

Proposal for the modalities of the UN Permanent Forum on People of African Descent¹

- Submitted to the UN OHCHR, Monday 6 April 2021

We, the undersigned prominent African descendant civil society representatives (including grassroots and community based organizations) and experts on the human rights of people of African descent, from across the Americas, the Caribbean, Europe and Africa, hereby submit the following proposals for your careful consideration regarding the modalities of the UN Permanent Forum on People of African Descent.

Before offering proposals on the seven thematic issues of the modalities of the Forum, here are two general comments.

First, we think that it is critical to the success of the Forum to effectively address the human rights conditions of people of African descent that it, as a consultation mechanism, centers, serves to coordinate and empower a broad representation of *civil society* (including grassroots and community based organizations—which may or may not have a legal standing in their countries) as well as the knowledge of *experts* (including but not limited to researchers, professors, organizers and lawyers) to offer community-based and well informed recommendations.

Second, although previous General Assembly resolutions on the Forum seem to indicate that the Forum should be subsidiary to the Human Rights Council (HRC), rather than the Economic and Social Council (ECOSOC), we want to stress that it is imperative that it be placed under the HRC rather than ECOSOC. The Forum should primarily be understood as a human rights forum, directly relevant to human rights conversations and considerations and should be linked with the DDPA mechanisms (which it is a result of). We do not believe that the human rights of people of African descent should be subsumed under social and economic development, including, sustainable development (which hitherto has given scant attention to issues of race and no attention to people of African descent). Especially given the current budgetary constraints of the UN, we also fear that ECOSOC as a non-consensus based body will undermine financial support for the Forum. Neither are we impressed by the policy results of the UN Permanent Forum on Indigenous Issues (PFII), which is under ECOSOC, and believe that linking the Forum to the HRC, and giving the Forum a broad mandate to offer recommendations to all relevant UN bodies and mechanisms (including ECOSOC) is more likely to have a policy impact.

¹ This proposal is a revised and elaborated version of a civil society proposal that was presented at the 10 May 2019 UN Consultation on the Permanent Forum: https://www.ohchr.org/Documents/Issues/Racism/IntDecade/Forum/IDPAD_International_Coalition.pdf. The drafting of that proposal was led by Dr Michael McEachrane, who has also led the drafting of this current version.

Please find below, under each of the seven thematic areas, our proposed contents for the resolution.

I. Mandates and themes

1. The Permanent Forum shall serve as a consultation mechanism for people of African descent.
2. The Permanent Forum shall function as a subsidiary and advisory body with a mandate to discuss and offer recommendations on issues concerning people of African descent. In doing so, the Permanent Forum shall:
 - a. Provide expert advice and recommendations on issues focusing on or related to people of African descent to the Human Rights Council as well as to Member States, the committees of the General Assembly, organs, programs, funds, agencies and mechanisms of the United Nations;
 - b. Raise awareness and promote the integration and coordination of activities relating to the conditions, protection, promotion and elaboration of human rights of people of African descent within the United Nations system;
 - c. Prepare, disseminate, and distribute expert research, reports, testimonies and other information on people of African descent throughout the United Nations system, to Member States and publicly;
 - d. When possible and appropriate to its mandate, function, and resources, provide support to civil society (including but not limited to grassroots and community based organizations) of the Forum to document, protect and promote human rights of people of African descent, *inter alia*, support for human rights defenders and strategic litigation;
 - e. Upon request, assist Member States and/or people of African descent in providing technical assistance and other advice regarding the development of domestic legislation and policies relating to people of African descent;
 - f. Provide Member States, upon their request, with assistance and advice for the implementation of recommendations relevant to people of African descent made at the universal periodic review, by treaty bodies, special procedures, the High-Level Political Forum at ECOSOC or other relevant bodies or mechanisms.
3. The Permanent Forum shall contribute to the elaboration of a UN Declaration on the Rights of People of African Descent (as a first step towards a legally binding instrument).
4. The Forum shall build on the tradition of Pan-Africanism, by recognizing that the human rights conditions of Africans and people of African descent often are

interconnected, and when relevant to people of African descent, include conversations and deliberations with and about Africans, including, inter alia, the realization of the African Union Agenda 2063 (which is integral to the 2030 Sustainable Development Goals).

