

**Chairperson's Report of the one-day consultation on the
Permanent Forum on people of African descent
10 May 2019
Room VII, Palais des Nations, Geneva, Switzerland**

A. INTRODUCTION

1. A one-day consultation on the Permanent Forum on people of African descent was held pursuant to General Assembly resolution A/RES/73/262, and focused on "the modalities, format and substantive and procedural aspects of the permanent forum". Over 200 participants including representatives from governments, United Nations mechanisms, bodies and specialised agencies, civil society representatives, and people of African descent from all regions attended the meeting.
2. The Chairperson of the meeting, Ambassador Shara Duncan Villalobos, Deputy Permanent Representative of Costa Rica, in her opening statement encouraged participants to focus their discussion on the main aspects of the Permanent Forum including its mandate and substantive objectives, procedural aspects, structure and format, and reporting modalities. She stated that 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.

B. MANDATE/THEMES

3. Participants welcomed the consultation and expressed readiness to engage further to effectively establish the Forum to implement the mandate contained in the Programme of Activities of the International Decade for people of African descent as well as per GA resolution 73/262. Representatives of Member States also supported the creation of the Permanent Forum as a necessary space for the debate on pressing challenges faced by people of African descent. They stated that the Forum should ensure broad participation of people of African descent and 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 an agenda of the International Decade for people of African descent is related to a large extent to the problems faced by people of African descent, including xenophobia and structural discrimination, as well as suffering from the consequences of colonialism and the Transatlantic slave trade and that the Forum, upon its creation, should give relevant attention to these issues in the future. The presence of many civil society representatives at the consultation was also noted as an attestation to the importance of the Permanent Forum to serve as an advisory mechanism and to serve as a global consultative forum to deliberate on the rights of people of African descent.
4. Several specific suggestions were made regarding the mandate of the Permanent Forum. A number of Member States and civil society representatives were of the view that its first major undertaking should be to contribute to the elaboration of a UN declaration on the promotion and full respect of human rights of people of African descent (the Declaration). One Member State representative suggested that its activities may include organizing in collaboration with Member States regional consultative conferences, workshops and outreach programs targeting people of African descent in countries where they live as citizens. The modalities of the Forum should reflect voices, views and preferences of the communities concerned in principle, the representative added. Another delegation suggested that the Forum should be a platform for promoting dialogue and cooperation on issues pertaining to people of African descent, as well as thematic contributions and expertise to the work of the relevant Special Procedures mandates, including on improving the quality of life and livelihood of people of African descent. The representative added that the Forum shall identify and analyse best practices, challenges opportunities and initiatives for the effective implementation of the Programme of Activities of the International Decade, in line with the A/RES/69/16.

5. Mr. Ahmed Reid, Chairperson of the Working Group of Experts (WGEPAD), spoke of the Permanent Forum as an opportunity for the articulation of new rights envisaged by GA res. 73/262, and stated that the Permanent Forum would empower and develop African descendant communities. Ms. Verene Shepherd, Member of the Committee on the Elimination of Racial Discrimination (CERD) added that themes to be discussed by the Forum could be decided in consultation with the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action (IGWG), the WGEPAD and civil society. She suggested that the Permanent Forum pursue several outcomes including: tackling the psychological harm of enslavement and colonialism which continue to affect people of African descent; ending racial profiling, Afrophobia and related intolerance; using the Concluding Observations of the CERD and the country reports of Special Rapporteurs and the WGEPAD to advocate for rights, and securing reparatory justice for people of African descent, using the model of the CARICOM Ten Point Plan for Reparatory Justice.
6. Ms. Edna Santos Roland, Chairperson of the Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action (IEE), stated that it would be more effective to use the Forum as a space to implement the DDPA as a great deal of the DDPA is devoted to people of African descent. She further stated that the DDPA should be the departure point for elaboration and identification of gaps in terms of the development of a new Declaration. Mr. Pastor Murillo Martinez, CERD Vice-Chairperson, stated that the establishment of the Forum is an important development in the global agenda and an exceptional opportunity to build on international cooperation to work on challenges that face the international community, including on addressing the history of colonialism and transatlantic slave trade and its legacy, reparations, as well as issues such as racism, migration and structural discrimination. Ms. Gay MacDougall, former Special Rapporteur on minorities and Member of CERD saw the Forum to be a preservation of space in which minorities and civil society groups could raise their voices, and engage with Member States and that the Forum should focus on the implementation of the DDPA.
7. A civil society representative representing 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 are upheld globally. The CSO representative highlighted the plethora of human rights violations faced by people of African descent and stated that the Forum could help bring discussions among NGOs, 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 the Declaration, which the CSO representative hoped would be finalized by the end of the International Decade, following which the Forum could commence work on the binding legal instrument for people of African descent. The CSO representative also called for the Forum to look into the issue of reparatory justice. The focus of the Forum should be on the protection of the human rights of people of African descent. The Forum could decide on the theme for following meeting with the participation of all stakeholders, the representative added.
8. Another civil society representative suggested human rights concerns of people of African descent be included in the mandate of the Permanent Forum. The representative also suggested that the Forum cover issues such as repair and restitution for people of African descent and the SDGs and climate change. On the mandate of the Permanent Forum, the representative stated that it should serve as a consultation mechanism to end Afrophobia, racism and related forms of intolerance. A civil society representative suggested that the

