

UNODC’s inputs on resolution 47/21 – 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

The United Nations Office on Drugs and Crime (UNODC) would like to refer to its inputs on HRC resolution [43/1](#) on the “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” all of which are also relevant to the implementation of HRC resolution 47/21.

In addition, UNODC would like to highlight the importance for the UN system as a whole of resolution 47/21, as well as the Four-point Agenda Towards Transformative Change for Racial Justice and Equality, as it provides a vision on what Member States and the UN system ought to do to end systemic racism against African and people of African descent and address racial discriminations and violations by law enforcement.

Resolution 47/21 requests the new independent expert mechanism to “coordinate its work and further strengthening its participation, engagement and cooperation, as appropriate, with all relevant United Nations mechanisms, bodies and processes, including the United Nations Office on Drugs and Crime and the United Nations Congress on Crime Prevention and Criminal Justice” [...].

The UN Network on Racial Discrimination and Protection of Minorities

- In 2021, UNODC took the lead of the newly created criminal justice pillar of the UN Network on Racial Discrimination and Protection of Minorities, and all through the year, spearheaded coordination with OHCHR and other relevant UN agencies to advance UN action in this regard.
- The UN Network significantly expanded its field of action in 2021, pursuant to global concerns around racial justice and troubling impact of the COVID-19 on minority communities worldwide.
- The Network Work Plan 2021+ has eight Pillars, each led by one or more UN entities, as follows: (1) Leave No One Behind (WHO); (2) Criminal Justice (UNODC); (3) Agenda for Protection (OHCHR); (4) Intersectionality (UNAIDS); (5) Communications (DGC and UNFPA); (6) Knowledge Hub (UNHCR); (7) UN Internal Diversity: currently inactive pending the outcome of the Secretary General’s Task Force on Addressing Racism at the UN.
- In March 2021, the Network launched its [Checklist to strengthen UN work at country level to combat racial discrimination and advance minority rights](#). In April, the Network contributed substantive views and inputs in detail on the Agenda for Protection plans under the Secretary General’s Call to Action on Human Rights. The submission provided by the Network makes the case for explicit but not exclusive naming of racial discrimination and protection of minorities in the planned architecture under the Agenda for Protection.

- The Network exponentially expanded its membership, including to field colleagues, and it strengthened its own data-basing and communications architecture. The Network now comprises around 200 UN staff from over 20 entities.¹
- Above all, the Network dramatically heightened the real and potential ability of UN entities to jointly address racial discrimination and protection of minorities, thanks to the engaged efforts of many staff contributing time and energy, in many cases above and beyond their own work portfolios. In the process, a range of partnerships have been strengthened.

UNODC's activities under the framework of the Network

- To promote the Leaving No One Behind pillar within the framework of criminal justice, the pillar led by UNODC, the Office facilitated a series of sessions on criminal justice for a training course on " Addressing Racial and Ethnicity-based Discrimination and Strengthening the Protection of Minorities, Indigenous Peoples and other Population Groups in UN Programming Processes" for 13 UNCTs that was implemented from 4-28 October 2021.
- In March 2021, UNODC, on behalf of the Network, delivered a Statement to the 14th UN Congress on Crime Prevention and Criminal Justice: “Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda”. At the Crime Congress UNODC included an intervention by the Chairperson of the Working Group of Experts on People of African Descent, Ms. Dominique Day, at a High-level event on Equal Access to Justice for All.
- In May 2021, the Criminal Justice pillar organized a side event on the margins of the 2021 UN Crime Commission on Crime Prevention and Criminal Justice: “[Stepping up the United Nations System’s Coordinated Response to Racial Discrimination and Protection of Minorities: Towards Effective, Inclusive and Equitable Law Enforcement and Criminal Justice Systems](#)”. Panelists included OHCHR officials working on the report pursuant to Human Rights Council resolution 43/1, a member of the UN Committee on the Elimination of Racial Discrimination (CERD) discussing the recently adopted CERD General Recommendation on racial profiling by law enforcement, as well as UN Network representatives discussing the work of the Network in the area of racial discrimination and criminal justice.
- From May to November 2021, the Network developed a Mapping of international standards and UN guidance and tools on access to justice, criminal justice and racial discrimination and protection of minorities.
- In January 2022, the criminal justice pillar organized two [webinars](#) for UN staff on combating racial discrimination and enhancing protection of minorities in criminal justice systems. In one webinar, Dominique Day, the Chair of the Working Group of Experts on People of African Descent and Rita Izsák-Ndiaye, member of the Committee on the Elimination on Racial Discrimination, spoke of the need for diversity