5. The Permanent Forum shall promote the implementation and full realization of the Durban Declaration and Program of Action—in particular its provisions concerning Africans and people of African descent, including, those on reparations, halting and reversing the lasting consequences of enslavement, the transatlantic slave trade, colonialism, apartheid and other crimes against humanity.
6. The Permanent Forum shall facilitate collaborative efforts among civil society representatives (including, grassroots and community based organizations) and experts across the world to effectively participate in and contribute to it.

II. Structure and leadership

7. The Permanent Forum shall have a Permanent Forum Committee. Its responsibilities shall include, but not be limited to:
 - a. Supporting, facilitating, collating and presenting recommendations from civil society (including, grassroots and community based organizations), experts and the Committee itself to, inter alia the Human Rights Council or Committees of the General Assembly (cf. 2a above). All recommendations from the Forum Committee, which are not time sensitive, should have been presented to and deliberated by members of civil society and experts that are present and participating during the Forum sessions;
 - b. Supporting, initiating, and managing the development of expert advice, recommendations, studies and reports;
 - c. Submitting an annual report to the Human Rights Council on its activities, including any recommendations. The report shall be distributed to the relevant United Nations member states, organs, funds, programs and agencies as a means, inter alia, of furthering the dialogue on issues affecting people of African descent within the United Nations system.
 - d. Issuing statements and offering advice and recommendations on urgent matters concerning the protection and promotion of human rights of people of African descent (inter alia, support for human rights defenders, where necessary);
 - e. Proposing new projects and/or initiatives or consolidating existing ones, preferably in collaboration with civil society (including grassroots and community based organizations), to effectively address issues affecting people of African descent;

- f. Determining the themes and programs for the annual Forum sessions. This should include the opportunities for civil society (including grassroots and community-based organizations) and experts to suggest themes and programmes for the consideration of the Committee;
 - g. Promoting the integration and coordination of activities in the UN system relating to people of African descent.
8. The Permanent Forum shall have a Secretariat to manage the regular operation of the Forum with resources to:
- a. Support the Forum Committee as well as civil society (including, grassroots and community-based organizations) and experts to effectively engage and participate in the Forum work;
 - b. Help organize the sessions of the Permanent Forum;
 - c. Manage the observations and participation in the Forum;
 - d. Manage the nomination processes for the Forum

III. Composition

9. The Permanent Forum Committee:
- a. Shall consist of twelve (12) expert members;
 - b. The members shall reflect the diversity, including gender parity, due consideration to gender non-conforming people, neuro-diversity and physical capabilities, as well as the geographical distribution of people of African descent around the world, with equitable representation from the following six regions (in alphabetic order): Caribbean, Europe (including Eastern Europe and Russia), North America, Latin America (including Central America), North America and Asia (including the Pacific and Middle East);
 - c. At least 6 members shall be nominated by civil society (including, grassroots and community based organizations) and experts. Member States may also nominate;
 - d. Nominations to the Committee shall be submitted to the Forum Secretariat (via an online form). All nominations shall be made public, including who has done the nomination and who is nominated. Candidates among the nominees shall be selected by a Nomination Committee and presented to the Human Rights Council for decision. All candidates and the reasons for selecting them to the Human Rights Council for decision shall also be made public;

- e. Members of the Forum Committee can serve a term of three years, with the possibility of being re-elected for an additional three-year term;
- f. The Chairperson of the Forum Committee is elected by members of the Forum Committee from among its rank, for a term of one year with a possibility of being re-elected during the term of their appointment as a member;
- g. The principle of consensus shall govern the work of the Permanent Forum Committee.

