

Civil Society Proposal on the Modalities of the UN Permanent Forum on People of African Descent

“Decides to establish a permanent forum on people of African descent, which will serve as a consultation mechanism for people of African descent and other interested stakeholders as a platform for improving the quality of life and livelihoods of people of African descent and to contribute to elaborating a United Nations declaration, which is the first step towards a legally binding instrument, on the promotion and full respect of human rights of people of African descent, and that the modalities, format and substantive and procedural aspects of the permanent forum will be concluded by Member States and observer States, with further consultations with people of African descent” ([A/RES/73/262](#))

I. Mandate of the UN Permanent Forum on People of African Descent

1. The Permanent Forum shall serve as a consultation mechanism for people of African descent as a platform for positively transforming and improving the quality of life and livelihoods of people of African descent.
2. The Permanent Forum shall function as a subsidiary and advisory body with a mandate to discuss 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 Council as well as to member states, the committees of the General Assembly, organs, programmes, funds, and agencies of the United Nations;
 - b. Raise awareness and promote the integration and coordination of activities relating to the situations, protection, promotion and further elaboration of human rights of people of African descent within the United Nations system;
 - c. Prepare and disseminate expert studies, reports, testimonies and other information on people of African descent that can be disseminated through 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 members of the Forum to document, protect and promote human rights of people of African descent;
 - e. Upon request, assist Member States and/or people of African Descent in identifying the need for and providing technical advice regarding the development of domestic legislation and policies relating to the people of African Descent;
 - f. Provide Member States, upon their request, with assistance and advice for the implementation of recommendations made at the universal periodic review and by treaty bodies, special procedures or other relevant mechanisms.

3. The Permanent Forum shall contribute to elaborating a UN Declaration on the Rights of People of African Descent.

II. The Vision of the Permanent Forum

4. The Forum shall build on the tradition of Pan-Africanism, the Pan-African Conferences, Congresses and Associations and help fulfill Pan-Africanism.
5. The Permanent Forum shall build on the tradition of the anti-slavery, global movement and advance freedom as the birthright of every human being;
6. The Permanent Forum shall recognize that the term “people of African descent” is rooted in Pan-Africanism, that in many ways the histories, situations and destinies of Africans and people of African descent are interconnected and that Africans and people of African descent share common interests;
7. The Permanent Forum Shall Promote the implementation and full realization of the Durban Declaration and Programme of Action—in particular its provisions concerning Africans and people of African descent;
8. The Permanent Forum shall facilitate the realization of the ideals of the 1926 Slavery Convention and the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery;
9. Pursuant to the Durban Declaration and Programme of Action, and above-mentioned clauses, the Permanent Forum shall research, facilitate discussion, and report and offer recommendations on the call for reparations for colonialism, enslavement, the transatlantic slave trade and other crimes against humanity directed towards People of African Descent across the globe;
10. The Permanent Forum shall recognize the intersectionality and interconnectedness of human rights, equality and discrimination—including structural discrimination—on such grounds as race, colour, ethnicity, religion, nationality, social origin, age, gender and sexuality;
11. The Permanent Forum shall connect civil society and social movements in order to facilitate the transformation of the living conditions of People of African Descent and the power dynamics between People of African Descent and those forces that oppress them as a means of liberation;
12. The Permanent Forum shall advance the human right to self-determination for all individuals of African Descent;

III. Format and procedural aspects of the Permanent Forum

Membership

13. Permanent Forum Committee:
 - a. Shall consist of twelve (12) expert member;
 - b. Six members shall be nominated by Civil Society Organizations that reflect the diversity and geographical distribution of People of African Descent around the

- world, have demonstrated support from various civil society organizations within the nominating region, and are approved by the Council;
- c. Six members shall be nominated by member states that reflect the diversity and geographical distribution of People of African Descent around the world and approved by the Council;
 - d. Members of the committee shall be gender balanced and inclusive of gender non-conforming people whenever possible, shall self-identify as People of African Descent and reflect the diversity, including the generational diversity, and geographical distribution of People of African Descent around the world;
 - e. The Chair is elected by members of the Forum Committee from among its ranks, for a term of one year with a possibility of being re-elected during the term of their appointment as a member;
 - f. Members of the Forum Committee can serve shall a term of three years, with the possibility of being re-elected for an additional three-year term.

