



General Assembly

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Permanent Forum on people of African descent

Consultation on the Permanent Forum on People of African Descent (Geneva, 10 May 2019)

Report of the Chair

I. Introduction

1. A one-day consultation on the Permanent Forum on People of African descent was held in Geneva on 10 May 2019, pursuant to General Assembly resolution 73/262. The consultation was focused on the modalities, format and substantive and procedural aspects of the Permanent Forum. More than 200 participants, including representatives of Governments, United Nations mechanisms, bodies and specialized agencies, civil society representatives and people of African descent from all regions attended the meeting (see annex for the list of participants).

2. In her opening statement, the Chair of the consultation, Shara Duncan Villalobos, Deputy Permanent Representative of Costa Rica to the United Nations Office and other international organizations in Geneva, encouraged participants to focus their discussion on the main aspects of the Permanent Forum, including its mandate, substantive objectives, procedural aspects, structure, format and reporting modalities. It was time to finalize the modalities of the Permanent Forum in order to meet the aspirations of people of African descent for recognition, justice and development, particularly as the mid-point of the International Decade for People of African Descent was approaching.

II. Mandate and themes

3. Participants welcomed the holding of the consultation and expressed readiness to engage further to effectively establish the Permanent Forum in order to fulfil the mandates set out in the programme of activities for the implementation of the International Decade for People of African Descent and in General Assembly resolution 73/262. Representatives of Member States supported the creation of the Permanent Forum as a necessary space for the debate on pressing challenges faced by people of African descent. The Permanent Forum should ensure the broad participation of people of African descent and that its membership should be reflective of the diversity and geographic distribution of people of African descent around the world. One delegation stated that the creation of a Permanent Forum as part of the agenda of the International Decade was related, to a large extent, to the problems faced by people of African descent, including xenophobia and structural discrimination, and to the suffering resulting from the consequences of colonialism and the transatlantic slave trade, and that the Permanent Forum, upon its creation, should pay attention to those issues. The presence of many civil society representatives at the consultation was noted as an attestation of the importance of the Permanent Forum as an



advisory mechanism and as a global consultative forum for discussing the rights of people of African descent.

4. Several suggestions were made regarding the mandate of the Permanent Forum. A number of representatives of Member States and civil society were of the view that its first major undertaking should be to contribute to the elaboration of a United Nations declaration on the promotion and full respect of the human rights of people of African descent. One representative of a Member State suggested that the activities of the Permanent Forum could include organizing, in collaboration with Member States, regional consultative conferences, workshops and outreach programmes targeting people of African descent in countries where they lived as citizens; in principle, the modalities of the Permanent Forum should reflect the voices, views and preferences of the communities concerned. Another representative of a Member State suggested that the Permanent Forum should be a platform for promoting dialogue and cooperation on issues pertaining to people of African descent, and should provide thematic contributions and expertise to facilitate the work under the relevant special procedure mandates, including with respect to improving the quality of life and livelihoods of people of African descent. The Permanent Forum should identify and analyse best practices, challenges, opportunities and initiatives with regard to the effective implementation of the programme of activities for the implementation of the International Decade, in accordance with General Assembly resolution 69/16.

5. Ahmed Reid, Chair of the Working Group of Experts on People of African Descent, spoke of the Permanent Forum as an opportunity for the articulation of new rights envisaged in General Assembly resolution 73/262, and stated that the Permanent Forum would empower and develop African descendant communities. Verene Shepherd, a member of the Committee on the Elimination of Racial Discrimination, added that themes to be discussed by the Permanent Forum could be decided in consultation with the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and civil society. She suggested that the Permanent Forum pursue several outcomes, including: tackling the psychological harm of enslavement and colonialism, which continued to affect people of African descent; ending racial profiling, Afrophobia and related intolerance; using the concluding observations of the Committee on the Elimination of Racial Discrimination and the country reports of special procedures, including the Working Group of Experts on People of African Descent, to advocate for rights; and securing reparatory justice for people of African descent, using the model of the Caribbean Community 10-point plan for reparatory justice.

