

Joint NGO statement for Informal Consultations on the draft resolution requesting the establishment of a Commission of Inquiry on systemic racism and police violence against people of African descent in the United States and other parts of the world - Read by ISHR

We deeply appreciate the African Group's leadership on this important and urgent issue and strongly welcome the draft resolution and its asks. **By way of general comments**, we would like to draw your attention to the Special Rapporteur on racism's [statement](#) published today. She asks a question that many in this room may also be asking: **"Why an international commission of inquiry for the United States?"**

The Special Rapporteur's own answer to this is deceptively simple to state, and incredibly complex to unpack. It is, quite simply, because "For Black people in the United States, the domestic legal system has utterly failed to acknowledge and confront the racial injustice and discrimination that is so deeply entrenched in law enforcement." In the absence of domestic remedies, she argues, an independent "international commission of inquiry would be a valuable, and much needed complement to national and local efforts to undo racially discriminatory structures in US law enforcement."

In her statement the SR also makes clear that "the Urgent Debate is more than an opportunity for discussion—it's an opportunity for meaningful action." She and the [UN Working Group of Experts on People of African Descent](#), have therefore urged the Human Rights Council to ensure the following outcomes from the debate: (1) the creation of an international commission of inquiry to investigate systemic racism in law enforcement in the United States; and (2) the creation of a thematic international commission of inquiry to investigate systemic racism in law enforcement globally, with a focus on systemic racism rooted in legacies of colonialism and transatlantic slavery. **They stressed that "both measures described above are necessary and cannot be substituted for one another"**.

We have joined the calls made by the families of George Floyd, Breonna Taylor, Philando Castile and Michael Brown and over six hundred human rights organizations from over 60 countries in [requesting](#) the Council to mandate a commission of inquiry for the situation of racism and police brutality in the United States.

We also echo the statements made by the Special Rapporteurs on freedom of assembly, expression and extrajudicial executions on 10 June where they "expressed alarm at the militarisation of the crackdown, including the deployment of at least 62,000 National Guard soldiers who are not trained to manage protests" and at "reports of police attacks against, and arrests of, journalists covering the protests." We reiterate their calls that "Attacking and arresting journalists and human rights defenders who perform this important public duty is simply unacceptable."

We call on Council members who have signed the incoming members' pledge to be consistent in emphasizing the importance of the Council's responsiveness to urgent situations, to address situations based on the objective criteria and to be responsive to civil society asks, including as articulated by the family members. We recall that one of the objective criteria is "whether a group of Special Procedures have recommended that the Council consider action;". This is clearly the case.

This is an opportunity for all of your delegations to demonstrate that the Council can respond to violations, wherever they occur, even when they occur in those most powerful and influential countries. This is an opportunity to demonstrate that no State is above scrutiny and accountability, and to demonstrate cross-regional support for the Council's integrity.

We wish to close our statement as we opened, by posing the question of why an international commission of inquiry on the United States is needed. And again, we wish to answer it with the Special Rapporteur on racism's own view explaining why Council action to establish such a mechanism is necessary: **"The point is not that an international commission of inquiry will solve the problem of systemic racism in law enforcement in the United States. Instead, it is that victims of systemic racism in the United States, who face the daily, unabated and genuine risk of death in encounters with law enforcement deserve the assistance and expertise of an international human rights investigative body to chart a just path forward."**