

“RACIAL EQUALITY IN INTERNATIONAL LAW: THE DEVELOPMENT OF BLACK PEOPLE’S RIGHTS”

*Ergashev Xojimurod Ahmadali o‘g‘li*  
*4th-year student, Faculty of International law*  
*University of World Economy and Diplomacy*  
*Tel; +998939824363*  
*Email: xojimurodergashev274@gmail.com*

**Abstract:** This article analyzes the issues of racial equality and the development of black people rights within the framework of international law. Historically, black people have suffered serious discrimination as a result of the transatlantic slave trade, colonialism, segregation and apartheid policies. Therefore, ensuring their rights has become an important task for the international community. The article also examines the role of international law and the activity of civil society in the development of black people rights. In conclusion, it is emphasized that the principle of racial equality should be recognized as one of the common legal and moral values not only of black people, but also of all humanity.

Key words: Racism, segregation, discrimination, apartheid.

In today’s advanced era, when a just way of life and a socio-legal order based on equality have been established, racism which for a long time remained an extremely acute global problem has also undergone a very difficult stage of development, particularly in terms of protecting the rights of Black people. Undoubtedly, these changes and developments were achieved on the basis of laws and normative legal acts promoted by international organizations and a number of states. In turn, the history of racial segregation policies against Black people dates back to the 15th–16th centuries. During this period, Spain and Portugal recognized as some of the most powerful states in Europe began exploring African regions. Alongside bringing back gold, diamonds, and other valuable goods, they also initiated the practice of capturing and trading Black people as slaves. This situation continued for nearly three centuries. By the mid-19th century, a cornerstone was laid in the protection of the rights of Black people. This was marked by the adoption and proclamation of the Universal Declaration of Human Rights on December 10, 1948, through Resolution 217 A (III) of the General Assembly of the United Nations. The adoption of this Declaration served as a legal foundation for the protection of human rights. The Universal Declaration of Human Rights strongly condemns racial segregation and racial discrimination, clearly expressing its firm position on these issues in specific articles. Articles 1 and 2 of the Declaration are particularly aimed at preventing racism: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, legal, or international status of the country or territory to which a person belongs, whether it is independent, under trusteeship, self-governing, or subject to any other limitation.<sup>1</sup> The adoption of the Universal Declaration of Human

<sup>1</sup> Universal declaration of human rights: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Rights served as an important instrument for protecting the rights of Black people, who had been socially segregated and subjected to inhumane treatment. In addition, on December 21, 1965, the United Nations General Assembly adopted the International Convention on the Elimination of All Forms of Racial Discrimination through Resolution 2106 (XX). Article 3 of this Convention states that States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit, and eradicate all practices of this nature within their jurisdiction. This clearly demonstrates that the Article strongly condemns apartheid which is a policy aimed at maintaining the dominance of white populations by restricting the rights of Black people and other racial groups, forcing them to live in separate areas, and depriving them of fundamental rights such as participation in elections. Furthermore, States Parties condemn all propaganda and all organizations that are based on ideas or theories of the superiority of one race, color, or ethnic origin, or that attempt to justify or promote racial hatred and discrimination in any form. They undertake to adopt immediate and positive measures aimed at eliminating all incitement to, or acts of, such discrimination and, to this end, guarantee the following:

- (a) They shall declare as offences punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another color or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;
- (b) They shall declare illegal and prohibit organizations, as well as organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;
- (c) They shall not permit public authorities or public institutions, whether national or local, to promote or incite racial discrimination.<sup>2</sup>

In addition, in 1966, the United Nations General Assembly adopted the International Covenant on Civil and Political Rights, which entered into force in 1976. This Covenant is a significant international instrument aimed at protecting the fundamental rights and freedoms of individuals. Each State Party to the Covenant undertakes the obligation to ensure and respect the rights set forth therein for all persons within its territory and jurisdiction. The exercise of these rights shall be free from any discrimination, meaning that no distinction shall be made based on a person's race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or any other status. Furthermore, every child, irrespective of race, color, sex, language, religion, national or social origin, property status, or descent, is entitled, by virtue of being a child, to receive protection and assistance from the family, society, and the state.<sup>3</sup> The adoption of these declarations also had a global impact. Even in the United States, long regarded as a major center of racial discrimination, attitudes toward Black people began to change positively. On July 2, 1964, U.S. President Lyndon B. Johnson signed the Civil Rights Act. This legislation prohibited discrimination in public places, ensured the desegregation of schools and other public facilities, and made employment discrimination illegal.

