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Human Rights Council

Forty-third session
24 February-20 March 2020
Agenda item 1
Organizational and procedural matters

Burkina Faso,* Iran (Islamic Republic of)** and State of Palestine**: draft resolution

43/... The promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against ~~police brutality~~ excessive use of force and other violations of human rights violations by law enforcement officers

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights, ~~which promote~~ including promoting and encourage encouraging respect for human rights and fundamental freedoms: for all,

Recalling also the Universal Declaration of Human Rights, which states that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour or national origin,

Recalling the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and bearing in mind the Vienna Declaration and Programme of Action,

Recalling also its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action, and the International Decade for People of African Descent as proclaimed by the General Assembly in its resolution 68/237 of 23 December 2013,

* On behalf of the States Members of the United Nations that are members of the Group of African States.

** State not a member of the Human Rights Council.



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Recalling further the General Assembly resolutions in this regard, in particular General Assembly resolution 73/262~~resolution 74/137~~ of 22 December 2018~~2019~~, and the imperative need for their full and effective implementation,

Alarmed at the resurgence of violence, racial hatred, hate speech, hate crimes, neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial or national prejudice, including the resurgence of racial superiority ideologies that incite hatred and violence against Africans and people of African descent,

Recognizing that racism, racial discrimination, xenophobia and related intolerance has a deep negative impact on the enjoyment of human rights, and therefore requires a united and comprehensive response from the international community.

Recalling its resolution 7/34 of 28 March 2008, and all subsequent resolutions on the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including those of the Commission on Human Rights,

Taking note of the historic resolution on racial discrimination in the United States of America adopted at the first ordinary session of the Assembly of African Heads of State and Government of the Organization of African Unity, held in Cairo from 17 to 24 July 1964, and the statement made by the Chairperson of the African Union Commission following which condemned the murder of George Floyd in the United States of America on 29~~25~~ May 2020,

~~Recalling~~Taking note of the statement made by the Inter-American Commission on Human Rights on 8 June 2020 expressing its strong condemnation of the murder of George Floyd and repudiating structural racism, the systemic violence against Afro-Americans, impunity and the disproportionate use of ~~police force~~ by law enforcement officers.

~~Recalling also the Universal Declaration of Human Rights, which states that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour or national origin.~~

Recognizing the critical role played by law enforcement personnel in realizing a safer world, and stressing the essential need to build trust with the public they serve.

Recalling the UN Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, (38/11 of July 2018)

Encouraging States to look into their manuals and guidelines used for training law enforcement ~~personnel~~officers with a view to identifying the proportionality of measures in the handling of suspects and other persons in custody, with respect to the treatment of Africans and People of African Descent.

Reaffirming the importance of the Durban Declaration and Programme of Action in advancing racial equality, ensuring equal opportunities for all, guaranteeing equality before the law and promoting social, economic and political inclusion without distinctions based on race, age, sex, disability, descent, national or ethnic origin, religion or economic or other status,

Welcoming all statements made by the special procedures regarding the killing of George Floyd, and in particular their joint statement of 5 June 2020, and the statement made by the United Nations High Commissioner for Human Rights on 3 June 2020,

1. —
1. — Strongly condemns the continuing racially discriminatory and violent practices perpetrated by law enforcement agencies against Africans and people of African descent, in particular which led to the death of George Floyd on 25 May 2020 in Minnesota, as referred to in PP9 and the deaths of other people of African descent, and further condemn the structural racism endemic toin the criminal justice system in the United States of America and other parts of the world recently affected;

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~~2. 2. Expresses alarm at~~Deplores the recent incidents of police brutality~~excessive use of force and other human rights violations by law enforcement officers~~ against peaceful demonstrators defending the rights of Africans and of people of African descent;

3. ~~Decides to establish an independent international commission of inquiry, to be appointed by the President of the~~Requests the High Commissioner for Human Rights Council, to establish the facts and circumstances relating to the, with the assistance of relevant Special Mandate Holders, to prepare a report on systemic racism, alleged violations of international human rights law and abuses against Africans and people of African descent in the United States of America and other parts of the world recently affected by law enforcement agencies, especially those incidents that resulted in the ~~deaths~~death of George Floyd and other Africans and of people of African descent, with a view to bringing perpetrators to justice~~to contribute to accountability and redress for victims~~;

4. ~~Requests the commission of inquiry~~High Commissioner to examine federal, state and local government responses to ~~antiracism~~peaceful process peaceful protests, including the alleged use of excessive force against protesters, bystanders and journalists;

5. ~~Calls upon the Government of the United States of America and other parts of the world recently affected, and all relevant parties to cooperate fully with the commission of inquiry, and to facilitate its access, requests the cooperation of other relevant United Nations bodies with the commission of inquiry to carry out its mission, and requests the assistance of the United Nations High Commissioner for Human Rights in this regard, including in the provision of all administrative, technical and logistical assistance required to enable the commission of inquiry to fulfil its mandate promptly and efficiently;~~Calls upon all States, and all relevant stakeholders to cooperate fully with the Office of the High Commissioner in the preparation of the report.

6. ~~Requests the commission of inquiry~~High Commissioner to provide an oral update ~~on the preparation of her report to the Human Rights Council at its forty-fifth and forty-sixth sessions, and to present a final~~comprehensive report to the Council at its forty-seventh session, followed by an interactive dialogue.

7. ~~Also requests the commission of inquiry to remain seized of the situation of Africans and people of African descent, and to bring cases of racial discrimination and violence against them to the attention of the Human Rights Council;~~

~~8. Requests the High Commissioner to include updates on police brutality against Africans and people of African descent in the United States of America and other parts of the world recently affected in all future~~all her oral updates to the Council.

8. Invites all treaty bodies, special procedures mandate holders, international and regional human rights mechanisms, within their respective mandates, to pay due attention to all forms of racism, racial discrimination, xenophobia and related intolerances including against Africans and people of African descent and to bring them to the attention of the Human Rights Council.

9. Decides to remain seized with the matter.

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