrating international days, decades and other such events promoting a particular cause proposed by the United Nations, it preferred to focus on ensuring compliance and implementation by the Netherlands of international legal standards to combat racial discrimination. Further, she deplored the fact that the Dutch Government expressly intended to abolish integration policies on behalf of particular ethnic groups and had not prepared a plan of action for follow up to the Durban Declaration and Programme of Action since 2001. Evidently, the Dutch Government was more concerned with combating homophobia and anti-Semitism, for which it had specific policies, rather than with tackling the racism faced by people of African descent.

53. **Mr. Quesada** (Global Rights) said that the very absence of disaggregated data on people of African descent in certain Latin American countries spoke volumes about the lack of political will of the Governments concerned.

54. He said that it was only in the past five years that Latin American countries had begun to recognize the existence on their respective territories of structural discrimination towards people of African descent. That recognition was a first step and should be followed up with measures aimed at combating the problem. The Committee should recommend to States parties that they keep in mind groups of African descent when drafting and implementing policies designed to combat racial discrimination, and when evaluating them.

55. Lastly, he asked how the Committee might enhance its cooperation with regional human rights protection mechanisms such as the Inter-American Court of Human Rights.

The meeting rose at 1.05 p.m.