<sup>2</sup> On the Elimination of All Forms of Racial Discrimination; convention; <https://lex.uz/docs/-2656183>

<sup>3</sup> International Covenant on Civil and Political Rights; <https://lex.uz/docs/-2640479>

## THE MULTIDISCIPLINARY JOURNAL OF SCIENCE AND TECHNOLOGY

### VOLUME-6, ISSUE-4

Initially, this act was preceded by a national address on June 6, 1963, in which President John F. Kennedy called on the nation to take measures to guarantee equal treatment for every American, regardless of race. Shortly thereafter, Kennedy proposed that Congress consider civil rights legislation covering voting rights, public accommodations, school desegregation, nondiscrimination in federal aid programs, and other related issues. Although Kennedy was assassinated in November 1963, his proposal culminated in the Civil Rights Act of 1964. President Lyndon B. Johnson signed it on July 2, 1964, just hours after it was passed by Congress. The law prohibited segregation in businesses such as theaters, restaurants, and hotels. It outlawed discriminatory practices in employment and ended segregation in public places, including swimming pools, libraries, and public schools. This was the most comprehensive civil rights legislation since the Reconstruction era.<sup>4</sup> At the same time, the signing of the Voting Rights Act in 1965 removed restrictions imposed on Black people, such as literacy tests and poll taxes. The Act immediately took effect. By the end of 1965, a quarter of a million new Black voters had been registered. By the end of 1966, less than 50 percent of African Americans in 13 Southern states were registered to vote. The Voting Rights Act of 1965 was reauthorized and strengthened in 1970, 1975, and 1982. From this period onward, Black citizens achieved equality in voting rights, just like their white counterparts.<sup>5</sup> In 1968, discrimination in the sale or rental of housing based on race was prohibited. The Fair Housing Act (FHA), adopted “to provide fair housing throughout the United States within constitutional limits,” primarily served to remove restrictions imposed on Black people. The original 1968 law prohibited discrimination in the sale or rental of housing, the financing of housing, or in the provision of brokerage services on the basis of “race, color, religion, or national origin.”<sup>6</sup> Additionally, in the United States, the NAACP: the National Association for the Advancement of Colored People has been active since 1909. NAACP, which was at the center of the civil rights movement that began in 1905, aimed to ensure the rights guaranteed by amendments to the U.S. Constitution, which promised the abolition of slavery for all people, equal protection under the law, and voting rights for all men. Accordingly, the mission of the NAACP was to secure political and educational equality for minority citizens in the states and to eliminate racial prejudice. The NAACP strives to remove all barriers to racial discrimination through democratic processes. Among its achievements, the abolition of lynching is recognized as one of the organization’s greatest successes. During this period in the United States, lynch courts extrajudicial killings carried out by the community were primarily targeted at Black people. Often, Black citizens were publicly hanged by groups of white individuals as a common practice. At a time when executions of Black people for minor offenses were rampant, the NAACP promoted the idea of ending this practice. After 30 years of persistent effort, this campaign was successfully concluded in 1930, following the appointment of Walter F. White as Executive Secretary.<sup>7</sup> This organization has continued its activities to the present day, demonstrating dedication in protecting the interests of Black people and achieving positive results. Even in the 21st century, issues of racial equality and the protection of the interests of Black people have become one of the most important areas in international law and politics. Notably, in December 2013, the United Nations General Assembly adopted Resolution 68/237, proclaiming the International Decade for People of

<sup>4</sup> Civil Rights Act: <https://www.archives.gov/milestone-documents/civil-rights-act>

