



American Institute of Human Rights

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Human Rights for the 21st Century

UN General Assembly
UN Decolonization Fourth Committee
405 East 42 Street
New York, NY 10017

September 24, 2018

PETITION of The African-Descendant Nation - [a Confederation, in the United States of America] requesting to be placed on the Decolonization list

Dear Esteemed Special Committee Members,

The American Institute of Human Rights AKA "The African-Descendant Institute of Human Rights "[Hereinafter AIHR] is a Non-Governmental Organization of African-Descendant American international lawyers, International Law Professors, and UN Human Rights Defenders. AIHR was organized in 2009 as a Post-Secondary Research College. In January of 2012 AIHR registered as an NGO-Private Trust College. In June of 2018 AIHR reorganized their Private Trust and registered as a Public NGO, an educational institute with the UN Human Rights Commission-ECOSOC organ as a Civil Society Organization and has applied for Consultative Status on that same day when it presented its credentials.

AIHR is the Facilitator of the 'African-Descendant Nation' and submits this request for the African-Descendant Nation to be placed on the Decolonization list pursuant to 1989 (No. 169)¹, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on Civil and Political Rights and the many Conventions that declare the right of the human being to determine their identity, culture, and governance.

¹ C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169) Convention concerning Indigenous and Tribal Peoples in Independent Countries (Entry into force: 05 Sep 1991) Adoption: Geneva, 76th ILC session (27 June 1989) - Status: Up-to-date instrument (Technical Convention)



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The African-Descendants of the United States [Petitioners hereinafter] are requesting to be placed on the decolonization list pursuant to the Declaration on the Granting of Independence to Colonial Countries and Peoples, also known as United Nations General Assembly Resolution 1514. The petitioners aver that the United States government has enslaved them, reassigned their races and falsely labeled them as non-indigenous; subjugated them by unlawfully controlling their indigenous territory; while denying them their right to self-determination.

In particular, the U.S. Government has belligerently occupied over 1200 "majority African-Descendants municipalities and rural communities" of territorial integrity, and have deprived us of the capacity for self-governance. The acts of war by the respondents has misappropriated the African Descendant's economy into that of their own; and breached the principle of sovereignty over the African Descendant's person, political status, economic wealth (including their human capital), social and cultural development in the occupied colonial territories in violation of the Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War.

The apartheid acts of the Respondents have "encapsulated" the African descendant into racial colonies within the United States of America in violation of the internationally recognized right to self-determination and freedom from racial discrimination. It is because of this seminal point that the African-descendant must be viewed by this committee as a 'Sui Generis' colonized community of indigenous peoples formed on the territory, now known as the United States.²

The AIHR asserts that the African-descendants legal status arose out of a race war which has created an inter-generational status of racially colonized victims. The oppressiveness of this status was recorded and verified by the UN Working Group of Experts on People of

² Sui generis - Wikipedia

https://en.wikipedia.org/wiki/Sui_generis

In law, it is a term of art used to identify a legal classification that exists independently of other categorizations, either because of its singularity or due to the specific creation of an entitlement or obligation. For example, a court's contempt powers arise sui generis and not from statute or rule. The former and main colonizers of these territories were Spain, France, and England.



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African Descent Report given to the UN in August 2016, after their country visit to the United States. The Working Group heard the testimony and observed the quality of life for the African Descendants as singularly distinct from that of the White American with the worst *living conditions* observed in the Western World. The group found the African Descendants were generationally harmed and owed reparations for their damages caused by State-sponsored slavery and inter-generational discriminatory conditions.

Notwithstanding or because of it, the effect of this discrimination has left the African-Descendants with distinct territorial identities. This identity has been legally misidentified by the Respondent under their law as a "naturalized citizen". On the contrary, The African-Descendants of the United States is an indigenous people under the elements of 'continuity', 'common ancestry', 'culture', 'residence' as described by Jose Cabo Martinez in his report on indigenous people. "a historical continuity may consist of the continuation, for an extended period reaching into the present, of one or more of the following factors: (1) Occupation of ancestral lands, or at least of part of them; (2) Common ancestry with the original occupants of these lands; (3) Culture in general, or in specific manifestations, (4) Language; (5) Residence in certain parts of the country, or in certain regions of the world; (6) Other relevant factors." (J. Martínez Cobo)

The African-Descendants are a 'Sui Generis' identifiable people wrongfully classified as 'negro' 'colored' 'black' 'Afro-American' and more recently as 'African-Americans' which shows the severe disruptions of family, cultural, education, and political life inflicted by colonial and inter-generational racial occupation.

