



# The Concluding Observations of the UN Committee on the Elimination of Racial Discrimination 2024

## Key issues raised

In August 2024, the UK was examined on its compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). Following this, the UN Committee on the Elimination of Racial Discrimination (the UN Committee) published its Concluding Observations. The UN Committee raised several significant concerns, particularly regarding the rights and wellbeing of racialised children.

This briefing provides an overview of the concerns and recommendations set out in the [2024 Concluding Observations](#), specifically focusing on children's rights.

### What is the UN Convention on the Elimination of all Forms of Racial Discrimination (CERD)?

CERD was adopted by the United Nations in 1965 and ratified by the UK in 1969. CERD obliges state parties to take action on eliminating racial discrimination in all its forms, including eradicating racial hatred and incitement to hatred; combatting prejudices which lead to racial discrimination; and guaranteeing the enjoyment of civil, political, economic, social and cultural rights without discrimination on grounds of race, colour, or national or ethnic origin.

#### The CERD reporting process

The UN Committee typically scrutinises each country that has ratified the Convention every four to five years. The examination process involves reviewing State Parties' periodic reports and shadow reports from civil society. This is followed by an in-person dialogue between the Committee members and civil society, which helps to inform the subsequent dialogue between the Committee and the State delegation to evaluate its compliance with the Convention.

Based on this review, the Committee publishes its concerns and recommendations in the form of 'Concluding Observations' (COs). These COs can then be used by civil society as an advocacy tool to push for changes that ensure children from racialised groups have their rights respected.

#### Review of the UK

Children from racialised communities in the UK continue to face significant and persistent discrimination across many aspects of their lives. The UN examination, therefore, offered a key opportunity for CRAE members and supporters to ensure that the UK Government was held to account on the systematic racism and race discrimination that hinders progress on advancing the rights of children from these communities. The UN Committee published its latest [Concluding Observations](#) on the UK in August 2024 with more extensive recommendations for policymakers to safeguard the rights of children and young people than previously. This briefing summarises these key concerns and recommendations.

### Areas of concern relating to children

#### Right to freedom of peaceful assembly (paragraphs 29 to 30)

The UN Committee expressed concern over the adverse impact of recent legislative measures including the Police Crime Sentencing and Courts Act 2022 and the Public Order Act 2023 on the right to freedom of peaceful assembly for ethnic minorities, including children. The peaceful protests in support of the Black Lives Matter movement and Palestinian solidarity demonstrations are described as notable instances of this.

The Committee urged the UK to take all measures necessary to ensure the right to freedom of

peaceful assembly is protected, including reviewing legislative measures to ensure that they do not unduly restrict this right.

The Committee is also concerned about 'reports of the excessive and deadly use of force by law enforcement officials' against these protestors. It asked that the UK 'ensure that all allegations of excessive use of force during peaceful protests by law enforcement officers are investigated, prosecuted as appropriate and duly sanctioned.'

### Racial profiling, stop and search, and excessive use of force (paragraphs 31 and 32)

The UN Committee remains concerned about the ongoing disproportionate impact of stop and search practices on racialised people, especially on Black and Asian children.

It urged the UK Government to ensure that stop and search powers are exercised in a 'lawful, non-arbitrary and non-discriminatory manner, on the basis of reasonable suspicion and with rigorous monitoring and review mechanisms.' Going further, the Committee recommended 'reviewing and amending legislative and other measures that lower restrictions on the use of stop-and-search powers and strengthen high-discretion policing powers.'

The Committee called for 'legislative and other measures that explicitly prohibit racial profiling' as well as 'steps to end the practice of racial profiling by police officers, immigration officers and other public officials.'

Of particular concern to the Committee is the high number of strip searches conducted on children, especially Black children, and the increased police presence in schools with higher proportions of racialised children. In response, it recommends steps to be taken to address the over-policing of these schools, as well new or strengthened legislation and other measures to 'explicitly prohibit strip-searches of children.'

Noting the 'excessive and deadly use of force' by police against racialised people, with a 'lack of accountability and adequate support for victims' families'—which disproportionately

impacts Black people—the Committee called for the establishment of an 'independent complaint mechanism.' This mechanism would investigate all allegations of racial profiling, stop and search, strip searches, excessive use of force, and racist violence. It should facilitate reporting by victims, ensure that perpetrators are prosecuted and punished with appropriate penalties, and guarantee that victims have access to effective remedies and adequate reparations.

