



Statement to the Permanent Forum on People of African Descent
New York, NY USA 30 May - 2 June 2023

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**MANDATE FROM THE AFRO DESCENDANT PEOPLE ISSUED TO THE PERMANENT FORUM ON
PEOPLE OF AFRICAN DESCENT TO REQUEST AN ADVISORY OPINION FROM THE
INTERNATIONAL COURT OF JUSTICE ON THEIR STATUS AS PRISONERS OF WAR UNDER THE
GENEVA CONVENTION**

Members of the Forum,

Great Delegates

On December 6, 2022, from the floor of the first session of this forum, I (Siphwiwe Baleka) said, *“we call on this Forum to vigorously request an advisory opinion from the International Court of Justice on our status as prisoners of war under the Geneva Convention as well as our right to conduct plebiscites for self determination including the right to secede from the jurisdictions of colonial successor states in the Western hemisphere and form our own independent governments.”*

On April 5th, this forum received a *Mandate from the Afro Descendant People* that was signed by 248 individuals and organizations from over twenty countries, many of them in this room today. The mandate laid out the firm basis of this forum's ability to make such a request under UN Charter Article 96, Article 65 of the Statute of the International Court of Justice, and Resolution 75/314 establishing this forum. Resolution 75/314 specifically states that this forum can “request the preparation and dissemination of information by the United Nations system on issues relating to people of African descent . . .”

As you may know, there is much skepticism about the value of this forum, whether it will be just another UN organ that collects information and does nothing, or whether or not it will be a champion of African people and civil society. Unfortunately, there has been no formal response by the members of this forum to the mandate it has received. Therefore, our Ad-Hoc Mandate Steering Committee has taken the liberty of assisting this forum by presenting the forum members with a draft Request to the Registrar of the ICJ for an Advisory Opinion, the first step in the process.

We believe that a “crowning jewel” of this second session would be the ceremonial signing of the Request, showing a true working partnership between people of African descent, their civil society organizations, and this forum while demonstrating that it does not take months and years to get things done.

In closing, I repeat the words of former African Union Ambassador to the United States, H.E. Ambassador Arikana Chihombori-Quao, who also sent this forum a letter on April 5 stating, “We are certain that such an effort by [the Forum] will help solidify the Forum's reputation as a champion of African people everywhere.”