6. Edna Santos Roland, Chair of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action, stated that it would be more effective to use the Permanent Forum as a space to implement the Durban Declaration and Programme of Action, as a great deal of the Declaration and Programme of Action was devoted to people of African descent. The Durban Declaration and Programme of Action should be the departure point for the elaboration of a new declaration and the identification of gaps in terms of its development. Pastor Elías Murillo Martínez, Vice-Chair, Committee on the Elimination of Racial Discrimination, stated that the establishment of the Permanent Forum was an important development in the global agenda and an exceptional opportunity for building on international cooperation to work on challenges that faced the international community, including with regard to addressing the history of colonialism and the transatlantic slave trade and their legacy, reparations and issues such as racism, migration and structural discrimination. Gay MacDougall, former Independent Expert on minority issues and member of the Committee on the Elimination of Racial Discrimination, saw the Permanent Forum as a preservation of space in which minorities and civil society groups could raise their voices and engage with Member States, and suggested that it focus on the implementation of the Durban Declaration and Programme of Action.

7. A civil society representative speaking on behalf of an international coalition of 118¹ organizations from around the world welcomed the consultation as an important step towards the establishment of an international mechanism to ensure that the specific rights of people of African descent were upheld globally. The representative highlighted the plethora of human rights violations faced by people of African descent and stated that the Permanent Forum could help foster discussion among non-governmental organizations, Member States and people of African descent on their issues of concern, and provide a space for consultation and coordination among civil society organizations. The Permanent Forum should work on a declaration, which the representative hoped would be finalized by the end of the International Decade, following which it could commence work on a binding legal instrument for people of African descent. The representative also called for the Permanent Forum to look into the issue of reparatory justice. The focus of the Permanent Forum should be on the protection of the human rights of people of African descent. It could decide on the theme for following meeting with the participation of all stakeholders.

8. Another civil society representative suggested that the human rights concerns of people of African descent be included in the mandate of the Permanent Forum. It should also cover issues such as repair and restitution for people of African descent, the Sustainable Development Goals and climate change. The Permanent Forum should serve as a consultation mechanism to end Afrophobia, racism and related forms of intolerance. Another civil society representative suggested that the Permanent Forum should serve as a mechanism for monitoring and evaluating the enjoyment of human rights by people of African descent, recommending the full realization of what was decided in the programme of activities for the implementation of the International Decade.

9. A representative of another civil society organization emphasized the importance of the Permanent Forum as an opportunity to put in place a mechanism that would effectively promote the total elimination of racism, racial discrimination, xenophobia and related intolerance against people of African descent and Africans. It should address structural racism as a legacy of enslavement and colonialism. Another representative of civil society stated that the Permanent Forum needed to be a process in which epistemological, ontological, social, cultural and environmental issues were discussed. A representative of another civil society organization stated that it should focus on outcomes by encouraging more countries to recognize the International Decade. The representative also called for linking the mandate of the Permanent Forum to the 2030 Agenda for Sustainable Development. A representative of another civil society organization called for the Permanent Forum to uphold the spirit of pan-Africanism. Another representative of a civil society organization called for the Permanent Forum to work on a variety of thematic reports distinct from the Working Group of Experts on People of African Descent. Another representative of a civil society organization suggested that the Permanent Forum should pursue the reparations agenda.

10. A civil society representative stated that the Permanent Forum should create a framework for implementation focusing on economic issues. Another representative of a civil society organization called upon the Permanent Forum to follow up on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme for Action. The Permanent Forum should address gender, youth, disability and lesbian, gay, bisexual, transgender and intersex issues, and focus on women of African descent and on reparatory justice. Another representative of a civil society organization recommended the establishment of an effective communication strategy that drew special attention to the situation of women and girls. The Permanent Forum could assist Member States, upon their request, with advice on the implementation of recommendations emanating from the universal periodic review process, treaty bodies, special procedures and other mechanisms, on reaffirming the Durban Declaration and Programme for Action and on reparatory justice. The themes of the International Decade – recognition, justice and development – were proposed as a focus for the Permanent Forum. A representative of a civil society organization stated that the