The Committee called for the creation or strengthening of mechanisms to regularly collect data on perpetrators and victims of racial profiling, stop and search, strip searches, and excessive use of force. Continuous training is also needed for law enforcement officials in the protection of human rights.

### Counter-terrorism measures (paragraphs 33 to 34)

The UN Committee outlined its concerns about the discriminatory impact of the UK's counter-terrorism strategies and their impact on the exercise of fundamental rights, particularly on Muslim children. It highlighted the 'high number of interventions and referrals' of Muslim children to the Prevent programme by teachers, health professionals, and other public officials. The Committee is concerned that these strategies 'have created an atmosphere of suspicion' towards Muslim communities.

Re-iterating its Concluding Observations from 2016, the Committee urged the UK to revise the Contest and Prevent strategies to eliminate any discriminatory effects on children. While recommending the UK suspend the Prevent duty, in the interim, it called for robust safeguards to prevent these counter-terrorism strategies from leading to racial profiling and discrimination.

Additionally, the Committee called for monitoring mechanisms and safeguards, with prompt remedies. This would address the existing lack of effective guarantees against abuse for children and families, as well as access to important personal information, for example, what is recorded in police files.

### Youth justice (paragraphs 35 to 36)

While acknowledging the actions included in the previous Government's Inclusive Britain strategy to tackle disparities, the Committee raised concerns about reports of the 'institutional and systemic racism within the police and criminal justice system.'

It remains concerned by the overrepresentation of racialised individuals at various stages of the youth justice system, particularly those belonging to Gypsy, Roma, and Traveller (GRT), Black, and Muslim communities. Specifically, the Committee referred to disproportionate arrests; use of tasers; joint-enterprise and drug-related prosecutions; and harsher sentencing faced by these groups. Additionally, it pointed to the 'higher risk of discriminatory effects on ethnic minorities' posed by the use of surveillance technologies.

The Committee called on the UK to implement concrete and effective measures to tackle racial discrimination at all stages of the criminal justice system. Specifically, it recommended laws and policies relating to joint-enterprise and drug offences be revised. Overrepresentation must be addressed by 'avoiding over-policing and unnecessary criminal justice interaction' and by 'advancing alternatives to arrest and incarceration for minor offences.' 'Strict restrictions' are needed on the use of tasers and other tools, including PAVA spray, and their use against children should be explicitly prohibited.

The development and use of surveillance technologies must comply with international human rights standards, with particular regard to their impact on racial profiling and discrimination. The Committee also highlighted the need for improved data collection, monitoring and analysis on ethnic disparities across the system, crucially, including research to address the causes of disparities.

Finally, the Committee recommended that the Government complete the implementation of recommendations in the [Lammy Review](#).

### Poverty and social security and Housing and homelessness (paragraphs 37-42)

The Committee expressed concerns about the high levels of poverty experienced by racialised people, which disproportionately impacts children. It called for the Government to adopt a cross-government strategy to tackle poverty and 'abolish policies that adversely impact ethnic minority households, such as the two-child limit and benefit cap.'

Concerns are raised by the Committee about 'overcrowding and poor housing conditions' that disproportionately affect ethnic minority households and increases the risk of homelessness.

It recommended that the UK take steps to ensure the availability of affordable and adequate housing for ethnic minority households, including social housing, to 'tackle the persistent inequalities in housing,' and address the shortage and conditions of accommodation for GRT communities. Furthermore, it called for the repeal or review of legislation and other measures that disproportionately affect their lifestyle, including the Police, Crime, Sentencing and Courts Act 2022 which criminalises unauthorised encampments.

### Health (paragraphs 43 and 44)

The UN Committee called on the UK to address the 'adverse impact of structural inequalities in the social determinants of health and the access to affordable and quality health care' of ethnic minorities, including climate change and environmental health hazards. This particularly concerns those from GRT and Black communities, as well as migrants, asylum-seekers and refugees.

It called for the UK to take steps to counter the persistence of higher rates of infant and maternal mortality, notably among Black and Asian people.

Crucially, the Committee recommended steps be taken to 'address racial discrimination in the use of compulsory detention and community treatment orders'—facing Black people in particular—particularly by amending relevant legislation, including the Mental Health Act 1983.

