



**OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS**



**2005/22. Discrimination based on work and descent**

*The Sub-Commission on the Promotion and Protection of Human Rights,*

*Reaffirming* its resolution 2000/4 of 11 August 2000, in which it declared that discrimination based on work and descent is a form of discrimination prohibited by international human rights law,

*Acknowledging* the constitutional, legislative and administrative measures taken by some States to abolish practices of discrimination based on work and descent, as outlined in the expanded working paper on this topic submitted by Asbjørn Eide and Yozo Yokota (E/CN.4/Sub.2/2004/31),

*Concerned* that discrimination based on work and descent affects communities in many regions of the world,

*Noting* the need for further study on this topic, and for the formulation of principles and guidelines for the elimination of discrimination based on work and descent,

1. *Urges* concerned States to ensure that all necessary constitutional, legislative and administrative measures, including appropriate forms of affirmative action and public education programmes, are in place to prevent and redress discrimination based on work and descent, and that such measures are respected and implemented by all State authorities at all levels;

2. *Welcomes* that preliminary report on discrimination based on work and descent (E/CN.4/Sub.2/2005/30) of the Special Rapporteurs, Yozo Yokota and Chin-Sung Chung, which stresses that the practice of discrimination based on work and descent is a serious violation of human rights and human dignity and concludes that in order to eradicate this type of discrimination, it is essential that the Governments concerned (a) acknowledge the existence of such discrimination; (b) conduct a survey to determine the extent and nature of such discrimination; (c) prohibit any act of discrimination based on work and descent; (d) punish offenders; (e) educate and train Government officials, including law enforcement officers; (f) raise public awareness of the issue; (g) provide effective protection and remedies to the victims of this type of discrimination; (h) take other measures, including affirmative action and special budgetary allocations, to eliminate such discrimination;

3. *Approves* the Special Rapporteurs' proposal to send the questionnaire annexed to the preliminary report, with improvements to be made taking into account in particular the comments and suggestions expressed during the discussions at the present session of the Sub-Commission, to Governments, national human rights institutions, relevant United Nations bodies and specialized agencies and non-governmental organizations;

4. *Requests* the recipients of the questionnaire to respond in a timely and constructive manner;

5. *Endorses* the Special Rapporteurs' proposals to hold a general consultation in Geneva in mid-March/April 2006 and to organize, if funding is available, two regional workshops, one in Asia and the other in Africa, sometime before the fifty-eighth session of the Sub-Commission;

6. *Requests* the Special Rapporteurs to reflect the results of the questionnaire, the general consultation and the regional workshops as well as of their analyses in the progress report to be submitted to the Sub-Commission at its fifty-eighth session;

7. *Also requests* the Special Rapporteurs to continue to work on the drafting of a set of principles and guidelines for the effective elimination of discrimination based on work and descent, addressing all relevant actors, including Governments, local authorities, private sector entities, schools, religious institutions and the media, based on existing applicable standards and best practices and taking into account the framework proposed in the expanded working paper on discrimination based on work and descent submitted by Asbjørn Eide and Yozo Yokota;

8. *Encourages* the Special Rapporteurs to undertake this study in cooperation and collaboration with relevant treaty bodies and United Nations organs, agencies and mandates, including the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization, and in consultation with representatives of affected communities;

9. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteurs with all the assistance necessary to enable them to accomplish this task;

10. *Decides* to continue consideration of this question at its fifty-eighth session under the same agenda item.

*20th meeting*

*11 August 2005*

[Adopted without a vote.

See E/CN.4/2006/2, E/CN.4/Sub.2/2005/44, chap. VII.]