Statement to the 20th session of the

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NEW AFRIKAN INDEPENDENCE MOVEMENT AND HUMAN RIGHTS

The Permanent Forum of People of African Descent has asked for viewpoints to assist in drafting a United Nations Declaration on “the promotion and full respect of the human rights of people of African descent.” As President of the Balanta B’urassa History & Genealogy Society in America and a member of the National Coalition of Black for Reparations in America (N’COBRA) International Affairs Commission and Health Commission, I submit this statement and ask that this Intergovernmental Working Group consider the following:

1. The process of liberation is irresistible and irreversible, and its impediment by foreign domination constitutes a denial of fundamental human rights.1
2. The process of liberation of Afro Descendants in the United States of America, referred to as “New Afrikans” began on the African continent, continued on slave ships, and has been ongoing and relentless since arrival in the American colonies up to the present. It took on a decidedly modern nationalistic form in 1852.2
3. At the close of the American Civil War in 1865, the United States Government recognized the inalienable (human) rights of the new class of free men - namely the right to seek admission, as citizens, to the American community; the right to return home, to Africa; the right to general emigration and the right to set up an independent State of its own. New Afrikans were given possessory title to territories and set up New Afrikan self-governing colonies under the protection of the United States military. Thus, by word and action, did the American government recognize the fledgling New African nation and the right of the new class, in exercise of its inherent liberty, to independent Statehood.3
4. After the assasination of President Abraham Lincoln, the American community - reacting to its own need for black labor and reacting to what it believed to be a difficult logistical problem in emigration and reacting to a a fear of increased political power for the Confederates - determined to limit the liberty of the new class of men, in the political arena, to the single option of the United States citizenship. The Fourteenth Amendment, passed by Congress in June 1866 and ratified by the States in July 1868, was, then, the consecration of a campaign of war and fraud by the American community against New Afrikans, that wrongfully and illegally prevented the new class from exercising the full range of political liberty that belonged to it. It imposed citizenship on New Afrikans without their consent. The perpetuation of this imposition is a violation of New Afrikan people’s human rights.4
5. Like other colonized people on the African continent that initiated liberation struggles to achieve national independence, the colonized Afro descendants in the United States launched their New Afrikan Independence Movement to liberate the internal colony in the United States. To protect the human rights of New Afrikan people, the apparatus of state-power was needed. On March 31, 1968 the Provisional Government of the Republic of New Afrika was established and it issued a Declaration of Independence, setting itself up to govern a New Afrikan nation-state rallying around the demand to “Free the Land”.5
6. The international community has been continuously and exhaustively informed of the human rights violations of New Afrikans in the United States since 1918 through the numerous petitions submitted to the Paris Peace Conference, the League of Nations, and the various United Nations entities. The United States government’s response to the New Afrikan Independence Movement’s pursuit of liberation by means of sovereignty secured through national independence - an inalienable, irresistible and irreversible human right - has been both covert and overt violent repression through the Federal Bureau of Investigations CounterIntelligence Program (COINTELPRO). The details of this violation of New Afrikan human rights was presented to United Nations High Commissioner for Human Rights Mary Robinson on September 3, 2001. Meanwhile, the international community’s response has been largely indifference and inaction. We ask - How is it that no case, no sanctions, have ever been initiated by members of the United Nations against the United States, a pioneer of racism, for past and present violations of New Afrikan people’s human rights? How is it that slavery, genocide, ethnocide, racism in its various forms and violations of New Afrikan peoples’ human rights has gone unpunished by the international community? What action has been taken to compel the United States to pay reparations? How is it that New Afrika has not been listed as a non-self governing territory?6
7. The New Afrikan Independence Movement’s efforts to secure and protect the human rights of New Afrikan people in the United States through the liberation of its national territory is hindered by both domestic and international law *itself*, specifically [S. CON. RES. 26](https://www.congress.gov/111/bills/sconres26/BILLS-111sconres26es.pdf) in which the United States Government simultaneously apologies for its role in the wrongs committed against New Afrikans and prevents New Afrikans from making any claims against the United States, in violation of their 1st Amendment civil rights. Similarly, points 6 and 7 of GA Resolution 1514 (XV) simultaneously affirms the New Afrikan Independence Movement’s human right to liberation, self-determination and independence while at the same time preventing New Afrikans from seceding from the United States and establishing through nonviolent means sovereign jurisdiction over New Afrikan territory that is currently considered sovereign territory of the United States.7
8. I remind this Working Group of the [*Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance*](https://undocs.org/A/74/321) which emphasizes,