### Education (paragraphs 45, 46, 57 and 58)

While acknowledging the efforts to reduce inequalities in the education system, the UN Committee is concerned by the persistence of ethnic disparities. It specified 'low educational attainment, high levels of exclusion and high exposure to racially motivated bullying and prejudicial treatment' experienced disproportionately by racialised children from GRT and Black communities, as well as migrant, asylum-seeking and refugee children.

Recommendations include strengthening the 'availability, accessibility and quality of education' for these children and an action plan to reduce attainment gaps with 'specific and tailored measures' for the most disadvantaged children, produced in consultation with affected communities. Regarding exclusions, the Committee asked that the Government 'review and monitor' their use, 'provide for appropriate non-punitive alternatives' and address their disproportionate use on racialised children.

The Committee called for increased efforts to eliminate racial discrimination and bullying in schools, with recommended measures including 'awareness-raising on the harmful effects of bullying, early detection mechanisms, mandatory training for teachers, the systematic collection of disaggregated data and the compulsory recording and monitoring of bullying behaviour.'

It further noted the 'underrepresentation of teachers from ethnic minorities in the school system' and called for steps to increase representation so that staff 'reflect better the communities they serve.'

Also raised by the Committee was the lack of adequate inclusion of balanced accounts of the history of colonialism and chattel slavery in the British Empire within the school curriculum. It noted the efforts by the UK Government to conduct an independent review of the curriculum in England but continued to recommend that the UK ensure that school curricula provide a more adequate portrayal of these historical events.

### Situation of migrants, asylum seekers and refugees (paragraphs 47 and 48)

Crucially, the Committee is troubled by 'reports of the disappearance of unaccompanied asylum-seeking children' under the care of the State and stressed the need for greater protection against trafficking and exploitation. It recommended that the UK 'adopt all measures necessary to ensure that all unaccompanied asylum-seeking children who have gone missing are accommodated in places covered by the State party's child protection system and effectively protect them against trafficking.'

Additionally, while welcoming legislation repealing the Safety of Rwanda Act, the Committee remains concerned about 'the discriminatory effects of legislation such as the Nationality and Borders Act 2022, the Illegal Migration Act 2023 and the Safety of Rwanda (Asylum and Immigration) Act 2024 and about the lack of information on the fate of persons earmarked for removal.' It recalled its previous recommendations, and those made by the Human Rights Committee, for the UK to 'review and repeal' legislative provisions that discriminate and limit access to rights for asylum-seekers, refugees and migrants. This must be done with a view to ensuring the State is in full compliance with the Convention and relevant international standards. It also recommended the Government 'facilitate access to asylum procedures and to legal aid' for these groups.

The Committee further raised concerns about the discriminatory effects of measures that hinder access to social protections. It called for a revision of the "no recourse to public funds" (NRPF) rule which exposes 'migrant households to a higher risk of poverty and precarity.'

### Structural and legislative areas of concern

In addition to these child-specific concerns, the UN Committee made important recommendations regarding broader structural and legislative issues which, if implemented, will also have a positive impact on the rights and well-being of racialised children.

### Data collection and disaggregation (paragraphs 7 and 8):

While the Committee welcomed the measures taken by the UK to improve the collection of ethnically disaggregated data, such as the establishment of the Race Disparity Unit and the launch of the Ethnicity Facts and Figures 2017 website, it noted that there is still a lack of comprehensive and comparable data across all fields where racial disparities exist. The Committee remains concerned by the ‘completeness, quality, consistency and comparability’ of the data collected.

It recommended the publication of systematically and uniformly collected data across government bodies, in all fields of life, to inform policy making. The Committee further emphasised the need for a focus on those ethnic minorities facing multiple and intersecting forms of discrimination.

### Human rights framework (paragraphs 11 and 12):

The Committee is concerned about the adoption of legislation that curbs protections provided by the Human Rights Act 1998, including the Illegal Migration Act 2023. It recommended that the UK ‘review and repeal all legislative provisions that reduce the level of protection of the human rights under the Convention and that it ensures that any changes to the current human rights and migration framework strengthen the protection of human rights.’

