

Constitutional Provisions and Legal Actions Related to Discrimination and Afro-Descendant Populations in Latin America*

In Latin America, racial inequality is pervasive and takes many forms. Over the past dozen years, several countries—most notably Brazil and Colombia—have adopted laws that address some of the problems confronting Afro-descendant populations, including racial discrimination, land rights, and social inequality. Laws are clearly not enough, but without legal instruments that guarantee political, economic and social inclusion, the struggle for equality will not succeed.

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*Tianna Paschel collaborated in writing the analysis. Tara Collier assisted in research.

Letter from the Director

The Inter-Agency Consultation on Race in Latin America (IAC) has accomplished a lot over the past year, and it gives me great pleasure to release the second race report of the Inter-American Dialogue. As in the previous report, we call attention to a specific issue. This time we showcase legislation that affects Afro-descendants in Latin America and the Caribbean, and discuss the international conventions and accords that governments have signed regarding racism, racial discrimination and social exclusion.

The IAC has not only increased coordination among its member institutions, but has also improved its ability to develop ad hoc partnerships for specific events and enlarged its audience of policy makers and experts.

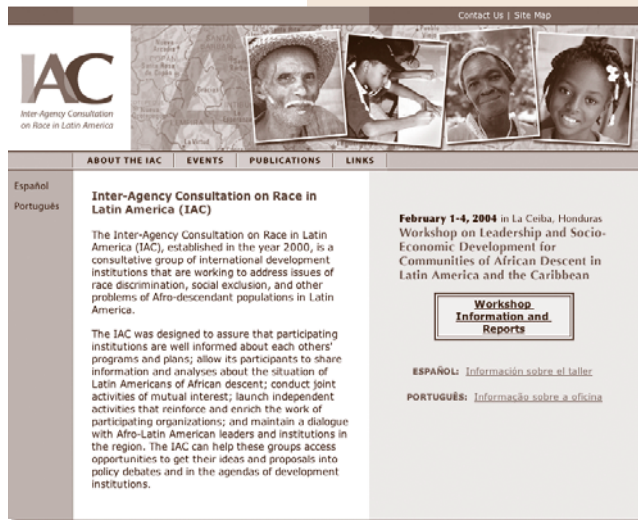
I am proud to announce the launch of the IAC web site, which has catalyzed communication with the IAC's many constituencies. The web site was also instrumental in preparing our workshop that took place in La Ceiba, Honduras, February 1 to 4, 2004. We were able to assemble over 160 Afro-Latin civil society activists from throughout the hemisphere, which was the largest gathering of Afro-Latins since the historical preparatory regional meeting for the World Conference Against Racism held in Santiago, Chile.

www.iac-race.org

In addition to our public events, the IAC has held regular meetings with its members to share information on their activities and programs in Afro-Latin communities and identify possible areas of cooperation. The meetings also serve as a mechanism for the participating organizations to be informed of the IAC Secretariat's work and shape its agenda.

As we move forward, we will attempt to further expand the quality and reach of our work. I believe this to be a fundamental task for the improvement of living conditions of Afro-descendant communities throughout the hemisphere.

Luiz Barcelos
Director
Inter-American Dialogue Race Program
and IAC



The map on page 1 identifies the scope of anti-discrimination legislation targeted at Afro-descendant populations in Latin America. The comparison suffers in that there is no clear-cut criterion for comparing countries that have unique demographic compositions.

The constitutions of all countries in the region guarantee equality for their citizens. However, these universal policies have not been effective in addressing the problem of racial inequality. Almost all countries in Latin America and the Caribbean have signed the UN's 1965 international Convention on the Elimination of Racial Discrimination (CERD), yet the actual implementation of the convention has been sporadic over the last 40 years and the degree of success has varied. Even countries that have submitted the CERD report have not necessarily implemented policies that effectively address the problems of racial discrimination. In other instances, civil society organizations have submitted reports to the CERD committee, even in the absence of an official report by their respective government. Recently, the 2001 UN World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, set the stage for a new wave of initiatives aiming to achieve racial equality in Latin America.

Certain countries have taken the lead in addressing racial discrimination, while others are lagging behind. Some countries have laid significant juridical groundwork necessary to begin dealing with racism and discrimination. Recently, many countries have made amendments to their constitutions to include clearer references to the multicultural character of the state as well as stronger anti-discrimination laws. Still,

many such amendments are merely symbolic. They recognize the universal rights of historically marginalized populations but do not include mechanisms to guarantee such rights.