<sup>5</sup> Voting Rights Act: <https://www.archives.gov/milestone-documents/voting-rights-act>

<sup>6</sup> The Fair Housing Act: <https://www.congress.gov/crs-product/R48113>

<sup>7</sup> NAACP: <https://naacp.org/about/our-history>

African Descent. According to this resolution, under the theme “People of African Descent: Recognition, Justice, and Development,” the period from 2015 to 2024 was designated as an international decade for people of African descent. The resolution outlined the following specific objectives for the International Decade:

- To strengthen national, regional, and international actions and cooperation aimed at ensuring that people of African descent fully enjoy their economic, social, cultural, civil, and political rights and participate fully and equally in all aspects of society;
- To enhance knowledge and respect for the diverse heritage, culture, and contributions of people of African descent to the development of societies;
- To adopt and strengthen national, regional, and international legal frameworks in accordance with the Durban Declaration and Program of Action and the International Convention on the Elimination of All Forms of Racial Discrimination, ensuring their full and effective implementation.<sup>8</sup>

Although the 21st century has entered a new phase in the fight against racism, systems of racial segregation and hatred toward Black people were still evident in some areas. In 2013, the killing of a Black teenager named Trayvon Martin in the United States and the subsequent acquittal of the white suspect caused widespread social outrage and led to the formation of a large socio-political movement under the slogan “Black Lives Matter.” The aim of this movement was to eliminate racism among people and to create a just way of life for all. In 2020, a new wave of protest by the “Black Lives Matter” movement emerged. This time, attention focused on U.S. police officer Derek Chauvin and Black man George Floyd. On May 25, 2020, the police officer tortured George Floyd, choking him to death for 8 minutes and 46 seconds, as captured on video surveillance cameras. This incident drew attention not only in the United States but around the world.<sup>9</sup> Approximately 8,700 protests took place in around 74 countries, and in the United States alone, between 15 and 26 million people participated. In response to this situation, the “George Floyd Justice in Policing Act of 2020” was enacted. This legislation addresses a wide range of policies and issues related to policing practices and the accountability of law enforcement agencies. It includes measures to increase accountability for law enforcement misconduct, enhance transparency and data collection, and eliminate discriminatory policing practices. Furthermore, the bill assists in the federal enforcement of constitutional violations (such as excessive use of force) by state and local law enforcement agencies. In addition, the Act:

- Lowers the criminal intent standard from intentional to reckless for prosecuting law enforcement officers in federal court for misconduct;
- Limits qualified immunity as a defense in private civil lawsuits against law enforcement officers or state correctional officers;

---

<sup>8</sup> United Nations General Assembly Resolution 68/237: <https://www.ohchr.org/en/racism/international-decade-african-descent>

<sup>9</sup> 2020 Black lives matter protests: <https://universityarchives.uflib.ufl.edu/explore-our-projects/2020-black-lives-matter-protests/>

- Grants the Department of Justice the authority to issue subpoenas in investigations of discriminatory practices or incidents within police departments.<sup>10</sup>

The bill also establishes a national registry: the National Police Misconduct Registry to collect data on complaints and records related to police misconduct. It primarily lays the groundwork for prohibiting racial profiling at the federal, state, and local levels. The bill sets new requirements for law enforcement officers and agency personnel, including reporting use-of-force incidents, undergoing training on bias and racial profiling, and wearing body cameras. In the same year, 2020, the California Racial Justice Act, 2020 was enacted. A brief summary of this law: the California Racial Justice Act prohibits the state from imposing criminal liability or sentencing based on a person's race, ethnicity, or national origin. Assembly member Kalra introduced the law to promote the idea of "Racial Justice for All", aiming to ensure equal opportunities for those harmed by racial disparities and discrimination within the criminal justice system. Beyond these measures, racism particularly inhumane treatment of Black people remains evident in various areas. For instance, racism has not spared the field of football. At the Mestalla Stadium in Valencia, Spain, on May 21, 2023, during a Spanish League match between Valencia and Real Madrid, footballer Vinicius Junior was subjected to racial abuse and insults.<sup>11</sup> Although the Fédération Internationale de Football Association (FIFA) has rules against racial discrimination and misconduct in football, outlined in numerous documents such as the FIFA Code of Ethics, FIFA Disciplinary Regulations, and the FIFA Code of Conduct, and despite FIFA's direct collaboration with member associations and their government bodies to prevent racial discrimination in football and support and implement international human rights standards, the occurrence of racism in this context can be considered a very regrettable situation.

