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Combatting Racial Discrimination through the Right to Development Agenda

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*Session on the Contribution of the Right to Development Towards Combating
Discrimination, Including Racial Discrimination*

Chair,

Excellencies,

Distinguished delegates

I am pleased to join you today to reflect on the contribution of the right to development towards combating all forms discrimination, including racial discrimination.

The Declaration on the Right to Development adopted by the UN General Assembly in 1986 explicitly enjoins states to take resolute steps to eliminate the violations of human rights of people affected by *racism* and *racial discrimination*. The Expert Mechanism on the Rights to Development has identified racial discrimination as key obstacles to the realization of the economic, social, and cultural rights provisions of the Declaration on the Right to Development.

In its thematic study on *Racism, Racial Discrimination, and the Right to Development* presented to the Human Rights Council in 2022, the Expert Mechanism on the Right to Development noted that although racism and racial discrimination have been longstanding issues on the UN's human rights agenda, they

continue to stand as a significant obstacle to the enjoyment of human rights by millions of people globally.

The Declaration on the Right to Development provides a road map for promoting justice and dignity for all and combating racism in all its manifestations through the principle of *equality of opportunity for development*. The Declaration affirms that “equality of opportunity for development is a prerogative both of nations and of individuals who make up nations.” Central to this right to development goal is the elimination of historical and systemic obstacles that have impeded development in some regions of the world.

As outlined in the preambular paragraph of the Declaration on the Right to Development, the obstacles to be eliminated include “the massive and flagrant violations of the human rights of the peoples and individuals affected by situations such as those resulting from colonialism, neo-colonialism, apartheid, *all forms of racism and racial discrimination*, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity and threats of war.”

The Declaration on the Right to Development reinforces this point by enjoining states to take resolute steps to eradicate the violations of human rights of peoples affected by racism and racial discrimination. The elimination of racism through the principle of equality of opportunity for development is therefore recognized as essential to fulfilling the right to development. This elimination of racism espoused in the Declaration on the Right to Development is linked to the SDGs. As the General Assembly and the Human Rights Council have noted, the Right to Development is essential to the full realization of the 2030 Agenda and should be central to its implementation and operationalizing.

Racism and racial discrimination are barriers to the operationalization of the right to development in the context of state obligations and international cooperation as outlined in the Declaration on the Right to Development. At a *national* level, racism fractures the social cohesion of societies and impacts the well-being of vulnerable groups. Racial prejudices and systemic racial discrimination affect the well-being of racialized groups by denying them equitable access to social services (health, education, social protection, etc.), economic opportunities, justice, safety, and security. These effects of racism exacerbate poverty and inequalities.

On an *international* level, racism and racial discrimination can result in the deprivation of transnational economic opportunities for individuals and of foreign direct investment and relief from debt for developing countries. Discrimination based on national origin, ethnicity, or religion limits the freedom of individuals to emigrate or access better educational or economic opportunities outside of their country of origin.

The study of my Expert Mechanism on the intersection between racism and the right to development shows that racial inequalities and disparities are evident in many developmental areas, including access to quality education, employment, justice, health, housing, social security, access to political participation, access to basic needs such as food, safe drinking water, and equal protection against the ravages of climate disasters.

On access to health, for example, our study found a negative relationship between racism and individual and communal health and wellbeing, which are integral goals of the rights to development. Racial disparities are prevalent within healthcare in many states, and racism influences health throughout one's life span. Several UN organs have recognized and urged action over the evidence that there are severe

health status disadvantages for marginalized ethnic and racial groups in many countries.

On the rights to employment, our study established that in many states, racial discrimination exclude people from sustained and gainful employment, as well as being experienced at work through unfair treatment and harassment. Although many states have enacted laws prohibiting discrimination in employment, instances of race-based discrimination remain pervasive and are well-documented. For example, a UN report on the International Decade for People of African Descent states that people of African descent face disproportionately high unemployment rates and are overrepresented in lower-paying jobs.

As with housing and healthcare, legal remedies against discrimination do not always ensure equal employment opportunity in practice. In some states, non-discrimination and equal opportunity laws in the employment sector are either non-existent or inadequately enforced. In other countries, well-meaning affirmative action measures aimed at addressing longstanding racial disparities in employment face stiff political opposition from dominant groups, thereby hindering social and economic inclusion. Race-based employment discrimination undermines the principle of the equality of opportunity for development and remains a significant obstacle to fulfilling the RTD globally.

The same racial disparities are evident in the enjoyment of other social and economic rights, such as the right to education. In many countries, race and ethnicity continue to significantly impact education access and outcomes. Racial disparities in education hold significant implications for the right to development. Systemic inequities in allocating educational resources and discriminatory practices within education systems disadvantage racialized communities. In response to these

challenges, our mechanism has called for addressing racism in the context of the right to development.

A key theme that emerged from our Mechanism's study on racism and the right to development is the absence, or inadequacy, of indicators for assessing racial discrimination and the effectiveness of national and international anti-racism laws, policies, and programs. For instance, our understanding of the links between race and health status, race and vulnerability to disease, race, and gender, and race and poverty remains limited by the lack of disaggregated information on race.

In the efforts to address these gaps and challenges, citizens and civil society organizations must play a crucial role in holding governments and international organizations accountable to their human rights obligations and commitments to non-discrimination and equality of opportunity for development using UN mechanisms. States and other stakeholders must develop robust accountability mechanism where they do not exist, and strengthen and make more accessible, existing institutional grievance mechanisms such as administrative procedures, complaints mechanisms and national human rights institutions.

Some States are still reluctant to collect and publish disaggregated data on racial and ethnic grounds for several reasons ranging from concerns that evidence of inequalities may undermine national unity and nation-building or trigger conflicts in diversified societies. However, the urgent need to address the harm of systemic racism through publicly available data outweighs these considerations.

The right to development agenda provides an advocacy framework for addressing the many challenges that racism and racial discrimination pose for the enjoyment of economic, social and cultural rights for individuals and communities worldwide.

Thank you for your attention.