Colombia is the only country to date to assign seats in the House of Representatives to Afro-Colombian representatives and was the first country in Latin America to approve comprehensive legislation to improve the situation of people of African descent. Passed in 1993 with the goal of protecting the socioeconomic, political, and cultural rights of Afro-Colombians, Federal Law 70 acknowledged collective land rights for Afro-Colombian communities. It also established that Afro-Colombian history would be a mandatory part of the school curriculum at both the primary and secondary levels. This ambitious and targeted legislation is noteworthy for its reach and focus, but cites no official entity to monitor its implementation.

Brazil also has developed many initiatives, including an amendment to the 1988 Constitution that outlaws racist acts. However, experts have criticized this initiative for its harsh punishment, which includes long jail terms and no bail, leading to its infrequent enforcement. The government has also enacted legislation granting land rights to traditional rural communities of *quilombos*—descendants of runaway slaves—which has permitted some communities to obtain their land titles. In early 2003 Brazil also passed legislation that requires schools to teach Afro-Brazilian history. Brazil has recently introduced affirmative action programs, including the use of quotas in the public university system. Many state and municipal legislatures have taken similar initiatives.

Universal policies have not been effective in addressing the problem of racial inequality. //

// Some countries with significant Afro-descendant populations have failed to advance policies that address racial discrimination. //

Some governments have created agencies to promote racial equality. Created in Brazil in 1988, the Palmares Foundation was the first federal agency directed specifically to serve the needs of Afro-Brazilians. In 2003, Brazil established the Ministry for the Promotion of Racial Equality (SEPPIR) charged with combating racism and advancing racial equality. Although this ministry has less authority than traditional ministries and considerable financial limitations, it is the strongest official mechanism to address the needs of Afro-descendants in the region. Although these advances are closely linked to Lula's administration, the strong Brazilian mobilization to participate in the Durban Conference helped set the stage for changing the political landscape to advance racial equality in the country.

The Program of Support for Indigenous Peoples and Blacks of Honduras is another example of government efforts to promote equality. A similar mechanism was established in Peru with the creation of a National Commission on Andean, Amazonian and Afro-Peruvian Peoples (CONAPA). However, these governmental agencies do not have the legal authority or resources to effectively combat or monitor racial discrimination or inequality.

Argentina and Mexico are interesting cases. Neither country officially collects data on its relatively small populations of African descent, but both countries have strong anti-discrimination legislation that applies to all groups. In 1995, the Argentine government established the National Institute against Discrimination, Xenophobia, and Racism (INADI), and in 2003 Mexican President Vicente Fox signed an anti-discrimination law that mandated the creation of the National Council for the Prevention of Discrimination, although it has yet to begin operation. Both initiatives,

although not explicitly directed at Afro-descendants, established a juridical framework and monitoring mechanism that could be useful to the Afro-descendant populations in these countries.

Some countries with significant Afro-descendant populations such as Panama and Venezuela, or the Dominican Republic with an Afro-descendant majority, have failed to advance policies addressed at racial discrimination. In other countries, such as Colombia and Honduras, important legislative initiatives have not been fully implemented. And, in places like Costa Rica and Peru, bills have been presented to national congresses but have not yet been voted on. The very comprehensive Brazilian Statute on Racial Equality, which includes provisions on land titling, affirmative action policies for education, targeted health programs, and other areas of interest to Afro-Brazilians, is still pending approval.

Racial discrimination permeates institutions and social practices across the region; however, no country in Latin America has laws promoting segregation or other forms of discrimination. Indeed, most constitutionally recognize the rights of Afro-descendants and other groups. Still, people of African descent rarely enjoy full protection of their rights. They lack political representation and equal opportunity. Even specific laws and other legal protections are poorly enforced. Nonetheless, a strong legal framework provides an essential foundation for ending discrimination and achieving racial equality.

The following chart identifies constitutional provisions, ordinary legislation, and other acts, such as presidential decrees, that deal with racial and ethnic discrimination and racial equality.