### Legislation against racial discrimination (paragraphs 13 and 14):

The Committee is concerned that not all parts of the UK have comprehensive anti-discrimination legislation containing a clear definition of racial discrimination in accordance with article 1 (1) of the Convention.<sup>1</sup> It recommended the UK adopt comprehensive anti-discrimination legislation in all jurisdictions. This legislation should include a clear definition of racial discrimination, covering ‘direct, indirect, structural, multiple and intersecting forms of discrimination.’

Furthermore, it urged the full implementation of the Equality Act 2010—which includes giving legal effect to part 1 of the public sector duty regarding socioeconomic inequalities and section 14 on combined discrimination—and called for enhanced efforts aimed at raising public awareness around the Convention, equality laws, and remedies available for victims.

### National human rights institutions (paragraphs 15 and 16):

The Committee recommended that the UK adopt necessary measures to ensure that its national human rights institutions (NHRIs) comply with the Paris Principles. NHRIs should be able ‘to carry out their mandates effectively and independently’ and the Government should strengthen their functions and powers and ensure they are properly resourced to perform their functions and promote and protect human rights. It specifically called for the UK to ‘adopt all measures necessary to safeguard the independence and credibility of the Equality and Human Rights Commission.’

### Structural discrimination and inequalities (paragraphs 17, 18, 25 and 26):

The Committee urged the UK Government adopt a ‘detailed action plan to eliminate structural discrimination and inequalities that has concrete targets, monitoring and accountability mechanisms and sufficient resources’ to combat the structural discrimination and inequalities faced by racialised communities.

The Committee noted policies and plans adopted across the UK—including the Inclusive Britain Action Plan—but expressed concern over the lack of effective monitoring, evaluation, and financial resources, as well as limited civil society engagement in their implementation. It recommended the UK ‘adopt further comprehensive policies and action plans, or strengthen existing ones, to tackle racial discrimination and inequalities’ and this must be accompanied by ‘specific, time-bound and measurable goals.’

<sup>1</sup> Article 1(1) of the International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination as any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin that has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise of human rights and fundamental freedoms in any field of public life, including political, economic, social, and cultural rights.



### Racist hate crimes and hate speech (paragraphs 19 and 20):

The Committee expressed concerns regarding 'the persistence of and, in some cases, sharp increase in hate crimes, hate speech and xenophobic incidents, including racist and xenophobic hate speech in print and broadcast media, on the Internet and social media and by politicians and public figures' against racialised minorities. It is particularly concerned about 'recurring racist acts, violence and hate speech' by 'extremist far-right and white supremacist individuals and groups.'

Additionally, the Committee is concerned 'both at the persistent problem of the underreporting of hate crimes and at the lack of a specific statutory offence for prosecuting hate crimes.'

It made a series of robust recommendations urging the Government to adopt a 'comprehensive legal framework to combat racist hate crimes' alongside training for officials; introduce 'a media strategy addressing the responsibility of journalists and broadcasters to avoid the use of hate speech and stereotypes in describing minority communities'; scrutinise newspapers and broadcasters inciting racial discrimination and xenophobic attitudes, as well as discouraging such speech and attitudes amongst public authorities and officials; encourage reporting and protect victims; improve data collection; and work with Internet service providers to combat racist hate speech online.

### Access to justice (paragraphs 49 and 50):

Even with the information on legal aid provision provided to the Committee by the UK, it 'remains concerned that the reforms to the legal aid system have restricted access to justice for individuals belonging to ethnic minorities in areas that affect them the most, such as family, housing, immigration and welfare benefits law.'

Reiterating its previous Concluding Observations,<sup>2</sup> the Committee called on the UK to ensure 'fair and effective access to legal aid to seek justice' for all ethnic minorities. It further urged the Government to review the legal framework governing the legal aid system—notably the Legal Aid, Sentencing and Punishment of Offenders Act 2012—as well as to adequately fund and resource the Legal Aid Agency.

### Consultations with civil society (paragraph 63):

The Committee recommended the UK increase its dialogue with civil society organisations working to combat racial discrimination, including those organisations representing groups most exposed to discrimination.

#### Find out more

UN Committee on the Elimination of Racial Discrimination Child's [Concluding Observations on the UK](#)

#### About CRAE

The Children's Rights Alliance for England (CRAE), part of Just for Kids Law, works with its members to promote children's rights and monitor government implementation of the UN Convention on the Rights of the Child and other human rights treaties.



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<sup>2</sup> CERD/C/GBR/CO/21-23, para. 21.