The African-Descendants God-Given right to identify themselves, freely develop, express and practice their culture under their own governance are set out under 1989 (No. 169) Convention concerning Indigenous and Tribal Peoples in Independent Countries has been undermined by the *U.S.A. failure to list the African-Descendants*. Accordingly, we make this request as an "African-Descendant Confederate Nation", an independent declaratory indigenous nation, seeking a Free Association State with the United States. [Our Declaration of Self Determination was signed on October 1, 2017, in Tougaloo, Mississippi].



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The Declaration of Self Determination by the Confederation [Attached] has reclassified the wrongful assumption of status and race classification by the United States, who now has notice of this request to decolonize our people. We have given notice to the Secretary General of the United, Nations, and the African Union.

We are now preparing ascensions to various Human Rights Conventions, the International Red Cross, and Declaration to be delivered to their depositories.

We now seek to repair these harm of colonization which we aver can only be resolved through Decolonization. The African-Descendants have a God-Given right to freely develop, express and practice culture under their own governance.³ Accordingly, we make this request as an independent declaratory indigenous nation, seeking a Free Association State with the United States.

We present our prima facie requirements for self-determination pursuant to the main ideas exposed by the principles of this Special Committee. "The main points of the principles approved by the Special Committee were:

(a) that there was a prima facie obligation to transmit information under Article 73e on territories geographically separate and ethnically and/or culturally distinct from the administering country;

(b) that full self-government could be said to have been reached with the attainment of independence, or free association or integration...

We urge this committee to allow us to decolonize our territories and enter into a different relationship with the United States. The African-Descendant People must be able to survive economically, educate our children and preserve our culture. America is one great crime scene of slavery, lynching, racial colonies, educational discrimination and the disruption of our burial grounds, historical sites, and our cultural, intellectual, and

³ UN Declaration of Human Rights



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property rights thereto our rights as a people and we must be allowed to question this colonial condition.

We have had a history of very poor relationship with the United States. Presently, our life within the authority of the United States has caused many protests over police killings, education deprivations, and politics. Over the years large, small, personal and impersonal rebellions have occurred without a cease in these harms. These conditions have been expressly reported in a detailed report by the UN Working Group on African Descendants A/HRC/3. Therein, the Working Group on African Descendants Report gave a list of recommendations concerns and suggestions for the American Government about the deleterious applications of human rights, police excessive force, income equality, food security, education and democracy, which in our view are systemic and can only be facilitated by Decolonization. The Working Group report confirms that we are in an insufferable militaristic police state just like that of the Palestinians. Presently, a million of our young men and women are imprisoned for property crimes, many of them for stealing food, or shelter, or urged on by the effects of drugs.

We have thousands of political *martyrs* and over 30 political prisoners presently residing in solitary confinement, some over 40 years and tried as criminals rather than as prisoners of war. These violations have frustrated our right to self-determination, our right to our property, contest our land claims, lost wages, and resources.

THE PETITIONER:

The African-Descendant People and Petitioners herein aver that they are the 'Sui Generis' indigenous people produced by four distinct African waves beginning with the "Out of Africa" wave that exited East Africa over 100,000 years ago and entered into South America 40,000-60,000 years ago eventually settling South, Central, and North America.⁴

⁴ Dr. Clyde Winters is an Educator, Anthropologist, and Linguist. He has taught Education and Linguistics at Saint Xavier University -Chicago and Governors State University. Dr. Winters is the author of numerous articles on anthropology, archaeogenetics, and linguistics. His articles have appeared in the Journal of *Black Studies*, Proceedings of the National Academy of Science, Science, Bio Essays, Current Science, International Journal of Human Genetics, International Journal of Dravidian Linguistics, and Journal of Modern African Studies. Dr. Winters has deciphered the Meroitic, Olmec, and Danubian writing systems. His latest book is **Archaeological Decipherment of Ancient Writing Systems**.