Constitutional Provisions and Legal Actions Related to Discrimination and Afro-descendant Populations in Latin America¹

Country	% of Population Afro-Descendant ²	Constitutional Provisions:		International Agreements:		Major Laws and Bills Targeted at Afro-Descendants and/or Race Discrimination ⁵
		Specific Anti-Race/Ethnic Discrimination	Specific to Afro-Descendants	Convention on the Elimination of Racial Discrimination ³	International Labor Organization Convention 111 ⁴	
Countries with major anti-discrimination legislation targeted at Afro-descendants						
Brazil	45%	Art. 5	Yes	1969	1965	Art. 68 of Transitional Dispositions [land rights for quilombos], Art. 242 [historical recognition], Law 7716 [criminalizes racial discrimination], Law 7.668 [creation of <i>Paimares Foundation</i>], Law 9692 [disaggregated statistics], Law 7.668 [cultural patrimony], Law 10.639 [education], 10.678 [creation of SEPPRI], Decree 4.887 [land entitlement for quilombos] Decree 4.885 [creation of the <i>National Council on Racial Equality</i>]
Colombia	26%	Art. 13	Yes	1981	1969	Law 70 [land/cultural/civil rights], Law 649 [legislative representation], Law 725 [establishing May 21 Afro-Colombian Day], Art. 63 [land entitlement]
Cuba	62%	Art. 42, 43	No	1972	1965	Penal Code, Art. 120.1-120.2 [criminalizes racial discrimination], Education Law of 1961 [education]
Ecuador	10%	Art. 23, 81	Yes	1969	1962	Art. 83 [recognition], Art. 85 [collective territorial/cultural/civil rights], Law 27 [inclusion], Art. 224 [land entitlement], Decree establishing Afro-Ecuadorian Day in October, 1998 Decree [creation of <i>Council for Afro-Ecuadorian Development</i>]
Honduras	2%	Art. 60	No	2002	1960	Decree establishing April 12 Garifuna Heritage Day Decree 269 [creation of Garifuna Cultural Center of Honduras], Presidential Decree [mandates creation of the <i>National Commission against Racial Discrimination, Racism, Xenophobia</i>] ⁶
Nicaragua	9%	Art. 27.91	No	1978	1967	Art. 89 [recognition/land entitlement], Art. 90 [cultural expression, Amnesty Law for Miskitos/Sumos/Ramas [amnesty], Autonomy Law 28 [land entitlement]
Peru	5%	Art. 2, 26	No	1971	1970	Law 27049 [equal access to public establishments], Law 26772, D.S. No. 111-2001-PCM [creation of <i>National Commission of Andean, Amazonic and Afro-Peruvian Peoples</i> (CONAPA)]
Bolivia	0.04%	Art. 6	No	1970	1977	
Chile	N/A	Art. 19	No	1971	1971	
Costa Rica	2%	Art. 33	No	1969	1962	Law 7711 [education]
Dominican Republic	84%	Art. 8	No	1983	1964	
El Salvador	N/A	Art. 3	No	1979	1995	
Guatemala	N/A	Art. 4	No	1983	1960	
Panama	14%	Art. 19, 39, 295	No	1969	1966	Law 16, Law 47 [equal access to public establishments]
Paraguay	N/A	Art. 88	No	2003	1967	
Uruguay	4%	Not mentioned	No	1969	1989	Penal Code, Art. 149 [criminalized racial discrimination]
Venezuela	10%	Art. 21, 89	No	1969	1971	Organic Law of Participation [citizenship/participation]
Argentina	N/A	Art. 16	No	1969	1968	Law 24.515 [creation of <i>National Institute against Xenophobia, Discrimination and Racism</i>], Law 23.592 [anti-discrimination]
Mexico	N/A	Art. 1, 3	No	1975	1961	2003 Law [anti-discrimination, mandates creation of <i>National Council for the Prevention of Discrimination</i>] ⁶

¹ Selected Spanish-speaking Caribbean countries were included

² Same sources as used in Race Report 2002 (includes government and other sources) N/A denotes that information is not available

³ Date indicates when country ratified the United Nations' Convention on the Elimination of Racial Discrimination, adopted 1965

⁴ Date indicates when country ratified International Labor Organization Convention 111 concerning discrimination in employment and occupation, adopted 1958

⁵ Italics denote government agencies that have been established by legislation

⁶ Agency yet to begin operations

Working with Our Constituencies on Afro-Descendant Issues

// The Dialogue
launched *The Black Americas*, a publication
that reports on
current events related
to Afro-Latins. //