¹ The international coalition comprised 118 organizations on 10 May. The number of organizations that signed the coalition paper on the Permanent Forum has since increased to 150.

thematic focus could be recommended by the Permanent Forum itself and be decided in accordance with General Assembly resolution 73/262. Another representative of a civil society organization suggested that the mandate should include a strong element of education, outreach and awareness-raising. Another representative of a civil society organization supported the idea of the Permanent Forum working on organizing another world conference against racism. A representative of another civil society organization suggested that the Permanent Forum should work on the implementation of the Caribbean Community 10-point plan for reparatory justice and the Durban Declaration and Programme for Action. Its first major task would be the midterm review of the International Decade in 2020. Another representative of a civil society organization called for the Permanent Forum to encourage States to develop national plans of action. A representative of a civil society organization suggested that the Permanent Forum should work with pan-African organizations, such as the African Union and the African Commission on Human and Peoples' Rights. It could work on developing a declaration on the promotion and full respect of the human rights of people of African descent and on the possibility of holding another world conference against racism, racial discrimination, xenophobia and related intolerance.

III. Structure and leadership

11. Representatives of some Member States suggested that the Permanent Forum should meet either under the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, in line with Human Rights Council resolution 34/33, or within the Working Group of Experts on People of African Descent, while avoiding agenda duplication with the existing Durban follow-up mechanisms. A representative of another Member State highlighted the extensive experience of the Human Rights Council in establishing such bodies and pointed out that such experience could be used for the establishment of the Permanent Forum. The Permanent Forum should resemble a Council mechanism. A representative of another Member State stated that the Permanent Forum should serve as an advisory body to the Human Rights Council and the Third Committee, proposed that the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action co-Chair the Permanent Forum, to keep the spirit of the Durban follow-up mechanisms intact in line with Council resolution 34/33. A representative of another Member State suggested following the existing format: appointment of the leaders of forums by the President of the Human Rights Council. Another representative of a Member State stated that the Permanent Forum should serve as an advisory body, and that the State was open to the Permanent Forum being an advisory body to the Human Rights Council or the General Assembly. A special procedure of the Council, such as the Working Group of Experts on People of African Descent, could give leadership to the Permanent Forum, as was done for the Forum on Business and Human Rights and the Forum on Minority Issues. The representative also raised the possibility of the Permanent Forum meeting back-to-back with the session of the Working Group of Experts on People of African Descent.

12. Ms. Shepherd stated that the Permanent Forum was an essential component of the programme of activities for the implementation of the International Decade, and had been included in recognition of the fact that there was a need to sustain dialogue on people of African descent in a Permanent Forum that was separate from the existing meetings of Durban follow-up mechanisms. The programme of activities indicated that guidance for the work of the Permanent Forum should be provided by one of the existing Durban follow-up mechanisms, such as the Working Group of Experts on People of African Descent, in consultation with civil society. The Chair of the Working Group proposed using, for the Permanent Forum, the model adopted by the Forum on Business and Human Rights.

13. Several representatives of civil society organizations called for a Permanent Forum that was independent even as a subsidiary body, that served to empower civil society to

develop and make recommendations to the United Nations and its Member States and that was inclusive of people of African descent. They emphasized that the Permanent Forum should not be seen as a duplicate body, and called upon Member States to see it as independent of all current mechanisms. The Permanent Forum should be led by an executive board, as indicated in the proposal submitted by the international coalition of civil society organizations. Civil society organizations called for the Permanent Forum to have linkages and dialogues with the existing mechanisms, working in cooperation with those mechanisms, but independently. A representative of a civil society organization stated that the Permanent Forum should be a subsidiary body of the Human Rights Council. Another representative of a civil society organization, speaking on behalf of more than 350 pan-African organizations and networks, called for the establishment of a Permanent Forum similar to the Permanent Forum on Indigenous Issues. Another representative of a civil society organization suggested not taking time out of the Working Group of Experts on People of African Descent sessions, in view of the Working Group's own work and mandate and of the call by civil society organizations for an independent mechanism; the Working Group was not fully representative of people of African descent. The Permanent Forum should be under the Human Rights Council, and report to the General Assembly. Another representative of a civil society organization stated that civil society organizations would not accept having the Permanent Forum under the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. A representative of a civil society organization suggested that the Office of the United Nations High Commissioner for Human Rights should establish a special adviser on the International Decade for People of African Descent to create linkages between the various mechanisms. Civil society organizations also suggested the creation of a special rapporteur for the Permanent Forum, who could also guide the Permanent Forum.