In conclusion, the fight against racism and discrimination is one of the most important directions for ensuring human rights. International normative documents, national laws of states, and various initiatives such as the International Decade for People of African Descent (2015–2024) proclaimed by the United Nations, as well as social movements like Black Lives Matter play a significant role globally in protecting the rights of Black people. At the same time, discriminatory incidents occurring in certain countries, as well as numerous violations of the rights of Black individuals in sports or everyday life, indicate that these issues have not been fully resolved. Therefore, it is necessary to strengthen the implementation of existing international covenants and conventions, establish effective monitoring mechanisms at the national level, and, most importantly, reinforce equality, tolerance, and human values within society.

<sup>10</sup> Article; "Humanizing black lives in protest :emotion,embodiment,and interracial witnessing"- Roberta Chevrette, Aaron Hess: [https://d1wqtxts1xzle7.cloudfront.net/117016367/Chevrette\\_Hess\\_Humanizing\\_Black\\_Lives-libre.pdf?1721875369=&response-content-disposition=inline%3B+filename%3DHumanizing\\_Black\\_lives\\_in\\_protest\\_emotio.pdf&Expires=1758777925&Signature=bHGKeJrQ28tD3Bf~AqItM0Bmb6VOXto9cWpnKwrlAl6r5u24OAEHYtNZVKGsxpYgorRKFoZ5-hmSHB1UUj-mbnV4VMUyK1exXVvbV3Y9EEn-qxvMgRMp6VMZgxaisCoCDcxUaWK0SDHDP3gFzLQ4pz6xwo~SfGEREEZqalXhazwNO1zMvFp5bxGuCCXjv1BFC4gAKgLdiJ5hQlwQudbLfuG2P2UXpVviju9DT9jLstyzbyb1bL95K91oGzXmTagm5cm~GMvhZnY2HGy8bDQNZUfg3uThpPN7BM0oz4Vkkgn5ahuAMHS-o2RupTp2iiypYYSUKUNACKep9T-ZJ~6yg\\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA](https://d1wqtxts1xzle7.cloudfront.net/117016367/Chevrette_Hess_Humanizing_Black_Lives-libre.pdf?1721875369=&response-content-disposition=inline%3B+filename%3DHumanizing_Black_lives_in_protest_emotio.pdf&Expires=1758777925&Signature=bHGKeJrQ28tD3Bf~AqItM0Bmb6VOXto9cWpnKwrlAl6r5u24OAEHYtNZVKGsxpYgorRKFoZ5-hmSHB1UUj-mbnV4VMUyK1exXVvbV3Y9EEn-qxvMgRMp6VMZgxaisCoCDcxUaWK0SDHDP3gFzLQ4pz6xwo~SfGEREEZqalXhazwNO1zMvFp5bxGuCCXjv1BFC4gAKgLdiJ5hQlwQudbLfuG2P2UXpVviju9DT9jLstyzbyb1bL95K91oGzXmTagm5cm~GMvhZnY2HGy8bDQNZUfg3uThpPN7BM0oz4Vkkgn5ahuAMHS-o2RupTp2iiypYYSUKUNACKep9T-ZJ~6yg_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA)

<sup>11</sup> Article; An Overview of Human Rights Violations Against Racial Discrimination: Case Study of Racism Against Vinicius Jr-Yordan Gunawan Ω, Kevin Syahrū Azham, Ichwan Rizki Akbar Napitupulu, Faculty of Law, Universitas Muhammadiyah Yogyakarta, Indonesia: [ac8b602ff8dc4f740dc096caf215e7275dfd.pdf](https://doi.org/10.2582/2024.6.875)