IV. Location

- 10. The location of the sessions of the Permanent Forum shall rotate between the United Nations in Geneva and New York City. Other locations of symbolic, thematic or practical import to people of African descent may also be considered as approved by the Human Rights Council.

V. Duration, frequency and timing of meetings

- 11. The sessions of the Permanent Forum shall take place annually for at least five and no more than 10 consecutive days at the United Nations in Geneva, New York City or another location approved by the Council;

VI. Participation of and funding for non-governmental organizations

- 12. The Forum, its Secretariat and Committee shall facilitate a broad and interactive participation of civil society (including grassroots and community based organizations), including, but no limited to, civil society initiated and led panels, thematic discussions and side events;
 - a. The Forum and its Secretariat shall support the formation of global, national and/or regional civil society and expert networks on people of African descent for the preparation of recommendations for the Permanent Forum;
 - b. Financing of the Permanent Forum shall be provided from within existing resources of the United Nations through its regular budget, its specialized agencies, and through such voluntary contributions as may be donated.
- 13. The Permanent Forum shall have a Voluntary Fund—funded through voluntary contributions from governments, non-governmental organizations, and other private or public entities, as well as through available funds from the Trust Fund established under U.N. GA Resolution 73/262 or A/RES/73/262 — for the purposes of:
 - a. Support for civil society and grassroots organisations to participate in Forum sessions in the form of travel, accommodations, and per diem;

- b. Support for civil society and grassroots organisations to participate in the process of elaborating the UN Declaration on the Rights of People of African Descent in the form of travel, accommodations, and per diem support;
- c. Support for civil society and grassroots organisations to participate in other UN functions pertinent to the human rights conditions of people of African descent, such as meetings of the Working Group of Experts on People of African Descent, in the form of travel, accommodations, and per diem support;
- d. Support for research, studies, and development of recommendations for the Forum.

14. Funds allocated to the Permanent Forum shall support the following:

- a. Expenses for the Secretariat and the management of the Forum;
- b. Travel expenses for the Forum Committee members to attend its sessions;
- c. Travel expenses to support civil society and grassroots participation at the Forum sessions.

VII. Reporting (Note: The proposals in this section have already been made above)

15. The Permanent Forum shall:

- a. Support, facilitate, collate and present recommendations from civil society (including grassroots and community based organizations), experts and the Committee itself to, inter alia the Human Rights Council or Committees of the General Assembly (cf. 2a above). All recommendations from the Forum Committee, which are not time sensitive, should have been presented to and deliberated by members of civil society and experts that are present and participating during the Forum sessions;
- b. Support, initiate, and manage the development of expert advice, recommendations, studies and reports;
- c. Submit an annual report to the Human Rights Council on its activities, including any recommendations. The report shall be distributed to the relevant United Nations member states, organs, funds, programmes, agencies and mechanisms as a means, inter alia, of furthering the dialogue on issues affecting people of African descent within the United Nations system;
- d. Prepare, disseminate, and distribute expert research, reports, testimonies and other information on people of African descent throughout the United Nations system, to Member States and publicly;