“that the pursuit and achievement of reparations for slavery and colonialism require a genuine “decolonization” of the doctrines of international law that remain barriers to reparations. In the face of the grave historic inustices of slavery and colonialism, as well as their continuing legacies, the use of legal doctrine by member states to impede redress is distressing. The Special Rapporteur stresses that international legal doctrine has a longer history of justifying and enabling colonial domination than it does of guaranteeing equal rights to all human beings. Law that perpetuated neocolonial dynamics - including the failure to eradicate the legacies of slavery and colonialism - must itself be recognized and condemned as neocolonial law.”8

IX. On January 20, 2021, President Joseph R. Biden Jr signed the [Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/?fbclid=IwAR2NUSdbtyiATq3lAKXn8zcrMKYar6k4_-dN01E4S2pRbTuqq-KDShHwtbA) stating that “affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our Government.” No mention is made of the human rights of the New Afrikans in the United States nor of Reparations.9

Nevertheless, pursuant to President Biden’s Executive Order, I ask that this working group recommend to the Permanent Forum of People of African Descent that it find ways within the UN structure to urge

1. Biden’s Domestic Policy Council (DPC) to follow the recommendation of the Report of the Office of the United Nations High Commissioner for Human Rights Compilation on the United States of America to “establish a high-level inter-agency working group (United States Working Group on Human Rights) with a mandate to oversee and coordinate the implementation of the international human rights obligations of the United States domestically.”
2. The United States Working Group on Human Rights to submit to the Director of the Office of Management and Budget (OMB) a report within 200 days on legal reform to benefit the New Afrikans’ ability to exercise their human rights.
3. The report shall include a plan to assist the New Afrikan request to the UN Decolonization Committee to place New Afrika on the list of non self governing territories.
4. The report shall include a plan for financial support for an educational campaign to prepare New Afrikans in the United States for a future plebiscite.