¹ The international coalition was 118 organizations on 10 May and the number of organizations that have signed the coalition paper on the Permanent Forum has now increased to 150.

Permanent Forum should serve as a monitoring and evaluating mechanism on the human rights of 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 CSO emphasized the importance of the Permanent Forum as an opportunity to put in place a mechanism that will effectively address the total elimination of racism, racial discrimination, xenophobia, and related intolerance against people of African descent and Africans. The CSO representative added that the Forum should address structural racism as a legacy of enslavement and colonialism. Another representative of civil society stated that the Permanent Forum needs to be a process where epistemological, ontological, social, cultural and environmental issues are discussed. A CSO representative stated that Forum should focus on outcomes by encouraging more countries recognizing the International Decade. The representative also called for linking the mandate to the 2030 Agenda for Sustainable Development. Another CSO representative also called for the Permanent Forum to uphold the spirit of Pan-Africanism. A CSO representative called for the Forum to work on a variety of thematic reports distinct from the WGEPAD. Another CSO representative suggested that the Permanent Forum should pursue the reparations agenda.
10. A civil society representative stated that the Forum should create a framework for implementation focusing on economic issues. Another CSO representative called upon the Forum to follow up on the implementation of ICERD and DDPA. The representative suggested that the Forum should address gender, youth, disability and LGBTI issues, as well as focus on women of African descent and on reparatory justice. Another CSO representative recommended the establishment of an effective communication strategy in the Forum that draws special attention to the situation of women and girls. The Forum could assist Member States on their request with advice on implementation of recommendations from UPR, TBs and SPs and other mechanisms, reaffirm DDPA, and reparatory justice. The themes of the International Decade (recognition, justice and development) were also proposed. A CSO representative stated that thematic focus of the Forum could be recommended by the Forum itself and be decided per A/RES/73/262. Another CSO representative suggested that the mandate should include a strong element of education and outreach and awareness raising. A civil society representative also supported the idea of the Forum working on organizing another World Conference against Racism. Another CSO representation suggested that the Forum should work on the 10-point CARICOM Action Plan on Reparatory Justice, and the DDPA. Its first major task would be the mid-term review of the International Decade in 2020. Another CSO representative called for the Forum to encourage States to develop national plans of action. A CSO representative also suggested that the Forum should work with pan-African organizations such as the AU, ACPHR, etc. It could work on the Declaration and on the possibility to hold another World Conference on Racism, added the civil society representative.

C. STRUCTURE & LEADERSHIP

11. Some Member State representatives suggested that the Forum should meet either under the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action (IGWG) in line with A/HRC/RES/34/33, or within the Working Group of Experts on People of African Descent (WGEPAD), while avoiding agenda duplication with the existing Durban follow-up mechanisms. Another Member State representative pointed out the large experience of the HRC in establishing such bodies and such experience may be used for the establishment of the Forum. The representative further added that the Forum should resemble a HRC mechanism. Another Member State pointed out that the Permanent Forum should serve as an advisory body to the HRC and the GA Third Committee, proposed a co-Chairpersonship between the Ad Hoc Committee on the elaboration of complementary standards and the IGWG, to keep the spirit of the DDPA mechanisms intact in line with

A/HRC/RES/34/33. A Member State representative suggested following the existing format of the appointment of the leadership of fora by the HRC President. Another representative stated that that the Forum should serve as an advisory body, and that they were open to the Forum being an advisory body to the Human Rights Council (HRC) or the General Assembly (GA). The representative added that that a special procedure of the HRC such as the WGEPAD could give leadership to the Forum, similar to the Business and Human Rights Forum and the Minorities Forum. The representative also stated the possibility of the Forum meeting back to back with the session of the WGEPAD.