IV. Composition

14. A representative of a Member State called for gender balance and diversity among the experts in the Permanent Forum to ensure that it was reflective of people of African descent around the world. Another representative of a Member State emphasized the importance of inclusive participation based on geographical representation and the participation of experts in a balanced manner, and supported the participation of 25 experts on the basis of the programme budget implication for General Assembly resolution 73/262. Ms. Shepherd stated that gender balance should be taken into consideration in the appointment of the Chair of the Permanent Forum. A number of speakers emphasized the importance of regional rotation, gender balance in the composition of the group of experts, and expertise on the relevant topic. A representative of a civil society organization supported an earlier proposal of a board consisting of 12 members: 6 selected from civil society organizations and 6 nominated by Member States. Some of the speakers suggested that the Permanent Forum should be organized in such a way that the majority, if not all, members of the board were of African descent. Representatives of civil society organizations proposed a configuration of 12 to 16 expert members appointed through an open nomination procedure. A representative of a civil society organization suggested 16 members, similar to the structure of the United Nations Permanent Forum on Indigenous Issues. A representative of a civil society organization suggested that two thirds of experts should be people of African descent, while another suggested that the composition of the group of experts should be 100 per cent people of African descent. Another representative of a civil society organization suggested that the Chair of the Permanent Forum should be of African descent. Another representative of a civil society organization stated that, with regard to geographical representation of people of African descent, the composition of the Permanent Forum should also reflect the different subregions.

V. Location

15. A number of different proposals on the location of the Permanent Forum were presented. A representative of a Member State suggested alternating the location of the meetings between Geneva and New York. Another representative of a Member State noted

that placing the Permanent Forum under one of the Durban mechanisms did not pose any obstacle to the rotation of meeting locations between Geneva and New York and that the Working Group of Experts on People of African Descent could relocate its session to New York if necessary. A representative of another Member State suggested that the Permanent Forum could be based in New York because of its proximity to a broader representation of States that hosted people of African descent. The representative nevertheless expressed the State's openness to discussions on a rotation between Geneva and New York, taking into consideration the geographical and/or regional presence of people of African descent in the determination of the location of meetings to enable the widest possible participation. Another representative added that the resolution, which had been adopted by consensus, implied Geneva.

16. The Chair of the Working Group of Experts on People of African Descent emphasized that the Working Group fully supported civil society's engagement and participation in the Permanent Forum and the rotation of the location between Geneva and New York. Ms. Shepherd stated that there would be more visibility and participation if the Permanent Forum were to be held at the United Nations in New York, in a region that had the majority of people of African descent. Ms. MacDougall suggested that alternating places for the Permanent Forum between Geneva and New York was suitable for the optimum sustainability of the mandate of the Permanent Forum. A representative of a civil society organization stated that the opportunity to rotate Permanent Forum meetings between Geneva and New York and other venues would facilitate a broader participation of civil society and other stakeholders, and suggested that the location should also alternate between New York and Geneva and other regional locations where people of African descent lived, in order to facilitate their participation.