Respectfully submitted,

Siphiwe Baleka, Founder

Balanta B’urassa History & Genealogy Society in America

Endnotes

1. The Declaration on the granting of independence to colonial countries and peoples [General Assembly resolution 1514 (XV) of 14 December 1960’ states that “The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation. 2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development” and “the process of liberation is irresistible and irreversible”.
2. The term ***Afro Descendent*** is the term adopted in 2002 by nineteen (19) countries at the United Nations Conference for the Rights of Minorities in La Ceiba, Honduras to recognise people of African descent as subjects of international human rights law. This meant that ***Afro Descendants*** are able to acquire rights and obligations directly in the international arena, according to the provisions of these international instruments. The term ***New Afrikan*** is defined as “African people with some Indian and European genes, living away from Africa'' and expresses our racial, cultural, and social fusion of various African ethnic groups into one unique New Afrikan Nation with a common history, language, economic, life, and consciousness manifested in a community of culture and desiring freedom, self-determination and Independence much like other African nations that achieved political independence on the continent of Africa and New Afrikan nations that achieved political independence in the Caribbean since the 1960’s. New Afrikan liberation has taken various forms including armed self defense, second strikes, sabotage, mutiny, poisoning, destruction of property, migration, secret and public meetings, petitioning, institution building, and disobedience. By 1852, Martin Delaney published *The Condition, Elevation, Emigration and Destiny of the Colored People of the United States*, stating, “Submission does not gain for us an increase of friends nor respectability, as the white race will only respect those who oppose their usurpation, and acknowledge as equals those who will not submit to their rule. . . . We must make an issue, create an event and establish for ourselves a position. This is essentially necessary for our effective elevation as a people, in shaping our national development, directing our destiny and redeeming ourselves as a race.” Two years later, the National Emigration Convention for Colored Menwas held in Cleveland, Ohio. In his keynote Address to the Convention, *“Political Destiny of the Colored Race, on the American Continent”*, Delaney stated, “A people, to be free, must necessarily be their own rulers: that is, each individual must, in himself, embody the essential ingredient—so to speak—of the sovereign principle which composes the true basis of his liberty. . . . Consequently, the colored man in the United States, being deprived of the right of inherent sovereignty . . . must make an issue, create an event, and establish for ourselves a position. This is essentially necessary for our effective elevation as a people, in shaping our national development, directing our destiny, and redeeming ourselves as a race.”
3. After being made President, Abraham Lincoln considered the question of the right of the free negroes to return to their ancestral homelands on the African continent. Large numbers of slaves in the Confederat states not only became actually free by escape and capture, but also legally free through the Confiscation Acts. In this new condition, their protection and care were to a considerable extent thrown upon the government. To solve this problem, President Lincoln decided upon a plan of compensated emancipation and recognition of New Afrikan territory, states and governments which would affect the liberation of slaves in the border States. In his first annual message, December 3, 1861, President Lincoln said, “It might be well to consider, too, whether the free colored people already in the United States could not so far as individuals may desire be included in such colonization . . . To carry out the plan of colonization may involve the acquiring of territory, and also the appropriation of money beyond that to be expended in the territorial acquisition. Having practiced the acquisition of territory for nearly sixty years, the question of constitutional power to do so is no longer an open one to us. . . . On this whole proposition, including the appropriation of money with the acquisition of territory, does not the expediency amount to absolute necessity - that without which the government itself cannot be perpetuated?” Congress responded to President Lincoln’s recommendation in separate acts, providing in an act, April 16, 1862, for the release of certain persons held to service or labor in the District of Columbia, including those to be liberated by the act, as may desire to emigrate to the Republic of Hayti or Liberia, or such other country beyond the limits of the United States, as the President may determine, provided the expenditure does not exceed $100 ($2,589.92 in 2021) for each immigrant. The act provided that the sum of $100,000 ($3.15 million in 2021) out of any money in the Treasury should be expended under the direction of the President to aid the right of return of such persons of African descent then residing in the District of Columbia. It further provided that later, on July 16, an additional appropriation of $500,000 ($15.8 million in 2021) should be used in securing the right of return of free persons to the African continent. A resolution directly authorizing the President’s participation provided “that the President is hereby authorized to make provision for the transportation, colonization and settlement in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.”

On January 12, 1865 the United States Secretary of War Edwin McMasters Stanton and United States Army General William Tecumseh Sherman met in Savannah, Georgia with a New Afrikan government council of twenty people representing the new class of free persons. In response to General Sherman’s Fourth request to “State in what manner you would rather live - whether scattered among the whites ***or in colonies by yourselves***, the spokesperson for the black Government council, Garrison Frazier answered: *“I would prefer to live by ourselves, for there is prejudice against us in the South that will take years to get over; but I do not know that I can answer for my brethren.”* The record shows that Mr. Lynch said he thinks they should not be separated but live together. All the other persons present, being questioned one by one, answer that they agree with Brother Frazier. As a result of these negotiations, the closest thing that New Afrikans had to a plebiscite to determine their will and aspirations as free men, General Sherman issued Special Field Order Number 15. As noted by Imari Obadele,

"General Sherman issued his Special Field Order Number 15, dated 16 January 1865. This order set aside for the new class of free people “the islands from Charleston south, the abandoned rice fields along the rivers for 30 miles back from the seas and the country bordering St. Johns River, Florida.” The order further said “. . . in the possession of which land the military authorities will afford them protection until such time as they can protect themselves or until congress shall regulate their title.” Further, in accordance with the negotiating position of this Savannah-based Southeast Coast New African Government, General Sherman’s Order also provided that “on the islands and in the settlements hereafter to be established, no white persons whatever, unless military officers and soldiers detailed for duty, will be permitted to reside; and the sole and exclusive management of affairs will be left to the free people themselves, subject only to the United States military authority and the acts of Congress.” Forty-thousand members of the new class were settled under this order. Here, then, was the establishment of self-governing New African communities under the protection of the United States on land to which the Americans claimed ultimate title but to which the New Africans had been given possessory title by General Sherman, acting lawfully for the Congress and the President.