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‘The earliest American whole skeletal found in Brazil was a Negroid phenotypic Melanesian springing from Papua New Guinea [The Land of the Blacks] and Australia [Very early migrations of Africans].⁵

The second African wave was an Egyptian wave that our experts say is responsible for the pyramids of South America, Central America, and the mounds of the United States. These structures and artifacts were simultaneously found to have existed in and pre-existed in the African-Descendant 1200 BCE to 400 BCE Olmec era from which sprang America's first city-state.⁶

The third wave was an infusion from the Songhai Dynasty Mali, West Africa 1310-14 of perhaps 2,000 ships from the wealthiest kingdom on earth.⁷

⁵ LAPA VERMELHA IV HOMINID 1: MORPHOLOGICAL AFFINITIES OF THE EARLIEST KNOWN AMERICAN Walter A. Neves¹, Joseph F. Powell², Andre Prous³, Erik G. Ozolins² and Max Blum http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1415-47571999000400001

⁶ Ibid. The Nubians and Olmecs by Clyde Winters
Haslip-Viera, Ortiz de Montellano and Barbour (1997) have argued that Olmec civilization was not influenced by Africans and therefore Afrocentrism should have no standing in higher education, but in fact it can be illustrated that the facial types associated with the Olmec people and Meroitic people are identical; and that Olmec figurines such as the Tuxtla statuette excavation are inscribed with African writing used by the Mande people of West Africa (Leo Wiener, 1922; Winters, 1979, of Manding writing provide the "absolute proof" recovered by archaeologists from "controlled excavations in the New World" demanded by Haslip-Viera, Ortiz de Montellano and Barbour (1997: 419) to "proof"/confirm Olmec and African contact. <http://olmec98.net/ortiz1.htm>

⁷ The third wave of Africans was from the Great Songhai Dynasty the wealthiest kingdom on earth. Mansa Abu Bakr sent over 2 thousand ships and gave the throne to his brother Mansa Musa who related this at Cairo where Mansa Musa Camels were laden with gold for his trip to Mecca in preparation for Hajj.

“They had departed and a long time passed before anyone came back.”

Then one ship returned and we asked the captain what news they brought. He said, 'Yes, Oh Sultan, we traveled for a long time until there appeared in the open sea a river with a powerful current...the other ships went on ahead, but when they reached that place, they did not return and no more was seen of them...As for me, I went about at once and did not enter the river.' The Sultan got ready 2,000 ships, 1,000 for himself and the men whom he took with him, and 1,000 for water and provisions. He left me to deputize for him and embarked on the Atlantic Ocean with his men. That was the last we saw of him and all those who were with him. And so, I became king in my own



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The fourth wave of African-descendants was the Transatlantic Slave Trade which leads to the more recent admixtures that contain those of African Tribes, Indigenous tribes, and European colonial interventionist.⁸ The competing scientific views of the first Americans can be summarized by Scientist Michael Batter and other scientists in the Scientist Journal Vol. 24. 2015.

Summary⁹

Researchers still argue about how and when the first Americans settled in North and South America. [However]The two research groups do agree on one thing,

*“ some of today's Native Americans have the genes of ancient people from Australia and the southwest Pacific Ocean.”*¹⁰

THE COLONIAL RESPONDENTS

For the last 242 years, the apartheid government of the United States has racially colonized the petitioners throughout the petitioner's aboriginal territory through revolving, discriminate, and indiscriminate racial categories of who is native and who is not a part of

⁷ right. “So Abu-Bakr equipped 200 ships filled with men and the same number equipped with gold, water, and provisions, enough to last them for years...”

⁸ The Guardian Weekly, July 21, 2015, quoting Two studies published in the journals Science and Nature analyzed present-day and ancient Native American and Siberian DNA. It said that "One wave of migration from Siberia populated the Americas, The Study also reveals some groups in South America have closer genetic ties to indigenous peoples of Australia, New Guinea, and the Andaman Islands than to present-day Native Americans

⁹ Science 24 Jul 2015: Vol. 349

¹⁰ A new mystery for Native American origins. Michael Balter, See all authors and affiliations, Science 24 Jul 2015: Vol. 349, Issue 6246, pp. 354-355 DOI: 10.1126/science.349.6246.354. See also, DNA uncovers mystery migration to the Americas: Pallab Ghosh Science correspondent, BBC News July 2015



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their racial regime. The respondent sometimes categorized these admixtures as Indians, those in amity with the United States, colored, mulatto, Black, Afro–American, and African -American.