The following is a summary of activities organized by the Inter-Agency Consultation on Race in Latin America (IAC) and the Inter-American Dialogue Race Program over the past year. Established in June 2000, the IAC is a group of international development institutions that are working to address issues of race discrimination, social exclusion, and other problems relating to Afro-descendant populations in Latin America. The core members of the IAC are the World Bank, the Inter-American Development Bank (IDB), the Inter-American Foundation (IAF), the British Department for International Development, the Pan-American Health Organization, the Ford Foundation, and the OAS Commission on Human Rights. With the Inter-American Dialogue serving as its Secretariat, the IAC was designed as a mechanism for its participants to share information and analyses about the situation of Latin Americans of African descent; ensure that member institutions are well informed about each others' programs and plans; bring greater national and regional attention to the special problems of Afro-Latin Americans; conduct joint activities of mutual interest; and maintain a dialogue with Afro-Latin American leaders and institutions in the region. The IAC was also intended to serve as an independent source of new information, analysis, and ideas on issues affecting Afro-Latin Americans.

Throughout the year, we sponsored a series of events on Afro-descendant issues—public forums, private discussions, congressional member and staff briefings, press sessions, and academic conferences—

in Washington and in the region. These brought attention to the challenges of race relations and discrimination in Latin America, informed U.S. policymakers and other officials dealing with Latin American affairs about these challenges, and gave Afro-Latin American leaders the opportunity to engage with their U.S. counterparts. The meetings focused on a variety of themes, including the integration of race into economic development, the likely impact of new affirmative action policies in Brazil and elsewhere, and the special situation of Afro-Colombians in the country's war zones.

Working with the U.S. Congress and Afro-Latin Legislators

In 2003, the Inter-American Dialogue Race Program held regular working meetings with the Congressional Black Caucus (CBC) to discuss the work of the Dialogue, IAC participating institutions, and the CBC and to identify areas of collaboration. The Dialogue has been called on to brief congressional staff on race issues and to facilitate meetings of visiting Afro-Latin leaders with members of Congress and their staff. The Dialogue has also launched *The Black Americas*, a publication that reports on current events about or of interest to Afro-Latins.

In February 2003, House Concurrent Resolution 47, "Commemorating Africans' Descendants in the Americas," was introduced to the U.S. Congress. This legislation was originally co-sponsored by Congresspersons Charles Rangel, William Jefferson, Donald Payne, Barbara Lee, and Gregory Meeks.

U.S. House Concurrent Resolution 47

Acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on those descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean.

Whereas during Black History Month it is important that we not forget that African-Americans are not the only survivors of the transatlantic slave trade;

... Whereas the story of African descendants in all of the Americas remains untold, leading them to be forgotten, made invisible, and allowed to suffer unjustly;

... Whereas Afro-descendants encounter problems of access to healthcare, basic education, potable water, housing, land titles, credit, equal justice and representation under the law, political representation and other economic, political, health, and basic human rights; and Whereas skin color and ancestry have lead African-Americans in the United States and African descendants in Latin America and the Caribbean to share similar injustices, leading to economic, social, health, and political inequalities:

Now, therefore, be it Resolved by the House of Representatives (the Senate concurring), that Congress

- (1) recognizes and honors African descendants in the Americas for their contributions to the economic, social, and cultural fabric of the countries in the Americas, particularly in Latin American and Caribbean societies;
- (2) recognizes that as a result of their skin color and ancestry, African descendants in the Americas have wrongfully experienced economic, social, and political injustices;
- (3) urges the President to take appropriate measures to encourage the celebration and remembrance of the achievements of African descendants in the Americas and a resolution of injustices suffered by African descendants in the Americas;
- (4) the United States and the international community should work to ensure that extreme poverty is eradicated, universal education is achieved, quality healthcare is made available, sustainable environmental resources, including land where applicable, is provided, and equal access to justice and representation under the law is granted in Afro-descendant communities in Latin America and the Caribbean; and
- (5) the United States and the international community should achieve these goals in Latin America and the Caribbean by
 - (A) promoting research that focuses on identifying and eradicating racial disparities in economic, political, and social spheres;
 - (B) promoting, funding, and creating development programs that focus on Afro-descendant communities;
 - (C) providing technical support and training to Afro-descendant advocacy groups that work to uphold basic human rights in the region;
 - (D) promoting the creation of an international working group that focuses on problems of communities of Afro-descendants in the Americas; and
 - (E) promoting trade and other bilateral and multilateral agreements that take into account the needs of Afro-descendant communities.