Similar centers of the New African nation under New African Governments were established in Mississippi. Captain John Eaton, named Superintendent of Negro Affairs by General Ulysses Grant in 1862, had, by July 1864, settled 72,500 members of the new class “in cities on plantations and in freedman’s villages,” almost all of whom, Superintendent Eaton reported, were ‘entirely self-supporting.’ Davis Bend, Mississippi was occupied by the Union Army in December 1864. Here a New African government was established with all the property under its control and with districts under New African sheriffs and judges and other officers. Again, as on the east Coast, the center of New African Government in Mississippi remained under the protection of the United States Army and ultimately subject to United States law, like many of the Indian nations. But also, like the East Coast centers of the New African nation, these communities were established on land that was in territorial status, and they were composed of persons who, like the residents of the Thirteen Colonies, possessed the inalienable right to liberty. Thus, by word and action, did the American government recognize the fledgling New African nation and the right of the new class, in exercise of its inherent liberty, to independent Statehood.”

In his first message to Congress in December 1865, United States President Andrew Johnson conceded the right of the new class to general emigration, including necessarily the right to return home, to Africa. Said President Johnson: “While their right to voluntary migration and expatriation is not to be questioned, I would not advise their forced removal and colonization.”

1. As noted by Imari Obadele, “Just as soon as the United States Government recognized the inalienable rights of the new class of free men - namely the right to seek admission, as citizens, to the American community; the right to return home, to Africa; the right to general emigration and the right to set up an independent State of its own; segments of American society began to narrow the options for the new class which it, the American community, as a matter of political action, would accept.

As early as December 1863 the United States Secretary of the Interior suggested that the new class of free men should not be sent away because they were needed in the United States Army. Also, in april 1865, General Butler replied to President Lincoln’s request for logistical information that ‘using all your naval vessls and all the merchant marine fit to cross the seas with safety, it wil be impossible for you to transport to the nearest place that can be found fit for them - and that is the Island of Domingo - half as fast as Negro children will be born here.’

In the report of the United States Congress’ Joint Committee of Fifteen, 18 June 1866, the Congress explains how this difficult logistical problem - meaning that the new class would stay in the United States and largely in the South - helped determine, from the viewpoint of the American community, that the new class should be given the vote and United States citizenship. The new class, as voters, could be counted upon to support the United States government in power, whereas that segment of the American community until recently denominated the Confederacy could be counted upon to oppose the government in power. If the new class remained voteless, as they were during slavery, when each slave was counted as only three-fifth a man in the basis of representation, their numbers as free men would nevertheless give the former Confederacy a huge increase in members in the House of Representatives and the Electoral College, because now, even if voteless, the free man would be counted as five fifths, instead of three-fifths, a man. Said the Committee: ‘The increase of representation necessarily resulting from the abolition of slavery was considered the most important element in the questions arising out of the changed condition of affairs, and the necessity for some fundamental action in this regared seemed imperative.’ Thus, the American community - reacting to its own need for black labor and reacting to what it believed to be a difficult logistical problem in emigration and reacting to a a fear of increased political power for the Confederates - determined to limit the liberty of the new class of men, in the political arena, to the single option of the United States citizenship.

The Fourteenth Amendment, passed by Congress in June 1866 and ratified by the States in July 1868, was, then, the consecration of a campaign of war and fraud by the American community against the new class, wrongfully and illegally to prevent the new class from exercising the full range of political liberty that belonged to it. The new class was not to be barred from accepting membership in the American community - indeed, the Fourteenth Amendment attempted to order the new class into the American community - although that membership would be limited politically and socially. The new class would not be prevented from emigrating in small numbers and at its own expense. But it would be prevented - under this illegal campaign consecrated by the Fourteenth amendment - from establishing independent sovereignty over a land mass in what the American community deemed to be the actual and potential land of the United States. But the campaign was - and is- an illegal application of the Fourteenth Amendment.