AVERMENTS

The Petitioners allege that they are a ‘Sui Generis’ Community and the respondent has deprived and distorted the petitioners' *historical distinctions* in the war called the slave trade which was a race war of Europeans against the people of color in the United States. Afterward, without their consent and against their wishes, these colonizers made them "naturalized citizens of the United States" in violation of their rights as a **jus sanguinis**¹¹ aboriginal people, or a people having the right of choice to be a people, state, nation or tribe. Instead, the petitioners have been given a contrived racial identity and legal status as a ‘simple minority Black or African American’ with no right of redeeming their land rights or their choice of national status.¹²

The petitioners have been forbidden and otherwise restricted by the respondents to admittance in their international law schools and other advanced disciplines necessary to explain our racial identifiers and our accompanying right to determine our nationality. Only recently have the African-descendant international lawyers and UN Human Rights Defenders been able to fully appreciate the Bandung Conference and its correlating international law Declarations on Self-Determination for indigenous people.

If we did not have the aid of our first generation scholars, Dr. Clyde A Winter, Dr. Ivan Sertima, Dr. David Imhotep, Dr. Yusuf N. Kly, and other African-Descendant professors as well as the scientific community we could not be able to explain to you the depth of our colonization.

¹¹ Jus sanguinis is when a person acquires citizenship through their parents or ancestors.

¹² People who identify their origin as Hispanic, Latino or Spanish may be of any race. OMB requires five minimum categories: White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander. <https://www.census.gov/topics/population/race/about.html>



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We must have the opportunity of ‘choice’ to be Decolonized from the colonial system. We have been intentionally mis-educated by the implement of colonial styled curriculums and books relative to American studies, indigenous Studies, African American Studies, Criminal Justice and Political Science Departments. Our educational system must be Decolonized from pre-kindergarten to higher education in order to preserve our cultural and political rights. We must be able to transmit our unique cultural, political identity, land and political rights to our children.

We request that this committee immediately grant this request so that we can enjoy the free human rights state of decolonization set out in the Declaration on Decolonization. The understanding of the imperative nature of mankind to be free was eloquently expressed by the colonial Africans and Asians in the UN Declaration on the granting of Independence of Colonial Peoples which has given provenance to this request by a new generation of African-Descendant international lawyers, UN Human Rights Defenders, anthropologists, linguist, microbiologists and archaeologists who urge this Committee to place the African-Descendant Declaratory Nation of the United States of America on the Decolonization list so that they may hold a National Plebiscite on the issue of our identity, and our choice of ‘Nationality’ and the type of relationship that we choose to have with the United States.

THE STATUS OF THE AFRICAN-DESCENDANTS HAS EMERGED IN THE FORM OF A CONFEDERATED NATION

The petitioning African-Descendant Nation of the United States is a Declaratory and emerging Confederated Nation of 140 Organization, eight Lawyers, Black Lawyers for Justice, International Black Attorneys Association, New Black Panther Party, two Prominent Professors, five Black Indians, Indian Voice Newspaper, members of NCOBRA (National Coalition of Blacks for Reparations in America), eight Moorish Science Temples, Members of the Universal Negro Improvement Association and African Communities League, Muslims Association of North America, Indian Voices Newspaper and one American city numbering 700,000. ‘*The Peoples*’ an NGO has held two citywide elections in the city of Detroit under the most volatile conditions and has garnered, 25,000 registration to a Self-Determination Referendum.



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In total the "African-Descendant population" numbers over 45 million people. There are 1,200 *Majority African-Descendant Indigenous Cities* and over 500 outlying municipalities with set aside Ghetto areas with a population of 10 percent or more. Over the last 242 years¹³ we have suffered the ultimate, most severe, and calculated condition of slavery and apartheid perpetrated by any nation, including that of South Africa. The 242-year war on African-Descendants has been a cumulative litany of un-remitted racial and economic oppression in education, health, environment, identity, and daily incidents of unarmed police killings pursuant to excessive military wartime policing. The Americans Government and its White population have caused the petitioner's to suffer extreme conditions of serious bodily and mental harm accompanied by deliberate acts that meet the elements of genocide.

Presently, over Ten Million African-Descendant live in over 1200 Majority cities and 35 Million plus live in over 500 colonized municipalities where they are near or significant majorities. These African-Descendant aboriginal territories are belligerently occupied and racially colonized by government-sanctioned apartheid. *Please See*, U.S Supreme Court in Milliken vs Bradley 418 US 717 where the court denied its state responsibility of reparations for slavery and its sordid history of racial segregation in a 5-to-4 decision by striking down a lower court ruling allowing the school districts to desegregate.