12. Ms. Shepherd stated that the Permanent Forum is an essential component of the Programme of Activities of the International Decade, and was included in recognition of the fact that there is need to sustain dialogue on people of African descent in a Forum that is separate from the existing meetings of post-Durban mechanisms. Ms. Shepherd added that the Programme of Activities for the International Decade states that leadership should be invested in a post-Durban mechanism such as the 5-Member WGEPAD, which should also guide the work of the Forum in consultation with civil society. The WGEPAD Chairperson also proposed the model adopted by the Business and Human Rights Forum for the Permanent Forum.
13. Several CSO representatives called for a Permanent Forum that is independent even as a subsidiary body, that serves to empower civil society to develop and make recommendations to the UN and its Member States and that is inclusive of people of African descent. They further emphasized that the Forum should not be seen as a duplicate body, and called upon Member States to see it as independent of all current mechanisms. On leadership, they added that Forum leadership should be an executive board as submitted in the proposal by the international coalition of CSOs. While emphasizing for the need to have a Permanent Forum independent of the existing structures, CSOs called for linkages and dialogues with the mechanisms working in complementarity but independent. A Civil Society organization representative stated that the Forum should be subsidiary to the Human Rights Council. Another CSO representative 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 CSO representative suggested not taking time out of the WGEPAD sessions in view of the WGEPAD's own work and mandate and the CSO call for an independent mechanism, adding that the WGEPAD was not fully representative of people of African descent. The Forum should be under the HRC, and report to the GA, the representative added. CSOs would not accept having the Permanent Forum under the IGWG, another representative added. A CSO representative also suggested for OHCHR to have a Special Advisor on the Decade to create linkages between the various mechanisms. CSOs also suggested the creation of a Special Rapporteur of the Forum who could also guide the Forum.

D. COMPOSITION

14. A Member State representative called for gender balance and diversity among the experts in the Permanent Forum to be reflective of people of African descent around the world. Another Member State delegate also emphasized the importance of inclusive participation based on geographical representation, participation of experts in a balanced manner, and supported the participation of 25 participants based on the PBI. Ms. Shepherd also stated that gender balance should be taken into consideration in the appointment of the Forum Chairperson. A number of speakers emphasized on regional rotation, while also emphasizing the importance of gender balance in the composition and expertise on the topic. A CSO representative supported an earlier proposal of a board consisting of twelve members, six of which are selected from CSOs and six nominated by Member States. Some of the speakers also suggested that the Forum should be organized in such a way that the majority if not all members of the board are of African descent. CSO representatives proposed 12 to 16 expert members appointed through an open nomination procedure. Another CSO representative

suggested 16 members similar to the UNPFII. Another CSO representative suggested that two-thirds of experts be people of African descent while another CSO representative suggested a 100% representation of people of African descent in the composition. Yet another CSO representative suggested that the Chairperson of the Forum should be of African descent. In addition geographical distribution of people of African descent on the constitution of the Permanent Forum, it should also include representatives from the different sub-regions, a CSO representative added.