The new class of free persons with the inalienable right of liberty, including political liberty, guaranteed by the Confiscation Acts, the Emancipation proclamation and the Thirteenth Amendment - could not at the late date of 1866 or 1868 be introduced into the American community without its consent. In short, United States citizenship could be offered to members of the new class; the Fourteenth Amendment could not - as popular interpretation suggests - impose citizenship upon the new class of its members. It is of crucial importance that the informed opinion and desires of the new class itself were not solicited, and the new class never gave its informed consent to American citizenship. Citizenship in the Fourteenth Amendment was the work of others, both friends and foes, and after the death of Abraham Lincoln the new class instead of being consulted was fraudulently led to believe, by both friend and foe, that its members had no other choices other than (a) to remain an exploited labor class appended to the American community or (b) to become American citizens.

A full appreciation of the erroneous interpretation which lies upon the Fourteenth Amendment when it is conceived to have imposed citizenship upon the new class, either in 1868 or any time since, or when it conceived as being capable of doing so, cannot be had without a recognition of the role of fraud in leading many members of the new class to assume they were or are United States citizens and that, in 1868, we had no choices except United states citizenship or unprotected peonage.

After the assination of Mr. Lincoln, there is no evidence anywhere that the United States government or any of the private institutions that concerned themselves with the freedmen and Reconstruction attempted to inform the freedman of his rights under international law or, worse, that either the United States government or these private institutions did anything except to promote the idea that the new class had only the two said options, U.S. citizenship or peonage - except for a tiny minority of private institutions which assisted with emigration overseas.

The campaign to prevent the new class from exercising the full range of political liberty that belonged to it violated the Emancipation Proclamation promise that ‘The Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.’”

1. The 1967 Black Power conference debated whether they should seize five, seven, or thirteen states for an independent Black Nation. On March 31, 1968 the Provisional Government of the Republic of New Afrika was established and it issued a Declaration of Independence, setting itself up to govern an internal colony and rallying around the demand to “Free the Land”. The Declaration of the National Black Political Convention held in 1972 in Gary, Indiana, states, “So, let it be clear to us now: The desperation of our people, the agonies of our cities, the desolation of our countryside, the pollution of the air and the water - these things will not be significantly affected by the new faces in the old places in Washington, D.C. This is the truth we must face here in Gary if we are to join our people everywhere in the movement forward towards liberation. A Black political convention, indeed all truly Black politics must begin from this truth: The American system does not work for the masses of our people, and it cannot be made to work without radical fundamental change. . . The profound crisis of Black people and the disaster of America are not simply caused by men nor will they be solved by men alone. These crises are the crises of basically flawed economics and politics, and or cultural degradation. None of the Democratic candidates and none of the Republican candidates - regardless of their vague promises to us or to their white constituencies - can solve our problems . . . . We come to Gary and are faced with a challenge. The challenge is to transform ourselves from favor-seeking vassals and loud-talking, ‘militant’ pawns, and to take up the role that the organized masses of our people have attempted to play ever since we came to these shores. That of harbingers of true justice and humanity, leaders in the struggle for liberation.” The Gary Convention accepted the Anti-Depression Program of the PG-RNA and submitted it to the U.S. Congress expressing a serious willingness to achieve a plebiscite and cession of land non-violently. Reparations paid by the United States government were to be the means of developing the New Afrikan nation’s territory.