¹ Members include DESA, DGC, DOCO, DPA, DPKO, ILO, OCHA, OHCHR, OSAPG, PBSO, UNAIDS, UNAOC, UNDP, UNEP, UNHCR, UNESCO, UNFPA, UNICEF, UNITAR, UNESCO, UNODC, UN Women, WFP and WHO. OHCHR acts as permanent Co-Chair for the Network. The 2021 Co-Chair is UNESCO.

and representation of minorities within the criminal justice system, for more disaggregated data, and for displaying tenacity and rigour to address racial discrimination and ensure access to justice for all.

The Office of the High Commissioner for Human Rights (OHCHR) outlined its four-point agenda towards transformative change for racial justice and equality and the importance of the participatory approach taken in the preparation of the report. Additionally, the United Nations Children’s Fund (UNICEF) presented its work to augment the voices and experiences of children from Afro-descent, indigenous and minority groups in justice systems through its Reimagine Justice for Children agenda. UNODC and OHCHR field colleagues also outlined several of their programmes to ensure access to justice for all during the event.

UNODC’s cooperation with other intergovernmental organizations

- UNODC co-organized with the World Bank two sessions at the World Bank Law, Justice and Development Week 2021—Law, Racial Equity and Development, November 8-11, 2021 on [Poverty and Racial Equity in the Criminal Justice System: Fostering Development through Access to Justice](#) (part 1: Race Inequality in the Criminal Justice System And Part 2: Police Use of Force and Reform).
- In November 2021, UNDOC spoke at the OSCE National High Commissioner on Minorities Conference to celebrate the 15th Anniversary of the publication of the [Recommendations on Policing in Multi-Ethnic Societies](#).

UNODC’s support on the area of police reform

- UNODC continued supporting Member States in the area of police reform, in particular provided legislative assistance on new laws and regulations on the use of force, addressing also issues around racial inequality in the use of force by the police.
- UNODC and OHCHR are translating the joint [resource book on use of force and firearms in law enforcement](#) into Arabic, Spanish, Portuguese and Russian.
- UNODC is developing together with the Convention against Torture Initiative a joint practical resource toolkit for human-rights based policing, which includes chapters on use of force, stop and search and arrest with particular content regarding racial profiling and treatment of minorities.

UNODC’s initiatives in Latin America

- UNODC’s regional office in Colombia is implementing a project to carry out an in-depth assessment of diversity in policing in a number of countries in Latin America.
- To drive and assess responses to systematic racism in Brazil, UNODC, in partnership with the Inter-American Development Bank (IDB) and the governments of the states of Paraná and Rio Grande do Sul, has developed the “Índice de Compliance da Atividade Policial”. The index is a methodology that allows for the collection of data disaggregated by race and ethnicity, with the objective of improving data on public security in Paraná and Rio Grande do Sul.

- To promote access to justice for all, social protection of offenders and reduce imprisonment rates, Brazil's National Council of Justice and UNDP has established the [Fazendo Justiça Programme](#). Under the Programmes' framework, UNODC supports the coordination of the project "Strengthening the Detention Control Hearings in Brazil". The project is aimed at supporting the improvement of the national Custody Hearings System "SISTAC", which registers and collects information on the detention control hearings for the justice system actors, with disaggregated data of gender and race. The detention control hearings are the first contact of a detainee with the criminal justice system and consist in the presentation of the prisoner in the act to a judge within 24 hours. After the hearing, the magistrate decides whether the prisoner should respond to the process, be arrested or released and may also decide to annul the arrest in case of illegality. By putting the magistrate in contact with the prison guard at the time of arrest, these hearings make it easier to prove cases of torture and ill-treatment, which are generally poorly reported.
- In Mexico, UNODC office has partnered with a number of institutions, including the National Council to Prevent Discrimination (CONAPRED) and the Council to Prevent and Eliminate Discrimination in Mexico City (COPRED), to develop infographics on racial discrimination and equal access to justice for all.
- UNODC also translated the UNODC [Handbook on police accountability, oversight and integrity](#) into Spanish and is planning a joint regional event on this issue in Latin America.