// The social
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political power. //

First Meeting of Afro-Descendant Legislators of the Americas and the Caribbean

It would be hard to overestimate the historical significance of the First Meeting of Afro-Descendant Legislators of the Americas and the Caribbean, held November 21 to 23 in the House of Representatives in Brasilia. For the first time, Afro-descendant legislators with mandates at the national level united to advance the cause of democracy and equality, especially with regard to race and gender. In addition to legislators from Brazil and six other Latin American countries, participants included members of the Brazilian Congress, state and city legislators and leaders of social movements and civil society organizations.

Close to 200 people from eight Latin American countries (Brazil, Uruguay, Peru, Colombia, Venezuela, Ecuador, Costa Rica and Panama) and the United States participated in the event.

A fundamental principle of democracy is the representation of all sectors of society in political leadership positions. However, the exclusion of men and women of African descent from the top tiers of society is mirrored by their absence from political power.

The Brasilia Declaration synthesizes the concerns of black legislators, civil society leaders and specialists on development with the goal of improving the democratic institutions to guarantee

Brasilia Declaration

We recognize the path of our ancestors, the commitments assumed by our governments with our people and communities contained in the Declarations and Plans of Action of Santiago and Durban.

We recognize that we are in the land of Zumbi of Palmares, ancestral hero who led struggles of liberation from slavery and who should serve as a model of inspiration for the Afro-Brazilian community as well as for all Afro-descendants in the Diaspora.

Considering that:

The Afro-Descendant people and communities have contributed enormously to the construction of all American and Caribbean societies;

In the Americas and in the Caribbean, there cannot be true democracy without the inclusion of Afro-Descendant men and women;

We Afro-Descendants account for more than 150 million in the Americas and the Caribbean, the majority of which live in poverty, a situation disproportionately affecting Afro-descendant women;

Our governments have signed the Declarations of Durban and Santiago, although the majority of them have not fulfilled the commitments assumed by these declarations;

representation of all sectors of society in the debates about the future.

Improving social conditions and encouraging participation of Afro-descendants in the economic and political processes is a fundamental part of creating a just society. It is important to note that even though social exclusion based on race and gender may not be legal, it persists today.

It is not simply that Afro-descendants and women do not participate in economic development—because in fact they do—but that Afro-descendants and women do not benefit, or only benefit marginally from economic development.

Participants recognized legislation such as the Statute for Racial Equality in Brazil and the 1993 Law 70 of Colombia, as legal advances toward combating racial and gender inequalities. But they also noted that the effective implementation of these policies must still be improved.

Participants committed to coming together again in Second Meeting of Afro-descendant Legislators and decided to create an Internet site that collects, stores and disseminates information regarding the actions taken by the Afro-descendant legislators. Participants argued that developing partnerships with national and international NGOs is a key factor in achieving the proposed objectives.

“ Afro-descendant legislators noted that the implementation of policies must still be improved. ”

We Afro-Descendants are scarcely represented in the government, particularly in Congress and Parliament; hence we must double our efforts and our work. This lack of representation has an even greater effect on Afro-descendant women;

The efforts aimed at including our people and our communities should consist of both universal and targeted policies. On the one hand, general policies to eradicate poverty in our countries that embody gender and ethno-racial perspectives should be promoted, on the other, public policy and legislation that specifically target Afro-descendant populations must also be promoted;

Our countries are immersed in a process of integration through agreements such as MERCOSUR, PACTO ANDINO, CARICOM, SICA. One of the most important expressions of this process is in the Free Trade Area of the Americas (FTAA) in which the general situation of exclusion of wide sectors of the population is not present, especially in light of the historic neglect of our people and communities. Thus, as Afro-Descendants legislators, we should participate in this important debate in which the regional legislators have been practically absent;

Brazil is on the brink of approving the Statute for Racial Equality, which represents a qualitative and historic jump in terms of addressing the socioeconomic conditions of Afro-Brazilians;

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**// We commit
to a new form of
policy making based
on respect for and
inclusion of Afro-
descendants. //**

Brasilia Declaration *continued*

Colombia, as well as other countries, has promoted legislative and constitutional reforms that promote the inclusion of Afro-Descendants. However, we do not have mechanisms for the exchange of experiences on this legislation or public policy originating from them;

Substantive programs of cooperation or strong international relations do not exist between countries in Africa and the countries of our region. Brazil is taking important steps towards this goal;

The preservation of religions of African origin is a fundamental premise in the reaffirmation of the identity and culture of Afro-Descendants.