E. LOCATION

15. A number of different proposals were presented on the location of the Permanent Forum. A Member State representative suggested the preference of alternating the meetings of the Forum between Geneva and New York. Another Member State representative noted that placing the Forum under one of the Durban mechanisms did not pose any obstacle on alternating between Geneva and New York and that the WGEPAD could relocate its session to New York if necessary. A Member State suggested that the Permanent Forum could be based in New York because of broader representation of States that host people of African descent themselves, but nevertheless expressed its openness to discussions and said rotation between New York and Geneva, taking into consideration 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 backed by consensus stated Geneva.
16. The WGEPAD Chairperson emphasized that the WGEPAD fully supported civil society's engagement and participation in the Permanent Forum and supported alternating the Permanent Forum location between New York and Geneva. Ms. Shepherd stated that there would be more visibility and participation if the Forum were to be held at the UN in New York, in a region that has the majority of people of African descent. Ms. MacDougall suggested alternating places for the Forum between the HRC and the GA (Geneva and New York) as suitable for optimum sustainability of the mandate of the Forum. Another CSO representative stated that the opportunity to rotate Forum meetings between Geneva and New York and other venues would be beneficial for broader participation of civil society and other stakeholders and location to alternate between New York and Geneva and other regional locations where people of African descent are to facilitate their participation.
17. Civil society representatives presented several proposals on locations for the Permanent Forum including New York, Geneva and other locations, including Africa. A CSO representative called for the establishment of the Forum in Geneva and New York, as well as communities where people of African descent live. Another civil society representative called for a decentralized Permanent Forum in regions with large populations of people of African descent using technology to allow multiple locations to participate in the same Forum. A CSO representative stated that the Forum should be based in New York or elsewhere based on the location of largest populations of people of African descent in the world. A civil society representative stated that the Forum should be held in New York, but alternating locations is also favourable, based on the format of the Inter-American Commission on Human Rights, which holds its meetings in different countries. Another CSO representative supported New York as the location for the Forum, while also supporting the decentralization of the organization of meetings. A CSO representative supported Geneva as the location for the Permanent Forum, while another representative suggested New York. A CSO representative suggested rotation of the Permanent Forum between New York and Geneva as well as Africa. Some CSO representatives suggested holding the meeting beyond New York and Geneva, with the possibility to meet in the AU headquarters in Addis Ababa. A number of CSOs suggested that the Forum should be held in Africa. A civil society representative stated that the location of the Forum would be dependent on the ECOSOC or HRC status.

F. DURATION/FREQUENCY/ TIMING

18. A Member State representative stated that it is important to organize further consultations in 2019 to allow the adoption of a resolution by General Assembly to adopt the format and modalities of the Forum in order to make it fully operational no later than 2020. At the same time number of speakers emphasized that in view of the mid-term review of the International Decade the Permanent Forum should be held sooner rather than later and called for its expeditious establishment. On the duration of the Permanent Forum, some Member States suggested that the Permanent Forum should meet annually for a duration of three to five days. A delegate suggested a duration of three days, and added that that they would cross-check their position for a duration longer than three days. Civil society representative suggested different proposals including five days; five to ten days annually; at least 10 days to facilitate greater relationship building, and up to two sessions annually for a period of 10 up to 15 days.
19. Some Member States supported the idea of holding the meeting in March due to the important of commemorative events held during the month (21 and 25 March). Another Member State representative pointed out that scheduling the Forum in the last week of the HRC sessions in March may pose difficulties. A CSO representative informed that in view of the meeting of the Commission on the Status of Women taking place in March the month may not be a suitable for organizing the Permanent Forum.

G. NGO PARTICIPATION & FUNDING

20. On the participation of civil society and non-governmental organizations, a Member State suggested that the Forum has to enjoy broadest possible representation of civil society organizations with clear accreditation procedures. Another Member State also expressed that the Forum should ensure broad participation of people of African descent and its membership should be reflective of the diversity and geographic distribution of people of African descent around the world. One Member State representative suggested civil society participation should be based on ECOSOC accreditation. In sharing her experiences as a former Special Rapporteur on minorities leading the Forum on Minority Issues, Ms. MacDougall informed that she had introduced measures such as suspending the order of speakers and non-negotiated reporting which had allowed for greater space for CSOs. She emphasized the importance of civil society participation in the Forum. Several civil society organizations called for the Permanent Forum to allow broad CSO participation, emphasizing that participation should not be decided by ECOSOC status.
21. On funding, several CSO representatives also called upon Member States to support the Forum with adequate resources and called for both regular budget and voluntary contributions towards ensuring broad and inclusive participation of civil society in the Forum. Funding and access to resources to carry out research-based projects was also highlighted. Also suggested by a large number of representatives was the establishment of a voluntary fund for people of African descent allowing for implementation of the work of the Permanent Forum and stated further that additional resources, including a program of grants for participation of CSOs would allow CSOs to play a role in advancing the needs of people of African descent, as well as for their participation in the various mechanisms such as the UPR to follow-up on recommendations.