Accoridng to the New Afrikan Institute of Political Education, “The assassination of Malcolm forced RAM (Revolutionary Action Movement) underground and the Black Liberation Movement lost its mass spokesman that could ignite and unite the people. After Malcolm’s assassination the movement was in disarray for seven years because of its dependency on a charismatic leader to pull together the above and below organization. . . . The Black students movement reached its peak by 1970. . . . After the mass arrest of the BSU leaderships, the neutralization of the most revolutionary Black Studies program in the country, the Black students movement. . . would never regain its revolutionary initiative or character. The Student Nonviolent Coordinating Committee would reach its peak by 1968 with the loss of its national leadership . . . . The Black Panther Party reached its peak by 1970. The BPP had become a mass base party . . . [with] the greatest potential of organizing a revolutionary mass based organization but was destroyed by a massive counter-intelligence war strategy by the FBI and local police departments. . . . Several Black workers organizations sprang up . . . . All of these organizations put forth revolutionary analyses and line on organizing Black Workers at the point of production. The majority of them failed . . . . The Provisional Government of the Republic of New Afrika . . . offered in 1968 Revolutionary Nationalists the most progressive tenets of revolutionary nationalism . . . and the struggle was for land and independence. . . . This was a major leap in the nationalist struggle and laid the foundations for building revolutionary nationalist organizations. The PG reached its peak by 1972 with its Southern based leadership being arrested. . . . The Afrikan Liberation Support Committee was one of the most progressive Black anti-imperialist national mass fronts organized . . . Black people overwhelmingly supported in practice and materially the armed struggle movement of their brothers and sisters in Afrika. The ALSC reached its peak by 1974 after organizing hundreds of thousands of Black people throughout the western hemisphere and sending hundreds of thousands of dollars to the liberation movements in Afrika. . . . 1976 New Afrikan Nationalists initiated Anti-Bicentennial Campaign to expose colonial status of New Afrikans during america’s Bicentennial Celebration . . . raising the slogan: National Independence for the Domestic Black Colony!. . . 1979 The National Black Human Rights Coalition and the Human Rights Campaign became one of the most positive, popular offensives initiated by Revolutionary Nationalists, pro-Independence forces since the call for the RNA. The United Nations mobilization was a success, bringing together over 5,000 people on Black Solidarity Day march and rally. This showed that pro-independence forces can unite broad sectors of our people around the slogan Self-Determination and Human Rights. . . . From 1964 to 1982, a short period in protracted struggle, revolutionaries would witness twists and turns, leaps and setbacks in the Black Liberation Movement that would have irreparable damage to the movement and more significantly would break the confidence of the masses to support revolutionary ideology and practice. This was true for both military actions by the Black Liberation Army and political activism by above ground forces.”

## **1918** - W.E.B. DuBois letter to U.S. President Woodrow Wilson and French Prime Minister Georges Clemenceau

## **November 10, 1918** - Marcus Garvey: Resolution of UNIA Peace Aims

## **1920 -** UNIA Declaration of the Rights of the Negro Peoples of the World

## **July 20, 1922** -UNIA Petition to the Third Assembly of the League of Nations

**September 2, 1924** - The Universal Negro Improvement Association  [Petition of Four Million Negroes of the United States of America to His Excellency the President of the United States Praying for a Friendly and Sympathetic Consideration of the Plan of Founding a Nation in Africa for the Negro People, and to Encourage Them in Assisting to Develop Already Independent Negro Nations as a Means of Helping to Solve the Conflicting Problems of Race](https://www.international.ucla.edu/asc/mgpp/sample06)

**1928** - UNIA Renewal of 1922 Petition to the League of Nations

**1946** - The National Negro Congress  [Petition to the Economic and Social Council of the United Nations Stating The Facts on The Oppression of the American Negro](https://fau.digital.flvc.org/islandora/object/fau%3A5359/datastream/OBJ/view).

**October 23, 1947** - W.E.B. DuBois  [AN APPEAL TO THE WORLD!: A Statement on the Denial of Human Rights to Minorities in the Case of Citizens of Negro Descent in the United States of America and an Appeal to the United Nations for Redress](https://www.aclu.org/appeal-world)**.**

**December, 1951** - William Patterson and Paul Robeson  [We Charge Genocide: The Historic Petition to the United Nations for Relief from a Crime of The United States against the Negro People](https://www.blackpast.org/global-african-history/primary-documents-global-african-history/we-charge-genocide-historic-petition-united-nations-relief-crime-united-states-government-against/) **.**The petition detailed, among other things, [152 incidents of killings of unarmed Black men and women](https://depts.washington.edu/moves/CRC_genocide.shtml) by police and lynch mobs between 1945 and 1951.

**1977** - The New Afrikan Prisoners Organization (NAPO) petition to the United Nations.

**December 11, 1978** - The National Conference of Black Lawyers, the National Alliance Against Racist and Political Repression, and the Commission on Racial Justice for the United Church of Christ petition to the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities.