# THE MULTIDISCIPLINARY JOURNAL OF SCIENCE AND TECHNOLOGY

## VOLUME-6, ISSUE-4

### FOYDALANILGAN ADABIYOTLAR

1. Universal declaration of human rights: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
2. On the Elimination of All Forms of Racial Discrimination; convention; <https://lex.uz/docs/-2656183>
3. International Covenant on Civil and Political Rights; <https://lex.uz/docs/-2640479>
4. Civil Rights Act: <https://www.archives.gov/milestone-documents/civil-rights-act>
5. Voting Rights Act: <https://www.archives.gov/milestone-documents/voting-rights-act>
6. The Fair Housing Act: <https://www.congress.gov/crs-product/R48113>
7. NAACP: <https://naacp.org/about/our-history>
8. United Nations General Assembly Resolution 68/237: <https://www.ohchr.org/en/racism/international-decade-african-descent>
9. 2020 Black lives matter protests: <https://universityarchives.uflib.ufl.edu/explore-our-projects/2020-black-lives-matter-protests/>
10. Article; "Humanizing black lives in protest :emotion,embodiment,and interracial witnessing"  
Roberta Chevette, Aaron Hess:  
[https://d1wqtxts1xzle7.cloudfront.net/117016367/Chevette\\_Hess\\_Humanizing\\_Black\\_Lives-libre.pdf?1721875369=&response-content-disposition=inline%3B+filename%3DHumanizing\\_Black\\_lives\\_in\\_protest\\_emotio.pdf&Expires=1758777925&Signature=bHGKeJ~rQ28tD3Bf~AqltM0Bmb6V0Xto9cWpnKwrlA16r5u24OAEHYtNZVkGspxpygorRKFoZ5-hmSHB1UUj-mbnV4VMUyK1exXVvbV3Y9EE-qxvMgRMp6VMZgxaisCoCDcxUaWK0SDHDP3gFzLQ4pz6xwo~SfGEREEZqaIXhazwNO1zMvFp5bxGuCCXjV1BFC4gAKgLdiJ5hQIwQudbLfuG2P2UXpVviju9DT9jLstyzbyb1bL95K91oGzXmTagm5cm~GMvhZnY2HGY8bDQNZUfg3uThpPN7BM0oz4Vkkgn5ahuAMHs-o2RupTp2iiypYYSUKUNACkep9T-ZJ~6yg\\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA](https://d1wqtxts1xzle7.cloudfront.net/117016367/Chevette_Hess_Humanizing_Black_Lives-libre.pdf?1721875369=&response-content-disposition=inline%3B+filename%3DHumanizing_Black_lives_in_protest_emotio.pdf&Expires=1758777925&Signature=bHGKeJ~rQ28tD3Bf~AqltM0Bmb6V0Xto9cWpnKwrlA16r5u24OAEHYtNZVkGspxpygorRKFoZ5-hmSHB1UUj-mbnV4VMUyK1exXVvbV3Y9EE-qxvMgRMp6VMZgxaisCoCDcxUaWK0SDHDP3gFzLQ4pz6xwo~SfGEREEZqaIXhazwNO1zMvFp5bxGuCCXjV1BFC4gAKgLdiJ5hQIwQudbLfuG2P2UXpVviju9DT9jLstyzbyb1bL95K91oGzXmTagm5cm~GMvhZnY2HGY8bDQNZUfg3uThpPN7BM0oz4Vkkgn5ahuAMHs-o2RupTp2iiypYYSUKUNACkep9T-ZJ~6yg_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA)
11. Article; An Overview of Human Rights Violations Against Racial Discrimination: Case Study of Racism Against Vinicius Jr-Yordan Gunawan Ω, Kevin Syahru Azham, Ichwan Rizki Akbar Napitupulu, Faculty of Law, Universitas Muhammadiyah Yogyakarta, Indonesia: <ac8b602ff8dc4f740dc096caf215e7275dfd.pdf>