H. REPORTING

22. On reporting modalities, the representative of a Member State indicated that the Forum could report annually through the HRC to the Third Committee. Another delegate suggested that

the Chairperson of the Forum should serve in his/her capacity and the report should not be negotiated and that the report of the Forum should be submitted to the HRC or GA. The WGEPAD Chairperson also proposed that the Permanent Forum should report to both the HRC and the GA. In general, participants suggested to have a mechanism of reporting to the GA through the HRC.

I. CONCLUSION

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

J. List of Attendance

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
United Kingdom of Great Britain and Northern Ireland
Ukraine
Uruguay
Venezuela (Bolivarian Republic of)
Zimbabwe

International Organizations

UNFPA – 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 Peuple Autochtones (doCio)
Global Afrikan Congress
Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco
IHRAAM - International Human Rights Association of American Minorities
Le Collectif des Femmes Africaines du Hainaut
Samuel DeWitt Proctor Conference, Inc.
Society for the Psychological Study of Social Issues

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

Africa Solidarity Centre Ireland
African Center, Ukraine
African Foundation for Migration and Development
African Nova Scotian Decade for People of African Descent Coalition
Afro-Colombian Global Initiative
Afro Chilena Lumbanga
Afro Swedish Organisation
Agrocity
Agrupacion Afro Xango, Argentina
Amnesty International
AMUAFROC - Asociacion de Mujeres Afrocolombianas
ANAA – African Network for Advancing Actions
Anti-Racist Forum, Finland
Asociacion Proyecto Caribe/ Foro Nacional de Mujeres
Association RACINES
Canadian Race Relations Foundation
CAPSDH – African Commission of Health Promoters and Human Rights
CIRID – Centre Independent de Recherche et d'Initiative pour le Dialogue
CODHES – Consultoria para los Derechos Humanos y el Desplazamiento
Coloquio de la Red Latino Americana de Analisis del Discurso de la Pobreza (REDLAD), Colombia
CPIC Inc
ENPAD – European Network of People of African Descent
Fondacion do Docip
Frantz Fanon Foundation
Guadeloupe Association Racines
Guadeloupe Organisation pour le Droit des Personnes d'Ascendance Africaine
HBCU African Africana Digital Education and Work Collective
Ichirouganaim Council for the Advancement of Rastafari, Barbados
IDPAD Coalition UK
IGRASP - Intersectional Global Resilience Alliance for Sustainable Pathways
Ile de la Réunion, France
Implementation Team of the IDPAD in Spain
INDH – Initiative Nationale pour la Developpment Humain, Cote d'Ivoire
International Observatory of Human Rights
ISMUN – International Youth Movement for the United Nations
Kas La Shène
Lead Africa International Germany
Le Collectif des Femme Africaine du Hainaut
Middle East African Diaspora Unity Council
MIPAD

M'NEMTY, Tunisia
Nelson M46664 Human Rights Association, Hungary
OIDEL
Organisation for the Rights of People of African Descent
OTNAA – Organization of Tigreant Network for Advancing Actions
PAD B Network
PADEMA – Plataforma para o Desenvolvimento da Mulher Africana
PADLINK
People of African Descent Business Network, Belgium
Quilombação Anti-racist network
RAC - Commission Nationale des Droits de l'Homme
Red Latinoamericana y del Caribe para la Democracia REDLAD
Region Reunion
Réseau Parlementaire et Associations des Diasporas, Belgium
Salifu Dagarti Foundation, IDPAD Coalition UK
Sant Pon Ayiti
SUDISOBE – Suriname Diaspora Solidarity Belgium
The Leadership Conference Education Fund
The Quill
TIYE International
Toronto Black Farmers and Growers Collective
US Human Rights Network/Black Voters Matter Fund
Vater Sein in der Schweiz
WAPB – Women's All Points Bulletin
With and For Girls
Windrush Observer, UK
World Against Racism Network
World Development Alliance

Private Sector

Academia

De La Salle University, Manila Philippines
Kyoto Seika University, Japan
Ingwee
Morehouse College
University of Chicago

Individual

Nouire Zied
Brenda Smith Lezama, LLC
Sancta Watley, S/E Management Group, LLC
Beauty Kaya, Králův Dvůr

Others

Afrodyssee /WaxUp Africa
Association of reading centres in Gambia, West Africa
Conseil National des Droits de l'Homme
Conseil National des Droits de l'Homme de Côte d'Ivoire
Continental Network of Indigenous Women of the Americas
mémoire historique et contemporaine
Nova Scotia Barristers' Society
Person of African Descendant