Co-Signed by,

1. **Dr. Tadios Belay**, Board President of the US Africa Institute, Board President of Taylion Academy, [former Principal Representative at the UN Department of Economic and Social Affairs](#) and member of Black Lives Matter Los Angeles
2. **Solomon Belette, MBA**, [Co-Executive Director of the US-Africa Institute](#) and former Regional Director of Migration and Refugee Services, U.S. Conference of Catholic Bishops, [USCCB's Migration and Refugee Services](#) and former CEO of Catholic Charities East Bay [Catholic Charities East Bay](#); currently serve as a member of the Office of Racial Equity and Social Justice (ORESJ)
3. **Nattecia N. Bohardsingh**, Attorney-at-Law and [UN Human Rights Fellow for People of African Descent](#) (2020)
4. **Gololcha Boru**, Refugee/Youth Advocate, and United Nations People of African Descent Fellow
5. **Dr Ornette D Clennon**, [Director of Research at MEaP Academy Community Training and Research Institute \(MaCTRI\)](#), and [Visiting Professor at Federal University of the Amazon \(UFAM\)](#)
6. **Emerson Caetano**, 2020 UN Human Rights Fellow for PAD [International Analyst, Decolonial Social Entrepreneur](#)
7. **Mariama Daramy-Lewis**, [Global Director of People, Organization and Culture at the International Planned Parenthood Federation](#) (IPPF) and former Chief of Human Resources & Training at the UN Environment Programme (UNEP)
8. **Madubuko A. Diakit , LL.M., Jur. Lic.**, [Senior Researcher Emeritus at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law](#) in Lund, Sweden
9. **Dr. Amara C. Enyia, JD**, CEO of [Diaspora Rising](#)
10. **Joe Frans**, CEO of Next Generation Africa and NGA Novum AB, former Member of the Swedish Parliament and [former member and Chair of the UN Working Group of Experts on People of African Descent 2002-2008](#)
11. **Professor Michele Bratcher Goodwin**, [Chancellor's Professor of Law and Director of the Center for Biotechnology & Global Health Policy at the University of California Irvine](#)
12. **Sundus Haji-Jama, MPH**, , 2020 UN Human Rights Fellow for PAD, Co-Founder [Data for Black Lives - Toronto Hub](#)
13. **Aysha Jones**, Founder of [Black Lives Matter Sweden](#)
14. **Dr. Michael McEachrane**, [Visiting Researcher at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law](#) and co-founder of the European Network of People of African Descent (ENPAD)
15. **Hodan A. Mohamed**, [Employment Equity, Diversity and Inclusion Specialist](#), 2020 UN Human Rights Fellow for People of African Descent
16. **Lassane Ouedraogo**, [Chairperson at Africa Centre Ireland](#) and Co-Chair of the European Network of People of African Descent (ENPAD)
17. **Marie-Evelyne Petrus-Barry**, [Africa Regional Director of International Planned Parenthood Federation](#) (IPPF) and former member of the UN Working Group of Experts on People of African Descent 2017-2018

18. **Professor Jean Rahier**, Professor of African & African Diaspora Studies at Florida International University and [Founding Director of the Observatory of Justice for Afrodescendants in Latin America](#) (OJALA)
19. **Don Rojas**, Director of Communications at the [Institute of the Black World](#) (IBW) and the [National African American Reparations Commission](#) (NAARC)
20. **Lamin Saidykhan & Coumba Toure**, Co-Movement Coordinators of [Africans Rising for Justice, Peace and Dignity](#)
21. **Brenda Smith Lezama**, UN Human Rights Fellow for People of African Descent (2020)
22. **Ife Thompson LLM, Barrister**, Founder of [BLAM UK](#) and [Black Protest Legal Support UK](#) and UN Human Rights Fellow for People of African Descent (2020)
23. **Rev. Dr. Angelique Walker-Smith**, [Senior Associate for Pan-African and Orthodox Church Engagement](#) at Bread for the World and Coordinator of [2022 Africa & African Diaspora Conference](#)
24. **Professor Tiffany Willoughby-Herard**, Professor of African American Studies at the University of California Irvine and [President of the National Conference of Black Political Scientists](#) (NCOBPS) (2016)
25. **Ikram Warsame, JD**, Human Rights lawyer and 2020 UN Fellow for People of African Descent
26. **Genevieve Whitaker, JD**, Senator from the Virgin Islands of the United States, [President & Co-Founder, Virgin Islands Youth Advocacy Coalition](#) and [UN Human Rights Fellow for People of African Descent](#)
27. **Valerie Sibanda**, GDPR Project Manager & Musician, UK
28. **Mequissa J. Baptiste**, [barrister and Human Rights defender at CARICOM Attorneys-at-law](#), Chairperson of Public Legal Education at the Community Legal Initiative (Barbados)