We commit to:

Drive a new form of policymaking based on respect for and inclusion of Afro-descendant men and women and all historically excluded people;

Create a working group of Afro-Descendant legislators of the Americas for the promotion and construction of an Afro-Descendant Parliament of the Americas and Network of Afro-Descendant Legislators;

Demand that the legislators of the Americas maintain active participation in the political control and in the debate of negotiations with FTAA, in which we will participate in order to incorporate the vision and the perspective of Afro-Descendant communities;

Demand that our governments fortify the regional blocks and promote popular consultation regarding FTAA in order to make decisions that truly consider the situation of the majority and not just one small segment of the population;

Actively participate in discussions leading to social, economic and fiscal reforms, including in them the development of legislative proposals that promote racial and gender equality;

Promote affirmative action legislation and policies based upon the Statute of Racial Equality of Brazil and Law 70 of Colombia, among others;

Promote among the Congress and Parliament of our respective countries the necessity to deepen the horizontal cooperation efforts between Latin America, the Caribbean and Africa, which contribute to social, economic and cultural development for the countries of both continents;

Elaborate a joint publication that refers to legislation and public policy in favor of Afro-Descendants as a tool for regional development;

Open an information portal on the Internet that increases the visibility of the actions and the proposals of the Afro-Descendant legislators, as well as posts information about policies and legislation;

Participate as Afro-Descendant legislators in the Summit of the Americas and in the Ibero-American Summit, which will occur in 2004;

Demand that our governments designate financial and human resources for the implementation of the Santiago and Durban agreements, especially those related to the Afro-Descendant people and communities and that the governments guarantee a process of evaluation in the Santiago +5 Conference;

Demand that the Brazilian National Congress approve the Statute of Racial Equality, guaranteeing financial resources for its implementation, which should serve as a benchmark for the countries of Latin America;

Demand that the Congress of Ecuador discuss and approve the project about collective rights of the Afro-Ecuadorians. By the same token, we demand that all congresses of the region that have pending legislation in favor of their Afro-Descendant populations discuss and approve them;

Organize the Second Meeting of Afro-Descendant Legislators of the Americas and the Caribbean in Colombia in 2004.

The First Conference of Afro-Descendant Legislators of the Americas and the Caribbean poses itself as an important element in the international political articulation of Afro-Descendants in the region. It does so in order to give the racial issue in the continent the necessary visibility for the rupture of the ideology of subjugation that still maintains more than 150 million people of African descent in exclusion.

The set of commitments signed in Brasilia revolves around the social insertion, the defense and preservation of the culture and tradition of Afro-Descendants in the Americas. In this context, we will dedicate ourselves to making the demands, repressed for centuries by material, spiritual and symbolic exploitation and debilitation, part of the political agenda of our countries, in order to ensure the well being of our peoples.

Câmara dos Deputados
Brasilia, November 23, 2003

// We will dedicate ourselves to making these demands part of the political agendas of our countries. //

**// The Millennium
Development Goals
could serve as
benchmarks to
measure the
progress of racial
and ethnic
groups. //**

Race and Development

The IAC and the Women's Leadership Conference of the Americas co-sponsored the seminar "Gender and Race in Latin America: Looking at Public Policy, Political Participation, and Social Development." During the one-day seminar, scholars and practitioners reviewed the debate on gender and race issues in Latin America and analyzed the trajectories of both social movements and their implications for the political participation and social development of the two groups. This conference was part of an effort to create a bridge between the women's and Afro-descendants' movements in the region and was organized with the understanding that the movement for race equality can learn from the successes and failures of the movement for gender equality.

On October 6, 2003, the IAC organized a one-day conference to discuss the Millennium Development Goals (MDGs), as they relate to issues of ethnic and racial inequality in Latin America. The conference brought together delegates from leading development organizations, both members and non-members of the IAC, to identify potential areas of cooperation. The MDGs could serve as benchmarks to measure the progress of racial and ethnic groups.