The Supreme Court gymnastically held that slavery, and racial discrimination was not a discriminatory effect of racial segregation and that the effort of racial balancing was too detailed for them to consider "with no showing of significant [racial discrimination by the government] violation by the 53 outlying school districts and no evidence of any interdistrict violation or effect," the court denied well known segregation by the Federal and State Government in redlining Federal Housing Act Loans according to racial boundaries.¹⁴

¹³ Since the birth of the United States of America in 1776, the white nationalist government has been at war with the African-descendant Natives.

¹⁴ Redlining refers to a discriminatory pattern of disinvestment and obstructive lending practices that act as an impediment to home ownership among African Americans and other people of color. Banks used the concept to deny loans to homeowners and would-be homeowners who lived in these neighborhoods. This in turn resulted in neighborhood economic decline and the withholding of services or their provision at an



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...The Court then noted that desegregation, "in the sense of dismantling a dual school system," [The Government] did not require "any particular racial balance in each 'school, grade or classroom'. The failure of the Supreme Court to allow a reasonable balancing remedy allowed the Whites to continue to segregate petitioner's children into inferior schools in its colonized areas"

"Thirty-four years later, the judicial impunity shown by the *Milliken Court* has continued to obstruct any opportunity for special measures in school desegregation [Colonial class] cases. These crimes against the African-Descendants right to self-determination, equality of opportunity in education, and government-sanctioned exclusions from the American economy have crippled the economic, social and political growth of the African-Descendant inside a modern capitalist apartheid state.

The impunity of the Supreme Court to deny the government's conduct and its liability for "crimes against humanity" was applied by U.S Supreme Court in 2007, when **rejecting** school desegregation plans in Louisville and Seattle. Chief Justice John Roberts concluded that discrimination "not traceable to [the government's] own actions and "requires no constitutional remedy."¹⁵

Colonial Education

We are in a no-win zone because of White supremacist conditions of colonialism on our liberty rights to self-determination. In 1960 when the other nations of the world were being placed on the colonial list, the American educational system did not allow us to make or even be informed the choices that we had as colonized people. The approved educational material gave our scholars and lawyers only the cognitive choice of a right to request "equal

¹⁴ exceptionally high cost. <https://blackpast.org/aah/redlining-1937>. Washington Post. Redlining was banned 50 years ago. It's still hurting minorities today. https://www.washingtonpost.com/news/wonk/wp/2018/03/28/redlining-was-banned-50-years-ago-its-still-hurting-minorities-today/?noredirect=on&utm_term=.6c8549f333af

¹⁵ Discrimination is not Defector http://www.slate.com/articles/news_and_politics/jurisprudence/2017/05/richard_rothstein_s_the_color_of_la_w_reviewed.html and See Parents Involved In Community Schools Vs, Seattle School District



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accommodations under the 14th Amendment and the right to vote for either the White Nationalist Democratic or Republican Party members.

In 1960, the masses of African-Descendant had since 1865 been hoarded into racial colonies. We cruelly knew that we were a 'unique minority' but we had no idea of our right to establish a national identity. In 1960 African-Descendants were being lynched, burned and beat if they dared even to vote for a White Nationalist. The racial customs of the Whites made us a servant class working for white people in their homes as maids and butlers and other low skilled positions.

In 1960 the United States had an obligation without any rights of reservation to place the petitioners on the Decolonization list. It was not until 1963 than our martyr Malcolm X even mentioned the 'Bandung Conference' in his famous speech "A Message to the Grassroots". Your petitioner was thirteen years old, and many of my colleagues were not yet born and those that were born miseducated because of the discrimination in education.

We urgently request to decolonize because the colonial education system teaches our children to glorify slaveholders like Founders George Washington, Thomas Jefferson and others who embraced colonial racial war and its expansions by 'slavery' as the "Pioneering of America". The curriculums of literature, social studies, and historical studies have severely damaged many of our brightest minds. We must be allowed to educate ourselves and determine our identity, and that of our blood and cultural brothers in the Americas who *number* over 250 million of our people in South and Central America, the Caribbean's and Polynesia who are all one family and we who represent "The Last American Slave Colony".¹⁶

The African-Descendants rejects the racist inhumane, unrepentant notions of the United States of America Supreme Courts and the inaction of the US Congress. The United States of America is and always will be what it is, an apartheid colonial state. The evidence of this is empirical and replete with evidence of Supreme Court decisions and government racial policies that has the effect of producing extreme oppression and resultant poverty for the African Descendant population.

