

ECOSOC Decision 2002/270

Racism, racial discrimination, xenophobia and related intolerance

At its 39th plenary meeting, on 25 July 2002, the Economic and Social Council, taking note of Commission on Human Rights resolution 2002/68 of 25 April 2002,¹ approved the decision of the Commission:

(a) To establish an intergovernmental working group, with the following mandate:

(i) To make recommendations with a view to the effective implementation of the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;²

(ii) To prepare complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects;

(b) To establish a working group of five independent experts on people of African descent, appointed on the basis of equitable geographical representation by the Chairman of the Commission at its fifty-eighth session, in consultation with regional groups, to meet for two sessions of five working days each prior to the fifty-ninth session of the Commission, in closed and public meetings, with a mandate:

(i) To study the problems of racial discrimination faced by people of African descent living in the Diaspora and to this end gather all relevant information from Governments, non-governmental organizations and other relevant sources, including through holding public meetings with them;

(ii) To propose measures to ensure full and effective access to the justice system by people of African descent;

(iii) To submit recommendations on the design, implementation and enforcement of effective measures to eliminate racial profiling of people of African descent;

(iv) To elaborate short-, medium- and long-term proposals for the elimination of racial discrimination against people of African descent, including proposals for a mechanism to monitor and promote all their human rights, bearing in mind the need for close collaboration with international and development institutions and the specialized agencies of the United Nations system to promote human rights of people of African descent, inter alia, through:

a. Improving the human rights situation of people of African descent by devoting special attention to their needs, inter alia, through the preparation of specific programmes of action;

¹ See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

² See A/CONF.189/12, chap. I.

b. Designing special projects, in collaboration with people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between these populations and experts in these areas;

c. Developing programmes intended for people of African descent allocating additional investments to health systems, education, housing, electricity, drinking water and environmental control measures and promoting equal opportunity in employment, as well as other affirmative or positive action initiatives, within the human rights framework;

(c) To request the Working Group of Experts on People of African Descent to submit to report to the Commission at its fifty-ninth session;

(d) To emphasize the importance of the appointment of the five independent eminent experts by the Secretary-General to follow-up the implementation of the provisions of the Durban Declaration and Programme of Action, with the following terms of reference:

(i) To receive reports from States, non-governmental organizations and all relevant institutions within the United Nations system on the implementation of and follow-up to the Durban Declaration and Programme of Action and make recommendations to States for their national plans of action, bearing in mind the resource constraints of the developing countries;

(ii) To make recommendations to the Intergovernmental Working Group on measures for effective and coordinated implementation of the Durban Declaration and Programme of Action, including regional perspectives;

(iii) To make recommendations to the Secretary-General, the Office of the United Nations High Commissioner for Human Rights and the Commission on ways and means of mobilizing the resources necessary for anti-racism activities;

(iv) To assist the Intergovernmental Working Group in its preparation of complementary standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects;

(v) To cooperate with the Committee on the Elimination of Racial Discrimination, the Commission and the Office of the High Commissioner in the comprehensive implementation of the Durban Declaration and Programme of Action;

(e) To keep the mandate of the independent eminent experts under constant review;

(f) To request the Secretary-General to establish and administer, in accordance with the Financial Regulations and Rules of the United Nations, a voluntary fund to provide additional resources for:

(i) The effective implementation of the Durban Declaration and Programme of Action, in particular in developing countries;

(ii) The participation of people of African descent, representatives of developing countries, especially the least developed countries, non-governmental organizations and experts in the open-end sessions of the Working Group of Experts on People of African Descent;

(iii) The activities of the Committee on the Elimination of Racial Discrimination;

(iv) National, regional and international activities to counter racism, racial discrimination, xenophobia and related intolerance, including the holding of seminars;

(v) The anti-racial discrimination activities of the Anti-Discrimination Unit of the Office of the High Commissioner;

(g) To renew the mandate of the Special Rapporteur for three years and to appoint Mr. Doudou Diène as Special Rapporteur, in order to take advantage of his expertise in this field;

(h) To include in its rationalized agenda a separate item entitled "Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action".