Four key themes were addressed during the conference: 1) Latin American governments and their efforts to leverage and monitor the MDGs; 2) data collection and methods of measuring progress toward achieving the MDGs; 3) gender and the MDGs; and 4) the impact of the MDGs on development agendas.

The aim of the discussion was to identify how race- and ethnic-sensitive actions could be integrated into country-level

policies and into interventions intended to achieve the MDGs.

The discussion focused on strategies to make sure issues of race and ethnic equality were included in the MDGs. Three key areas of cooperation among development agencies and governments were defined: research and methodology, technical assistance for governments, and the incorporation of Afro-Latins in the MDG process.

Addressing Racial Inequalities: The Affirmative Action Debate

Following the UN Montevideo workshop on Affirmative Action for Afro-descendants in Latin America, on June 23, the IAC hosted an exchange on social inclusion and political participation, sponsored by the IDB. Panelists were Gastón Chillier of the International Human Rights Law Group, Ariel Dulitsky of the Inter-American Commission on Human Rights, Wanda Engel Aduan of the IDB, Roy Guevara of Afro-America XXI, and Maura Nasly Mosquera of the Foundation for the Formation of Afro-Colombian Leaders. IAC director Luiz Barcelos and IDB Social Development Division chief Mayra Buvinic opened the session, and Claire Nelson of the IDB moderated.

Panelists agreed that the World Conference on Racism in Durban was a critical achievement because it marked the first time racism and social exclusion were recognized in an international forum as significant problems. At the same time, panelists warned that recognition was only one step towards securing social inclusion of Afro-descendants. The implementation and enforcement of national legislation reflecting interna-

tional norms are also essential. Panelists recognized the social and political resistance to affirmative action, and pointed out that public opinion must be transformed to achieve social inclusion.

In 2003, the Dialogue Race Program sponsored various meetings on Brazilian government policy and programs intended to address the inequalities confronting the country's Afro-descendants. On January 28, we hosted four prominent Afro-Brazilian activists, who described the nature of race relations in Brazilian society and presented key demands on their agenda. Their requested needs included a school curriculum that acknowledges the contributions of Afro-Brazilians, affirmative action policies in higher education, and the implementation of programs promoting racial equality in the labor market. At the end of the session, Reverend Jesse Jackson joined the group for a discussion on race issues in the United States and Brazil.

On July 29, we held a meeting to compare the affirmative action discourse in Brazil and the United States, in light of the recent U.S. Supreme Court decision to uphold affirmative action principles. Robert Cottrol, of the George Washington University School of Law, laid out the implications of the decision and argued that such principles would only be applicable in Brazil once its society acknowledged that racism existed. Paulo de Almeida, minister counselor at the Embassy of Brazil, noted that, while Brazil is a true melting pot in which all races are mixed, there is de facto discrimination because Afro-descendants have unequal opportunities. Hilary Shelton, director of the NAACP Washington Bureau, pointed out that blacks are as

easily identifiable in Brazil as in the United States and are often targeted by police. Thus it is not only important to outlaw discrimination—as has been done in Brazil and in the United States since the Civil Rights Act of 1964—but also necessary to actively promote integration, which is the express purpose of affirmative action.

We hosted Matilde Ribeiro, the newly appointed minister of racial equality of Brazil on October 15. She explained that the ministry has planned three main activities for the next four years: the implementation of a quota system in federal universities, the defense of the rights of *quilombo* communities, and the strengthening of partnerships with Africa and South America. Commenting on her presentation, Weldon Rougeau, president of the Congressional Black Caucus Foundation, highlighted his organization's commitment to consolidating partnerships with Afro-descendant communities.

On November 12, 2003, we hosted Edward Telles, professor of sociology at the University of California at Los Angeles and author of *Race in Another America*, a book on racial inequalities in Brazil. Franklin Knight of Johns Hopkins University and Shelton Davis of the World Bank joined the discussion. Telles argued in favor of affirmative action programs, while acknowledging the difficulties of implementing them. Knight noted that a large percentage of Brazilians have been marginalized from economic and political development. Davis concluded by asserting that in order to promote race-conscious policies, it is necessary to show that reducing racial inequality is beneficial to all Brazilians.