¹⁶ Dr. Mustafa Ansari, Dean of the American Institute of Human Rights, "The Last American Slave Colony And the Decolonization Process. www.adconfederation.com



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Racism in America is and always has been the “*Deep State*” for the African-descendants. "In the United States of America, the term "deep state" is used to describe a group of influential decision-making bodies and individuals within the government who are relatively permanent and whose policies and long-term plans are unaffected by changing administrations. The Deep state in the United States is the "*customary racist norm*" of the White Americans to maintain their privileged state whether they are of the Republican and Democratic Parties, labeled Conservative, Libertarian, Liberal, or rich or poor.

The UN sent a Special Rapporteur to the United States. The Special Rapporteurs, as you know, are part of what is known as the Special Procedures of the Human Rights Council. I repeat in full quotation his statement: ¹⁷

Statement on Visit to the USA, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights*.

The Undermining of Democracy¹⁸

The colonial conditions of the petitioners as stated above is well known. In December 2017 the UN Special Rapporteur and others confirmed and assessed these conditions as in operation on a country tour and reported at note 18

18. "The foundation stone of American society is a democracy, but it is being steadily undermined. The principle of one person one vote applies in theory, but it is far from the reality. In addition, there are often requirement that persons who have paid their debt to society still cannot regain their right to vote until they paid off all outstanding fines and fees. Then there is covert disenfranchisement, which includes the dramatic gerrymandering of electoral districts to privilege

¹⁷ Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council’s independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world.

¹⁸ Statement on Visit to the USA, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights. Washington, DC 2017.
<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22533>



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particular groups of voters, the imposition of artificial and unnecessary voter ID requirements, the blatant manipulation of polling station locations, the relocation of DMVs to make it more difficult for certain groups to obtain IDs, and the general ramping up of obstacles to voting especially by those without resources. The net result is that people living in poverty, minorities, and other disfavored groups are being systematically deprived of their voting rights".

ENVIRONMENTAL APARTHEID

The environment and ecosystems of our majority areas are a matter of great urgency due to intentional misconduct from the majority white government. There are at least 15 people criminally charged in Flint, Michigan.¹⁹ In Detroit and in many, many areas southern and Northern, rural and city the water is undrinkable.

"Having access to safe drinking water and sanitation is central to living a life in dignity and upholding human rights. The rights to water and sanitation require that these are available, accessible, safe, acceptable and affordable for all without discrimination."

AIR POLLUTION

The new study, "*Fumes Across the Fence-Line: The Health Impacts of Air Pollution from Oil and Gas Facilities on African American Communities*," says African-American kids are also seriously at risk: Black children are suffering from asthma and other respiratory problems at an alarming rate because of smog caused by life-threatening pollutants in their neighborhoods. "Air pollution is affecting communities across the country and African-American communities are particularly impacted."

¹⁹ These are the 15 people criminally charged in the Flint water crisis
<https://www.freep.com/story/news/local/michigan/flint-water-crisis/2017/06/14/flint-water-crisis-charges/397425001/>



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Black students across the country, the study says, are missing 100,000 school days each year and experiencing 138,000 asthma attacks each year due to toxic fumes blowing into their front yards.²⁰

SEWERAGE, CLEAN DRINKING WATER, SANITATION

A United Nations official investigating poverty in the United States was shocked at the level of environmental degradation in some areas of rural Alabama, saying he had never seen anything like it in the developed world.²¹

INFANT MORTALITY

- Infant Mortality and African Americans
- African Americans have 2.2 times the infant mortality rate as non-Hispanic whites.
- African American infants are 3.2 times as likely to die from complications related to low birth weight as compared to non-Hispanic white infants.
- African Americans had over twice the sudden infant death syndrome mortality rate as non-Hispanic whites, in 2014.
- In 2014, African American mothers were 2.2 times more likely than non-Hispanic white mothers to receive late or no prenatal care.²²

MATERNAL MORTALITY

- African American mothers are dying at three to four times the rate of non-Hispanic white mothers and infants born to African American mothers are dying at twice the rate as infants born to non-Hispanic white mothers. These two trends hold true across education levels and socioeconomic status. Even tennis star Serena Williams

²⁰ Black Lives Matter: Environmental Racism Is Killing African-Americans

<https://blackamericaweb.com/2017/11/16/black-lives-matter-environmental-racism-is-killing-african-americans/>