**1994 -** Mr. Silis Muhammad  [Petition for Reparations to the UN under 1503 Procedure](https://lfnoihouston.org/silis-muhammad-expands-his-record-of-achievement-in-the-fight-for-afrodescendant-human-rights-and-reparations-for-plantation-slavery/) **–** to the UN Working Group on Communications on behalf of African Americans. This was followed up in [1997, 1998, 199 and 2000 with written and oral statements](https://lfnoi-detroit.org/reparations-petition/) urging the Commission on Human Rights

**May 1997** - the National Black United Front historic Genocide Petition Campaign Against the United States Government and traveled to the United Nations Human Rights Center in Geneva, Switzerland to present the petition with over 200,000 signatures to Mr. Ralph Zacklin, Officer in Charge of High Commission of Human Rights, Centre for Human Rights. Also, this same Petition/Declaration was submitted to the High Commission of Human Rights in New York on May 27, 1997.

**September 3, 2001** - Congresswoman Cynthia McKinney presented  [United Nations High Commissioner for Human Rights Mary Robinson](https://ratical.org/co-globalize/CynthiaMcKinney/news/if000914HR.htm) two documents as evidence of the US governments violations of both US and international law and, in particular, specific violation of the International Convention on the Elimination of Racial Discrimination. The first document given to Robinson was a confidential [Memorandum 46](https://www.finalcall.com/MEMORANDUM-46.htm), written by National Security Advisor, Zbigniew Brzezinski on March 17, 1978 and it details the federal government's plan to destroy functioning black leadership in the United States. This document provides a critical insight into the federal government's concern at the apparent growing influence of the African American political movement. The second document is a report entitled ["Human Rights in the United States [The Unfinished Story - Current Political Prisoners - Victims of COINTELPRO]"](https://repositories.lib.utexas.edu/bitstream/handle/2152/10862/human_rights_in_the_us_web.pdf?isAllowed=y&sequence=2) and it was compiled by the Human Rights Research Fund, headed by Kathleen Cleaver. This document provides an overview of the counterintelligence program which, from the 1950s to the 1980s, was implemented in the United States against political activists and targeted organizations.

**November 22, 2010** - The National Conference of Black Lawyers and the Malcolm X Center for Self Determination report on Political Repression – Political Prisoners to the United Nations Universal Periodic Review, Ninth Session of the Working Group on the UPR Human Rights Council.

**June 2013** - Racial Justice Now!, on behalf of 62 community organizations and 221 community activists and supporters submitted to the United Nations Committee on the Elimination of Racial Discrimination the [Status of Descendants of Africans Enslaved in the United States and the United State’s Violation of the Convention on the Elimination of All Forms of Racial Discrimination](http://www.antiracistalliance.com/StatusandRights-07-17-2014_FINAL_REVISED.pdf) in response to the Periodic Report of the United States of June 12, 2013

**December 23, 2015** - Robert F. Kennedy Human Rights and Global Justice Clinic, New York University School of Law submits the report, [Excessive Use of Force by Police Against Black Americans](https://chrgj.org/wp-content/uploads/2016/01/Submission-to-UNWGEPAD-re-Excessive-Use-of-Force-by-Police-against-Black....pdf) in the United States to the UN Working Group of Experts on People of African Descent

1. On June 18th, 2009, the 1st Session of the 111th Congress passed [S. CON. RES. 26](https://www.congress.gov/111/bills/sconres26/BILLS-111sconres26es.pdf) acknowledging “the fundamental injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow laws;” and “apologizes to African-Americans on behalf of the people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow laws”. Unfortunately, the same Congressional Resolution demonstrated the hypocrisy of the United States Government on issues of race and equality when it added the following disclaimer to the resolution: “Nothing in this resolution - (A) authorizes or supports any claim against the United States; or (B) serves as a settlement of any claim against the United States.”

The 1st Amendment of the Constitution of United States of America 1789 (rev. 1992) states very clearly, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and *to petition the government for a redress of grievances*”. (emphasis mine) The S. CON. RES. 26 disclaimer effectively prevents New Afrikans from exercising their 1st Amendment right to petition the government for redress of grievances from the fundamental injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow laws in the United States.

GA Resolution 1514 (XV) *Declaration on the granting of independence to colonial countries and peoples* states, “6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations. 7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, noninterference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.”