Responsibilities

14. The responsibilities of the permanent forum committee members shall include but not be limited to:

- g. Making recommendations to the Council voted on by members of civil society that are present and participating during the forum sessions.
- h. Determining the themes and programs for the annual Forum sessions, after consultation with civil society;
- i. Preparing, editing and presenting recommendations for the Forum sessions and the final reports;
- j. Supporting, initiating and managing the development of expert advice, recommendations and studies;
- k. Promoting the integration and coordination of activities in the UN system relating to people of African descent;
- l. Issuing statements, offering advice and recommendations on urgent matters concerning the protection and promotion of human rights of people of African descent;
- m. Submitting an annual report to the Council on its activities, including any recommendations—the report shall be distributed to the relevant United Nations member states, organs, funds, programmes and agencies as a means, inter alia, of furthering the dialogue on issues of people of African Descent within the United Nations system.

Secretariat

15. The Permanent Forum shall have a Secretariat to manage the regular operation of the Forum with resources to:
- a. Support the Forum work of the committee members and civil society;
 - b. Help organize the sessions of the Permanent Forum;
 - c. Manage the observations and participation in the Forum.

Financing

16. 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.

Voluntary Fund

17. The Permanent Forum shall have a Voluntary Fund—funded by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities as well as, available funds from the Trust Fund established under U.N. Resolution 262—for the purposes of:
- a. Expenses for the Secretariat and the management of the Forum;
 - b. Travel expenses for members of the Forum to attend its sessions;
 - c. Support for civil society observers to participate in Forum sessions in the form of travel, accommodations and per diem support;
 - d. Support for civil society 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;
 - e. Support for civil society to participate in other UN-related functions pertinent to the condition 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;
 - f. Support for research, studies and development of recommendations for the Forum.

Forum Sessions

18. The sessions of the Permanent Forum shall:

- a. Apply the rules of procedures established for subsidiary organs of the Council as applicable, unless otherwise decided by the Council; the principle of consensus shall govern the work of the Permanent Forum;
- b. Take place annually for at least 5 and no more than 10 consecutive days at the United Nations in Geneva, New York City or another location approved by the Council;
- c. Have themes that, after consultation with other members of civil society are determined by the members of the forum committee Forum Members;
- d. Have programs that include thematic panels and discussions, and civil society initiated and led side-events;
- e. Present candidates and elections of members, work and agenda;
- f. Allow civil society members of the Forum to develop and deliver recommendations, testimonies, and statements to the Forum;
- g. Allow civil society to vote on which recommendations, advice and studies shall be forwarded to the Council and others according to the Forum mandate;
- h. Support the formation of national and/or regional forums and networks on People of African Descent for the preparation of recommendations or studies for the Permanent Forum on People of African Descent.

Review of Forum Functions

19. Review of the Forum functions:

- a. Five years after its establishment, an evaluation of the functioning of the Permanent Forum, including its mandate, format, election of members and other procedural aspects, shall be carried out by an independent group of experts and reviewed by the Council, committee members of the Forum, and civil society;
- b. Upon the adoption of a Declaration on the Rights of People of African Descent, expand its mandate to include identifying, disseminating and promoting good practices and lessons learned to achieve the ends of the Declaration, including through reports to the Council.

IV. The Process:

The General Assembly resolution calling for a UN Permanent Forum on People of African Descent (UNPFPAD) was sudden and unexpected. Many questions remain about the structure and operation of such a forum, including the number of members, the formal relationship between the forum and civil society and the placement of the forum (ECOSOC or HRC). Equally as important, the short timeline has limited meaningful dialogue among members of civil society about the vision, scope, and logistics of the UNPFPAD.

This process must take place with meaningful contributions from all stakeholders including civil society or it will be viewed as alien to People of African Descent and, therefore, will lack legitimacy and simply will not function as intended. As such, the undersigned make the following recommendations:

1. Extend the process. As of May 1, 2019, there was no public agenda or format for the May 10, 2019 consultation with civil society. This process must be extended in order to allow civil society members to continue to submit recommendations until the members states meet to decide on the format of the forum.

2. Ensure the support for civil society engagement in the process to elaborate a UN Declaration on the Rights of People of African Descent. We recommend to the High Commissioner on Human Rights to support additional civil society consultations and to financially support members of civil society to engage in this process. We encourage a series of roving regional meeting to reduce travel expenses, allow participants a greater opportunity to engage and to substantially grow the number of organizations and individuals that connect with this process.

Endorsed by,