Racial Equality

Minister Matilde

Ribeiro of Brazil plans

to promote the quota

system in federal

universities during

her term. 

// Afro-Colombian
mayors testified
to a history of
state neglect. //

Addressing Afro-Colombian Issues

The IAC hosted a breakfast discussion on February 13 with Claudia Mosquera, editor of *Afro-Descendants in the Americas: Social Trajectories and Identities*, Oscar Gamboa of Colombia's Association of Black Mayors, and Michael Shifter of the Dialogue. Mosquera summarized her book and highlighted the links between historical memory, civil rights, and public policies. The book discusses how enslaved Africans and their descendants developed survival strategies, examines the construction of a collective identity, and points out the ways in which history and identity inform the discourse on rights.

On April 22, Afro-Colombian municipal mayors Maria Edis Dinas, Arnulfo Mostacilla, Antonio Sarria Misas, and Oscar Gamboa participated in a discussion on the poverty and social conditions of the Pacific Coast of Colombia and on the destruction the armed conflict has caused.

Participants testified to the history of state neglect and making Afro-Colombians invisible. They acknowledged the progress made by the constitution of 1991, which formally recognizes racial and ethnic groups. They were positive about the National Plan for Development of Afro-Colombian Populations (1998–2002), but noted that little has been done to implement the plan.

The IAC and International Possibilities Unlimited hosted a meeting with officials from Colombian universities and Morgan State University on August 12. The purpose was to facilitate partnership between Morgan State University and the Universidad Santiago de Cali. Participants were pleased with the prospect of academic and community exchange programs and discussed possible funding opportunities and ways to organize their proposals. The participants suggested measures to ensure the continuation of the exchange.



Core Members

British Department for International Development

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OAS Commission on Human Rights

Pan-American Health Organization

World Bank

IAC 2004 Meeting: Workshop on Leadership and Socioeconomic Development

In cooperation with the Organización de Desarrollo Etnico Comunitario (ODECO), the IAC held its fourth annual meeting on February 1 to 4 in La Ceiba, Honduras, to discuss local development of Afro-descendant populations in a workshop entitled “Leadership and Socioeconomic Development for Communities of African Descent in Latin America and the Caribbean.” The participants came from 18 countries in the hemisphere. The workshop provided an opportunity for NGOs from the region, representatives of multilateral institutions, Afro-descendant legislators, local government officials, and health administrators to debate and formulate strategies for the future.

U.S. ambassador to Honduras Larry Palmer pointed out ways in which international cooperation could complement local development projects in Afro-descendant communities in Latin America. In addition, he gave an account of his personal experience as an African-American in the Latin American countries he has served, and drew conclusions about the societal conditions that characterize race relations both in the United States and in Latin America. Costa Rican congresswoman Epsy Campbell noted the importance of the First Meeting of Afro-Descendant Legislators of the Americas that took place in Brasilia in November 2003, and summarized the efforts to form an Afro-descendant Parliament of the Americas. Edgar Torres, vice president of the House of Representatives of Colombia, spoke to the group about the mobilization of Afro-descendant legislators and confirmed plans to hold the second meeting in Bogotá, Colombia.

As part of the workshop, participants visited the Garifuna communities of Corozal and Ensenada to learn about local development projects in eco-tourism and health.

In the closing ceremony, President Maduro commended the efforts that led to the meeting and announced that he would create a high-level commission dedicated to improving the living conditions of Afro-descendant Hondurans.

The African Diaspora Meets in Honduras

... Events such as the one we are having today, remind us that there are many afflicted people who nonetheless have hope in the future of our American societies. We are more than 180 million men and women of African descent that populate this continent; we are an extraordinary force with enormous possibilities of participation in the major political, economic and cultural decisions that occur not only in the Americas, but in the entire world.

... This event surely will give us the technical tools to facilitate our work and maximize the results; however, we must never forget that the major work must be to orient the reinstatement of political, economic, social and cultural rights of our communities. In this sense, we call to the leadership present here not to give up the opportunity to define the urgent actions that directly relate to the realities of our communities.

... From the homeland of Morazán, Lempira and Walumgu, we open our arms and hearts and welcome you brothers and sisters with our fraternal love.

Excerpt from speech delivered by Celeo Álvarez Casildo, president of ODECO

President

Maduro announced that he would create a commission to improve the living conditions of Afro-descendant Hondurans.



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