17. Civil society representatives presented several proposals for locations for the Permanent Forum, such as Geneva, New York and other locations, including in Africa. A representative of a civil society organization called for the locations for the meetings of the Permanent Forum to be rotated between Geneva and New York, as well as among communities where people of African descent lived. Another civil society representative called for a decentralized Permanent Forum with a presence in regions with large populations of people of African descent, supported by the use of technology to allow multiple locations to participate in the same meeting. A representative of a civil society organization stated that the decision of where the Permanent Forum should be established should be based on the location of the largest populations of people of African descent in the world, whether that be New York or elsewhere. A civil society representative stated that the meetings of the Permanent Forum should be held in New York, but that alternating locations was also favourable, following the format of the Inter-American Commission on Human Rights, which held its meetings in different countries. A representative of another civil society organization supported New York as the location for the Permanent Forum, while also supporting the proposal for decentralization of the organization of meetings. Another representative of a civil society organization supported Geneva as the location for the Permanent Forum, while another suggested New York. A representative of a civil society organization suggested that location of meetings of the Permanent Forum rotate among New York, Geneva and cities in Africa. Some representatives of civil society organizations suggested holding the meetings beyond New York and Geneva, with the possibility of meeting in the African Union headquarters in Addis Ababa. A number of representatives of civil society organizations suggested that the meetings of the Permanent Forum should be held in Africa. A civil society representative stated that the location of the Permanent Forum would be dependent on whether the Permanent Forum was under the Economic and Social Council or the Human Rights Council.

VI. Duration, frequency and timing of meetings

18. A representative of a Member State stated that it was important to organize further consultations in 2019 to facilitate the adoption of a resolution by General Assembly on the format and modalities of the Permanent Forum in order to make it fully operational in 2020 at the latest. At the same time, a number of speakers emphasized that in view of the

midterm review of the International Decade, the first meeting should be held sooner rather than later and called for the expeditious establishment of the Permanent Forum. On the duration of meetings, some representatives of Member States suggested that the Permanent Forum should meet annually for a duration of three to five days. A representative of a Member State suggested a duration of three days. Civil society representatives suggested different proposals, including 5 days; 5 to 10 days annually; at least 10 days, to facilitate greater relationship building; and up to two sessions annually for a total duration of 10 to 15 days.

19. Some Member States supported the idea of holding the meeting in March, due to the importance of commemorative events held during the month (21 and 25 March). A representative of a Member State pointed out that scheduling the Permanent Forum in the last week of the Human Rights Council sessions in March might pose difficulties. A representative of a civil society organization informed participants that since the meeting of the Commission on the Status of Women also took place in March, that month might not be a suitable time for the meetings of the Permanent Forum.

VII. Participation of and funding for non-governmental organizations

20. A representative of a Member State stated that the Permanent Forum must enjoy the broadest possible representation of civil society organizations, and have clear accreditation procedures. A representative of another Member State expressed that the Permanent Forum should ensure a broad participation of people of African descent and that its membership should be reflective of the diversity and geographic distribution of people of African descent around the world. A representative of a Member State suggested that civil society participation should be based on Economic and Social Council accreditation. In sharing her experiences of leading the Forum on Minority Issues, Ms. MacDougall stated that she had introduced measures such as suspending the order of speakers and non-negotiated reporting, which had allowed for greater space for civil society organizations. She emphasized the importance of civil society participation in the Permanent Forum. Several civil society organizations called for the Permanent Forum to allow broad civil society organization participation, emphasizing that participation should not be decided by Economic and Social Council status.

21. Several representatives of civil society organizations called upon Member States to support the Permanent Forum with adequate resources and called for both regular budget and voluntary contributions towards ensuring broad and inclusive participation of civil society in the Permanent Forum. Funding and access to resources to carry out research-based projects was highlighted. A large number of representatives suggested that a voluntary fund for people of African descent be established to facilitate the implementation of the work of the Permanent Forum, that additional resources, including a programme of grants for the participation of civil society organizations, would allow such organizations to play a role in advancing the needs of people of African descent, and that such grants should also support their participation in the various human rights mechanisms, such as the universal periodic review, to facilitate follow-up on recommendations.

VIII. Reporting

22. A representative of a Member State suggested that the Permanent Forum could report annually through the Human Rights Committee to the Third Committee. Another representative of a Member State suggested that the Chair of the Permanent Forum should serve in his or her capacity, that the report on the meeting should not be negotiated and that the report should be submitted to the Human Rights Council or the General Assembly. The Chair of the Working Group of Experts on People of African Descent proposed that the Permanent Forum report to both the Council and the General Assembly. In general, participants supported the modality of reporting to the General Assembly through the Council.

