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Submitted by: Tshepo Tlhacoane

The Amman Center for Human Rights Studies thanks the United Nations and the Office of the High Commissioner for Human Rights for the opportunity to provide an input for the preparation of the 2026 Report of the United Nations High Commissioner for Human Rights, pursuant to Human Rights Council Resolution 47/21, *Promotion and protection of the human rights and fundamental freedoms of Africans and 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.*

Racial discrimination against *all* people is a scourge that must be eliminated from all levels of society as soon as possible. The consequences of racial discrimination are many, and range from individuals experiencing suicidal thoughts and behaviours, to the loss of faith in the rule of law, the criminal justice system, and the human rights regime. Racial discrimination undermines inter-racial and inter-cultural relations, and destroys social harmony which leads to division and conflict. It is therefore in our collective interest to eliminate it from all sectors of society in order for all people to enjoy the full realization of their human rights.

INTRODUCTION

The Amman Center for Human Rights Studies (ACHRS) is a think tank based in Amman, Jordan. As an organization, we are interested in the promotion of democratic principles and the advancement of *all* human rights in the Arab Region, although our seven [priorities](#) are:

1. Right to Life, with the focus on the abolition of the death penalty
2. Right to Think, focusing on academic freedom at universities

3. Right to Speak, focusing on strengthening the role of media professionals and human rights activists
4. Right to Participate, which focuses on electoral rights and democratic participation
5. Women's Rights, focusing on women empowerment and advancing female leadership in society
6. Social Protection, focusing on disability rights, and
7. Youth Rights, with a focus on including the youth in society and in decision-making positions.

Our commitment to the advancement of human rights was recognized by being awarded the United Nations Human Rights [Prize](#) in 2023. We will continue to advocate for advancement of *all* human rights, including the ones that fall outside our listed priorities.

PURPOSE

The purpose of this submission is to identify the various human rights that are violated by the racism of law enforcement officials, along with the different ways in which these violations occur. This is because [Africans](#) and people of African descent are racially profiled more than other races, they are under more police surveillance, experience excessive force more regularly than other races by police, are [strip searched](#) more than other races, are jailed disproportionately more than other races, and they receive harsher prison sentences than other races. As society becomes increasingly polarized, a consequence is an increase in racial discrimination against Africans across society, including vulnerable groups such as asylum seekers and refugees.

The deadline for this input coincidentally falls after [Zero Discrimination Day](#) on 1 March, and before the [International Day for the Elimination of Racial Discrimination](#), which falls on 21 March. The month of March also contains, between 21 and 27 March, the Week of Solidarity with People Struggling against Racism and Racial Discrimination. The timing presents an

opportunity to discuss ways to eliminate racism, whose impact is not limited to Africans and people of African descent.

The purpose of this submission is to serve as a reminder that the racism faced by African and people of African descent by law enforcement officials is a continuation of the racism that they experience in other parts of society. Africans and people of African descent experience racial discrimination in multiple domains of public life, and this experience has been shown to be consistent in Australia, Brazil, Europe, and the United States of America. **Our submission is that the elimination of racism in society at large will lead to the elimination of racism by law enforcement officers against Africans and people of African descent.**

This submission also seeks to remind states that they have a positive obligation to address discriminatory practices in the [police](#) and society at large.

Finally, this submission seeks to serve as a warning to policy makers that racial discrimination in policing extends to the use of artificial intelligence and other newly-developed digital technologies. By showing how these tools are being used to discriminate against Africans and people of African descent, it is our hope that the use of these technologies can be stopped until such time that policies and best practices have been created to ensure they are used safely and responsibly, and in a way which does not contravene people's human rights.

ACHRS' INPUT

From the Preamble of the Charter of the United Nations, to the Universal Declaration of Human Rights, and all the core human rights conventions and their optional protocols, states have repeatedly reaffirmed the inherent equality of all people along with the dignity and worth of every person. However, Africans and people of African descent, especially in places where they are a minority group, are subjected to racial discrimination in multiple domains of public life, which at the very least, strikes at their dignity.

A [survey](#) by the European Union Agency for Fundamental rights found that in 13 Member States, 29% of respondents said that racial discrimination happened to them three to five times a year, and 26% experienced it six or more times. This survey also found that African people across all spectrums of society are subjected to racial discrimination in multiple domains. The grounds for their discrimination were:

- Youth
- Higher levels of education
- Disability
- Wearing traditional or religious clothing in public, and
- Those who see themselves as belonging to a minority group in terms of religion, gender identity, or sexual orientation.

Our submission, that racial discrimination by police against Africans and people of African descent is merely an extension of the racism that they experience in other parts of society, is confirmed in a report by the [Working Group](#) on Discrimination against Women and Girls, which found that:

The causes of deprivation of liberty do not affect all women or all groups of women equally. Within every society and in every state, there are certain groups who experience multiple and intersecting forms of discrimination, many of whom are subjected to particularly damaging stereotypes and/or are more likely to be confronted with violence or conflict, poverty and economic marginalization, and are thus at a higher risk of being deprived of their liberty.

