

AFRICANS IN AMERICA FOR RESTITUTION AND REPATRIATION  
NGO IN CONSULTATIVE STATUS WITH THE UN ECOSOC

STATEMENT

Third session of the Permanent Forum on People of African Descent

DATE

16 - 19 April 2024

LOCATION

PALAIS DES NATIONS OF THE UNITED NATIONS OFFICE IN GENEVA, SWITZERLAND

Panel #1: Reparations, Sustainable Development & Economic Justice

According to the Permanent Forum on People of African Descent (PFPAD) mandate, the Permanent Forum is a Consultation Mechanism for people of African descent.

Prior to the transatlantic slave trade, Descendants of Enslaved Africans in the United States (DEAUS), African Americans, had a homeland, government, culture, and a social-economic system. DEAUS homeland was raided by other African people, sold and traded African American ancestors into slavery and seized their homeland.

Land return, also called land reparations or land restitution, includes efforts to support the return and resettlement of descendants of enslaved Africans into sustainable communities and apologize for centuries of history filled with land theft, the murder of millions, and the destruction of DEAUS ancestors' communities. For land reparations efforts, land can refer broadly to any land claimed or ceded being returned to DEAUS.

The United Nations has acknowledge that slavery and the slave trade, including the transatlantic slave trade, were appalling tragedies in the history of humanity not only because of their abhorrent barbarism but also in terms of their magnitude, organized nature and especially their negation of the essence of the victims, and further acknowledge that slavery and the slave trade are a crime against humanity.

Today, DEAUS cannot exercise the right of return according to the Universal Declaration of Human Rights and international law because DEAUS has no homeland to return (until now).

To add insult to an injury, when DEAUS resettle in African countries as "migrants" or "foreigners," DEAUS face contemporary forms of racism, racial discrimination, call racial slurs such as Akata, financially exploited, xenophobia, and related intolerances.

Therefore, PFPAD as a Consultation Mechanism (PFCM) is task to provide, in coordination with existing mechanisms, expert advice and recommendations to the Human Rights Council, the Main Committees, of the General Assembly addressing challenges and manifestations confronted by people of African descent i.e. DEAUS, African Americans resettlement, and address that which impedes the full and effective realization and enjoyment of DEAUS human rights.

**The Right of Return in Human Rights Law**

**Human rights law – which confers rights directly upon individuals and not through states.**

PFCM must take in consideration the elaboration of a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent, DEAUS. Notably the Universal Declaration of Human Rights (UDHR). Article 13(2) of the UDHR phrases the right of return broadly and simply, as follows: "Everyone has the right to leave any country, including his own, and to return to his country." Article 12(4) of

the International Covenant on Civil and Political Rights phrases the right of return fairly similarly: "No one shall be arbitrarily deprived of the right to enter his own country." General Comment No. 27[27] to Article 12(4) establishes that the phrase "his own country" applies to a much broader group of persons than merely "nationals" of a state. The language is intended to include: "nationals of a country who have been stripped of their nationality in violation of international law, individuals whose country of nationality has been incorporated in or transferred to another entity.

The Declaration on the human rights of people of African descent states people of African descent have the right to recognition and self-determination of ancestral territories,

### **Our Program of Action - PFPAD Consultation Mechanism (PFCM) in partnership and agreement with Africans in America for Restitution and Repatriation Community (AA4RRC)**

PFCM/AA4RRC will be an African regional and civil society bi-level taxonomy that allows for resettlement policy and governance dynamics.

PFCM must contribute to shaping common approaches to an international resettlement governance among African States and to the emergence of convergent policy approach at the regional and international levels. PFCM must give rise to an array of effective agreements, practices and partnership models. These include policies, standards, initiatives, collaboration frameworks and funds to facilitate the return and resettlement of descendants of enslaved Africans in the USA (UNGA 75/237). A dedicated forum on resettlement issues only, however PFCM is expected to discuss interrelation of resettlement with other domains, such as SDGs, development, governance, etc.

### **AA4RRC PROGRAM OF ACTION MAIN OBJECTIVES**

In partnership with PFCM, AA4RR will implement resettlement and development projects that support the activities of PFCM. As noted, prior, these activities should include informing and influencing policymaking in the field of resettlement governance, advancing multi-lateral understanding and action on resettlement issues and contributing to practical solutions to contemporary resettlement challenges in Africa.

Let's identify this program of action and opportunity to address the issues highlighted in the provisions of the Durban Declaration and Programme of Action relevant to people of African descent IAW UNGA Resolution 75/237, paragraph 158. In conclusion, AA4RR has shared many ideas with UN mechanisms only to see our recommendations and ideas exploited, its time to support civil society and their initiatives.

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