IX. Conclusion

23. The Chairperson informed the meeting participants that a report would be produced under her responsibility; it would be made available for Member States to use as background information for further intergovernmental consultations.

Annex

List of participants

Member States

Angola
Austria
Belgium
Bolivia (Plurinational State of)
Brazil
Canada
Colombia
Dominican Republic
Ecuador
France
Germany
Haiti
Jamaica
Jordan
Kuwait
Lesotho
Mali
Mauritania
Peru
Portugal
Russian Federation
South Africa
Sri Lanka
Switzerland
Togo
Trinidad and Tobago
Tunisia
Ukraine
United Kingdom of Great Britain and Northern Ireland
Uruguay
Venezuela (Bolivarian Republic of)
Zimbabwe

International organizations

United Nations Population Fund

Intergovernmental organizations

African Union

European Union

Non-governmental organizations in consultative status with the Economic and Social Council

Association nationale des partenaires migrants

Centre de documentation, de recherche et d'information des peuples autochtones

Centre indépendant de recherches et d'initiatives pour le dialogue

Collectif des femmes africaines du Hainaut

Global Afrikan Congress

International Human Rights Association of American Minorities

Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco

Leadership Conference on Civil Rights Education Fund

Samuel DeWitt Proctor Conference

Society for the Psychological Study of Social Issues

Non-governmental organizations not in consultative status with the Economic and Social Council

Africa Centre Ireland

African Center

African Commission of Health and Human Rights Promoters

African Foundation for Migration and Development

African Network for Advancing Actions

African Nova Scotian Decade for People of African Descent Coalition

Afro-Colombian Global Initiative

Afro-Swedish Organisation

AgroCity

Agrupación Afro Xangô

Amnesty International

Anti-Racist Forum

Asociación de Mujeres Afrocolombianas

Asociación Proyecto Caribe

Association Racines

Canadian Race Relations Foundation

Caribbean People International Collective Inc.

Consultoría para los Derechos Humanos y el Desplazamiento
 Docip
 European Network of People of African Descent
 Frantz Fanon Foundation
 HBCU African Africana Digital Education and Work Collective
 Ichirouganaim Council for the Advancement of Rastafari
 Implementation team of the International Decade for People of African Descent (IDPAD)
 Summit in Spain Initiative Nationale pour le Développement Humain International Decade
 for People of African Descent Coalition UK
 International Observatory of Human Rights
 International Organization for the Right to Education and Freedom of Education
 International Youth and Student Movement for the United Nations
 Intersectional Global Resilience Alliance for Sustainable Pathways
 Kas La Shène
 Lead Africa International
 Lumbanga
 Middle East African Diaspora Unity Council
 M’Nemty
 Most Influential People of African Descent
 Nelson Mandela Human Rights Association
 Organisation pour le Droit des Personnes d’Ascendance Africaine
 Organization for the Rights of People of African Descent
 Organization of Tigreans Network for Affirmative Action
 PAD B Network
 Plataforma para o Desenvolvimento da Mulher Africana
 People of African Descent Link
 People of African Descent Business Network
 Quilombação Anti-racist Network
 Red Latinoamericana y del Caribe para la Democracia (REDLAD)
 Région Réunion
 Réseau parlementaire et associations des diasporas
 Salifu Dagarti Foundation
 Sant Pon Ayiti
 Suriname Diaspora Solidarity Belgium
 Tiye International
 Toronto Black Farmers and Growers Collective
 US Human Rights Network
 Vater sein in der Schweiz
 With and For Girls Collective
 Windrush Observer

Women's All Points Bulletin
World Against Racism Network
World Development Alliance

Academia

De La Salle University
Kyoto Seika University
Ingwee
Morehouse College
University of Chicago

Individuals

Brenda Smith Lezama, LLC
Sancta Watley, S/E Management Group, LLC
Beauty Kaya

Others

Association of Reading Centres
Conseil national des droits de l'homme (Côte d'Ivoire)
Continental Network of Indigenous Women
Nova Scotia Barristers' Society
WaxUp Africa