Arnulf Becker Lorca writes in *Petitioning the International: A ‘Pre-history’ of Self Determination*,“Without a right to self-determination, polities struggling against foreign rule are ***left with few options other than resisting by force to regain territorial control***. . . . On the other hand, the problem brought by statehood to peoples fighting for self-government that could only with difficulty gain territorial control intensified by the very same steps adopted by states, mandate power or metropole in order to exercise territorial control and thus meet the definition of statehood. . . . Statehood both accelerated a policy of assimilation. . . and harmed any prospect of indigenous sovereignty in the absence of territorial control. ***Acquiring control by force thus became a factual condition for acquiring sovereignty.”***

1. Professor Henry J. Richardson III, a member of the Council on Foreign Relations, a past vice president and honorary vice president of the American Society of International Law, and a founding member of both the National Conference of Black Lawyers and the Project on the Advancement of African-Americans in International Law states, “There is no doubt that wherever they were in the New World. . . African-heritage people ‘participated’ in the international legal process, even if they lacked formal standing under that law to do so. . . . [This] raise[s] at least two categories of inquiry. One is about the adequacy of that legal system(s) to do justice to all the people it governs or affects. The second is about the story of the normative relationship and the demands of the excluded people(s) to that legal system. . . . There was some promise for African-heritage people in international legal doctrine, at least in theory . . . . However, the promise faded as the jurisprudential underpinning of international law shifted from natural law to territorial sovereignty. . . Blacks, when they made claims for a better outside law, including a better international law, to govern them, were definitely claiming for a new or radically reformed constitutive process of authoritative decision for both the United States, from the 17th into the 19th centuries, and for the contemporaneous international community.”

Following Malcolm X’s instruction to move the New Afrikan liberation struggle from civil rights to human rights, the Black Liberation Army realized in 1976 that “law is never impartial, never divorced from the economical relationships that brought it about. History clearly shows that in the course of the development of modern western society, the code of law is the code of the dominant and most powerful class, made into laws for everyone. It is implemented by establishing "special" armed organs that are obliged to enforce the prevailing class laws. In this historical period of human social development such is the objective function of ‘law’.” (Message to the Black Movement: A Political Statement from the Black Underground (Coordinating Committee Black Liberation Army), 1976)

Dr. Y.N Kly, Director of the International Human Rights Association of American Minorities (IHRAAM), described our experience at the United Nations: “Past efforts were never processed or followed through. Since its inception, the United Nations has been viewed as a focus of appeal by numerous aggrieved nationalities who have been stymied in their attempts to achieve adequate response to their grievances through domestic legal systems. However, all too frequently, the groups concerned are unaware of the legal and political conditions and processes which will enable the United Nations to consider their complaints. Trips to Geneva are made, important contacts are spoken to, good will is expressed, and well-documented grievances exchange hands. And yet, because the necessary political and legal processes are not followed (or did not exist), it is as if nothing had been done at all - even though the minority/nationality representatives concerned may in all sincerity feel that they have taken their group’s grievances to the UN.” (Minority Rights: Some Questions and Answers excerpt from [A Popular Guide to Minority Rights](http://www.amazon.com/Popular-Guide-Minority-Rights/dp/0932863191/ref=sr_1_1?s=books&ie=UTF8&qid=1324002046&sr=1-1), ed. Dr.Y. N. Kly, Clarity Press, Inc.)

1. The [Report of the Office of the United Nations High Commissioner for Human Rights Compilation on the United States of America](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/065/34/PDF/G2006534.pdf?OpenElement) submitted to the Human Rights Council Working Group on the Universal Periodic Review , 36th Session, May 4-15, 2020, noted in section “C. Economic, social and cultural rights”, that “the United States had refused to accord domestic recognition to economic and social rights, except for some social rights, and especially the right to education.” Moreover, The Swedish submission of Advanced Questions to the United States of America ahead of the third Universal Periodic Review (UPR) of the United States in May, 2020 highlighted: “the usage by representatives of the United States of America of the term ‘unalienable rights’ to hold forth certain, but not all, human rights. This shift in terminology could be interpreted as a step to redefine human rights, contrary to the globally agreed definition of them being universal, interdependent and mutually reinforcing. How will the United States of America ensure that any development of its human rights policies continue to adhere to international human rights law as the norm that human rights are universal, interdependent and mutually reinforcing?”