The report continued by saying:

The heightened policing of certain populations, owing to racial and ethnic biases intersecting with gender, poses risks for some women. Women from racial and ethnic

minorities and indigenous women face specific and deeply damaging stereotypes and are disproportionately targeted for control. They may be scapegoated as lazy, criminal and deviant in order to reinforce the political and social power of the dominant group and justify the perpetuation of structures and exploitation, leading to perceptions of them as a “social problem” or a dangerous threat, to be met with punishment rather than compassion or justice. Those stereotypes may lead to the kind of bias that allows, for example, women from a racial minority in the United States of America to be more than twice as likely as women from the majority group to receive a sentence of incarceration for drug-related crimes.

In their visit to the United States of America, not only did this Working Group find that women of African descent were more likely to be imprisoned, but that there was an increasing number of homicides of African American women by the police.

Racist attitudes informing daily police practices are not limited to African women, especially in the United States of America, where racist and misogynistic social media posts have been documented in police departments throughout the country. Famously, the [Minneapolis MN](#) Police Department, where Derek Chauvin was stationed, was found to routinely engage in racially discriminatory practices, practices that went unpunished. An [investigation](#) by the New York Times found that black people in Minneapolis were more likely to be arrested, along with being stopped and searched, than white people. A review of over 700 hours of body camera footage revealed that officers often used slurs to demean women and black people, a practice so pervasive that it often imperiled prosecutions.

Although the paragraphs above cited incidents in the United States of America and Europe, it is important to note that the experience is similar in other jurisdictions. In [Australia](#), for example, young African Australians, particularly young men, experience disproportionate levels of policing and policing responses. In [Brazil](#), police have been found to use excessive force or

‘chacinas,’ which often leads to unlawful killings. These chacinas disproportionately affect black people living in favelas and surrounding areas. In [Indonesia](#), a judge revealed that one of the reasons the Court imposed the death sentence against an accused person was because black people from Nigeria are often the target of police surveillance for trafficking in the country.

IDENTIFIED PROBLEMS

The first and most important step in addressing racism by law enforcement officials is by addressing the lack of accountability, and this begins at a policy level. In the European Union, for example, few Member States record alleged incidents of racist policing as a dedicated category. This hides the full extent of the problem, especially when combined with the fact that victims do not often report incidents of racism by police. **We call on policymakers to update laws and regulations in order to address the gaps in the law and administrative processes.**

Another problem is the high [burden of proof](#) needed from the applicant. Jurisprudence from the European Court of Justice indicates a very high burden of proof from the applicant in order to prove discriminatory intent. An example of this was when a Spanish applicant whose case was unsuccessful because the Court found that their argument, that police officers ‘did not check anyone from the ‘caucasian population’ on the same street could not be taken, without additional evidence, to be an indicator of discriminatory intent. **(1) We call upon the UNODC, whose role as the [custodian of UN standards](#) and norms on criminal prevention and criminal justice, to work with all relevant parties to find a balance between accountability for officials and justice for victims. (2) We also call on UNODC, OHCHR, and all relevant international bodies to work with states and relevant organs of state to ensure that investigations of killings by police officers meet the standards set out in the Minnesota Protocol on the Investigation of Potentially Unlawful Deaths.**

RACIAL DISCRIMINATION AND DIGITAL TECHNOLOGIES

The development of Artificial Intelligence and other digital technologies have been shown to have both benefits and dangers, and this is no different in regards to law enforcement.

On 16 April 2024, the International Network of Civil Liberties Organizations (INCLEO) made a [submission](#) to this body for the 2024 Report of the High Commissioner for Human Rights. In their submission, INCLEO discussed Facial Recognition Technology (FRT), and how studies had shown that FRT demonstrated an inherent racial and gender bias, meaning people of colour and women were more likely to be misidentified and therefore wrongly accused by the police.

INCLEO, in their submission, exposed flaws in the technology, and how it was likely to mislabel and mischaracterize black men and black women as chimpanzee, gorilla, orangutan, suspicious persons, criminal, and thief, and how a black person had a much higher chance of being classified as criminal than a human being.

Regrettably, this faulty technology is already being used in the surveillance of Palestinians in the Occupied Palestinian Territories and against Africans and people of African descent. In regards to the latter, police were using the technology as part of their discriminatory behaviour. This is evident in the fact that nearly every use of FRT in the United States between October 2022 and August 2023 was on a black person. Furthermore, in Detroit, all 129 FRT searches were conducted on images of black people.

The use of these technologies violate multiple human rights along with the laws of evidence. **We call for the cessation of the use of such technologies by law enforcement officers until such time the technology has improved and can be used safely AND when policies have been developed to regulate their ethical use.**

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٢٥ عاماً
ملتزمون بحقوق الإنسان
في مركز المجلس الاقتصادي والاجتماعي للأمم المتحدة
استثنائي خاص لدى جانزون على جائزة الأمم المتحدة لحقوق
الإنسان لعام ٢٠٢٣

CONCLUSION

The racial discrimination experienced by African people at the hands of law enforcement officials is an extension of the racism that they experience in other parts of society. It is thus inconceivable that the racism within the criminal justice system can be eradicated without eradicating racism within society first.