²¹. ALABAMA HAS THE WORST POVERTY IN THE DEVELOPED WORLD, U.N. OFFICIAL SAYS BY [CARLOS BALLESTEROS](https://www.newsweek.com/alabama-un-poverty-environmental-racism-74360) ON 12/10/17 AT 10:21 AM. <https://www.newsweek.com/alabama-un-poverty-environmental-racism-74360>



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—a wealthy and remarkably powerful woman—nearly died from pregnancy-related complications.²³

- A disturbing trend is that maternal mortality has gone up in the United States compared to other developed nations. The analysis which looked at increases by state, "found particularly high rates in the District of Columbia, New Jersey, Georgia and Arkansas, especially among black women." These increases in recent years have been driven by heart problems and other chronic medical conditions, like diabetes, which has increased sharply in the population. Researchers have theorized that an increase in obesity — particularly acute among poor black women, who have much higher rates of maternal mortality than whites — may be contributing to the problem."²⁴

DEEP STATE RACIAL POLICIES HAS A PLAN OF ZERO RATE SLAVERY BY 2053

These are not the petitioners' findings but the findings of the *Institute for Policy Studies* which began at a high-powered State Department meeting of generals and defense industry executives in 1961, at the height of the Cold War. In its 2017 Report: *The Road to Zero Wealth, How the Racial Wealth Divide is Hollowing Out America's Middle-Class* September 11, 2017, it highlights the following:²⁵

- While households of color are projected to reach majority status by 2043, if the racial wealth divide is left unaddressed, median Black household wealth is on a path to hit zero by 2053 and median Latino household wealth is projected to hit zero twenty years later. In sharp contrast, median White household wealth would climb to \$137,000 by 2053.

²² [Office of Minority Health Resource Center P.O. Box 37337 Washington, DC 20013-7337](https://minorityhealth.hhs.gov/omh/content.aspx?lvl=1&lvlid=1&ID=10116)
<https://minorityhealth.hhs.gov/omh/content.aspx?lvl=1&lvlid=1&ID=10116>

²³ <https://www.americanprogress.org/issues/early-childhood/reports/2018/02/01/445576/exploring-african-americans-high-maternal-infant-death-rates/>

²⁴ <https://www.nytimes.com/2016/09/22/health/maternal-mortality.html>

²⁵ Report: *The Road to Zero Wealth, How the Racial Wealth Divide is Hollowing Out America's Middle Class* September 11, 2017, | Chuck Collins, Dedrick Asante-Muhammed, Emanuel Nieves, Josh Hoxie. <https://ips-dc.org/report-the-road-to-zero-wealth/>



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- If current trends continue, by 2020 median Black and Latino households stand to lose nearly 18% and 12% of the wealth they held in 2013, respectively, while median White household wealth increases 3%. At that point—just three years from now—White households are projected to own 86 times more wealth than Black households and 68 times more wealth than Latino households.
- The declining wealth of households of color is already taking a significant toll on the broader economy. The nation's overall median wealth decreased by nearly 20% from 1983 to 2013 (\$78,000 to \$64,000—a period when Black and Latino's median wealth went down and White wealth slowly went up.
- Even earning a middle-class income does not guarantee a family middle-class economic security, according to the report. White households in the middle-income quintile—those earning \$37,201-61,328 annually—own nearly eight times as much wealth (\$86,100) as Black middle-income earners (\$11,000) and ten times that of their Latino counterparts (\$8,600).
- This disconnect in income and wealth is visible across every socioeconomic level. The report found that on average, only Black and Latino households with an advanced degree have middle-class wealth or higher, while White households, on average, need only a high school diploma to attain that same level of wealth.”

The disparity of human rights and wealth based upon this inter-generational race war is a "crimes against the humanity of the African-Descendants and is genocidal in its applications according to the UN Office on Genocide Prevention and the Responsibility to Protect ²⁶:

I make these conditions of our existence in America known so that this Committee understands the gravity of this request to control our own destiny. Our colonial condition is inter-generational "*Crimes Against Humanity*" that amounts to Racial Genocide.

²⁶ <http://www.un.org/en/genocideprevention/genocide.html>



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The five elements of the crime of Genocide are:

1. *Killing members of the group;*
2. *Causing serious bodily or mental harm to members of the group;*
3. *Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
4. *Imposing measures intended to prevent births within the group;*
5. *Genocide by forcibly transferring children.*

REQUEST TO BE PLACED ON THE DECOLONIZATION LIST

The American Institute of Human Rights urges the UN to accept and recognize the U.S. African Descendant Confederated Nation-State petition, requesting to be placed on the non-self-governing list.

We are asking for an immediate legal partition pursuant to No.5 of the Declaration”

“Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.”

And, The Declaration on the Granting of Independence to Colonial Countries and Peoples, 1- 7 requiring the United States of America to respond to our averments and our request to Decolonize under Art 73 and Art. 74

Respectively Submitted,

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TABLE OF AUTHORITIES

1. Charter of the United Nations Chapter XI, Articles 73-74:
2. Declaration regarding Non-Self Governing Territories Chapter XII, Articles 75-85:
3. International Trusteeship System Chapter XIII, Articles 86-91: Trusteeship Council
4. General Assembly Resolutions Non-self-governing people's A/RES/9 (I) of 9 Feb. 1946
Transmission of Information under Article 73e of the Charter
5. A/RES/66 (I) of 14 Dec. 1946 Participation of the Non-Self-Governing Territories in the
work of the United Nations and of the specialized agencies
6. A/RES/1466 (XIV) of 12 Dec. 1959 Declaration on the Granting of Independence to
Colonial Countries and Peoples
7. A/RES/1514 (XV) of 14 Dec. 1960 Procedural History in the Audiovisual Library of
International Law Principles which should guide Members in determining whether or
not an obligation exists to transmit the information called for under
8. Article 73e of the Charter A/RES/1541 (XV) of 15 Dec. 1960 The situation with regard
to the implementation of the Declaration on 6/10/2018
9. Declaration on the granting of independence to colonial countries and peoples
A/RES/1654 (XVI) of 27 Nov. 1961 Permanent sovereignty over natural resources



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CONVENTIONS

1. 4(2) of the International Covenant Non-Derogable Rights Retrieved from <http://www.legislationline.org/documents/id/7775>
2. 27(2) American Convention non-derogable rights
3. UN General Assembly Resolution 65/119.
4. Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (12 August 1949)
5. International Covenant on Civil and Political Rights (19 December 1966)
6. Protocol Additional to the Geneva Conventions (12 August 1949) and the Protocol Relating to the Protection of Victims of International Armed Conflicts (Protocol 1) (8 June 1977)
7. International Covenant on Civil and Political Rights Art 1
8. International Covenant on Economic, Social and Cultural Rights
9. Convention on the Prevention and Punishment of the Crime of Genocide (1948)
10. American Convention on Human Rights
11. Convention on the Elimination of All Forms of Racial Discrimination (1965)
12. Convention on the Elimination of All Forms of Discrimination against Women (1979)
13. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
14. Convention on Rights of the Child (1989)
15. Convention on the Suppression and Punishment of Apartheid (1973)



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STATUTES

Rome Statute of the International Criminal Court (1998)

REGULATIONS

Regulations Respecting the Laws and Customs of War on Land annexed to the Fourth Hague Convention (18 October 1907)

CASES

1. Prosecutor v. Naletilic and Martinovic, IT-98-34 ICTY Tribunal
2. U.S Supreme Court in Milliken vs Bradley 418 US 717
3. Armed Activities on the Territory of the Congo case (Democratic Republic of Congo v. Uganda), paras 216 and 178
4. East Timor Case (Portugal v. Australia), ICJ Rep, 1995, 90, at 12, para 29
5. Liberia v. South Africa, ICJ Rep, 1966
6. Worcester v. Georgia, 31 U.S. 515 (1832),



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ATTACHMENT A

ASCENSIONS TO TREATIES AND CONVENTIONS OF THE UNITED NATIONS

- Fourth Geneva Conventions 1949 and 1977
- Geneva Convention and the Laws of War.
- The International Covenant on Civil and Political Rights
- Convention on Economic Social and Cultural Rights;
- Declarations on the Granting of Independence to Colonial Peoples (1960);
- The Second International Decade for the Eradication of Colonialism ending in 2010.

NOTIFICATIONS

INTERNATIONAL NOTIFICATIONS

- UN Secretary-General
- UN Working Group-People of African Descent
- Human Rights Commissioner
- African Union (AU)

DOMESTIC NOTIFICATIONS

- United States Department of State, Secretary of State.