

Crimes Committed by the Federal Government of the USA against African Americans

By [Prof. Francis A. Boyle](#)

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The Right of African Americans to Self-Determination

By Francis A. Boyle

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[...]

For the purpose of this Conference, I want to briefly discuss the nine charges that I filed against the United States government for committing international crimes against African Americans. I believe that these nine charges succinctly state the fundamental principles of international law and human rights concerning African Americans. Obviously, these nine charges of my Indictment cannot answer all the questions African Americans might have with respect to their rights under international law and human rights law. But I do submit that these nine charges provide a solid foundation for providing guidance to African Americans as to their basic rights under international law that can be used in the future in order to navigate problems and issues as they arise to confront them today.

The Distinguished Judges composing this International Tribunal consisted of seven independent Experts on human rights drawn from all over the world. In their Verdict, Preliminary Findings, and Order of 4 October 1992, the Indigenous Peoples' Tribunal did not accept all of the 37 charges that I filed in my Indictment against the United States government for perpetrating international crimes against Indigenous Peoples, People of Color, and Oppressed Nations. But in their own words, the exact findings of this Tribunal on African Americans were as follows:

New Afrikans

7. With respect to the charges brought by the New Afrikan People, the Defendant, the Federal Government of the United States of America is, by unanimous vote, guilty as charged in:

The Defendant has perpetrated the International Crime of Slavery upon the New Afrikan People as recognized in part by the 1926 Slavery Convention and the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.

The Defendant has perpetrated innumerable Crimes Against Humanity against the New Afrikan People as recognized by the Nuremberg Charter, Judgment, and Principles.

The Defendant has perpetrated the International Crime of Genocide against the New Afrikan People as recognized by the 1948 Genocide Convention.

The Defendant has perpetrated the International Crime of Apartheid against the New Afrikan People as recognized by the 1973 Apartheid Convention.

The Defendant has perpetrated a gross and consistent pattern of violations of the most fundamental human rights of the New Afrikan People as recognized by the 1948 Universal Declaration of Human Rights and the two United Nations Human Rights Covenants of 1966.

The Defendant has perpetrated a gross and consistent pattern of violations of the 1965 Racism Convention against the New Afrikan People. The Defendant is the paradigmatic example of an irremediably racist state in international relations today. (my emphasis added)

The Defendant has denied and violated the international legal right of the New Afrikan People to self-determination as recognized by the United Nations Charter, the two United Nations Human Rights Covenants of 1966, customary international law, and jus cogens.

[Let me repeat that: By unanimous vote, Ibid.]

The Defendant has illegally refused to accord full-scope protections as Prisoners-of-War to captured New Afrikan independence fighters in violation of the Third Geneva Convention of 1949 and Additional Protocol I thereto of 1977. The Defendant's treatment of captured New Afrikan independence fighters as "common criminals" and "terrorists" constitutes a "grave breach" of the Geneva Accords and thus a serious war crime.

ADDITIONAL FINDINGS

11. In light of the foregoing findings, this Tribunal also, by unanimous vote, finds the Defendant guilty as charged in paragraph 37, which, as amended, reads:

In light of the foregoing international crimes, the Defendant constitutes a Criminal Conspiracy and a Criminal Organization in accordance with the Nuremberg Charter, Judgment, and Principles and the other sources of public international law specified above, and the Federal Government of the United States of America is similar to the Nazi government of World War II Germany.

[This powerful Finding speaks for itself and requires no explanation by me.]

....

13. With respect to the following charges brought by the New African People:

a. four members of the Tribunal find the Defendant guilty as charged in paragraph 11, which, as amended, reads:

The Defendant has illegally refused to pay reparations to the New Afrikan People for the commission of the International Crime of Slavery against Them in violation of basic norms of customary international law requiring such reparations to be paid.

Three members of the Tribunal reserve the right to consider the documentary evidence further before making a final determination.

[In all honesty, I do not know what more evidence these three members of the Tribunal wanted to see before they were willing to order that the United States government must pay reparations for slavery to African Americans — with all due respect to these three Judges. To the best of my knowledge, this was the first time ever that any Lawyer had argued in favor of reparations for slavery for African Americans before an International Tribunal. A 4 in favor to 0 against to 3 abstentions Verdict was not a bad outcome for the first time through, though it was disappointing to me personally—it should have been unanimous. I and others lawyers will have to learn from this experience in order to do a better job the next time around on this critical issue of obtaining Reparations for Slavery to African Americans. But in retrospect, however, I should have argued to the San Francisco Tribunal that African Americans today suffer from intergenerational post-traumatic stress disorder (P.T.S.D.) in order to drive home to the Judges the direct and immediate deleterious and debilitating effects that Slavery still now afflicts upon African Americans personally and as a People with a right of self-determination.]

b. Three members of the Tribunal find the Defendant guilty as charged in paragraph 18, which reads:

The Defendant has illegally refused to apply the United Nations Decolonization Resolution of 1960 to the New Afrikan People and to the Territories that they principally inhabit. Pursuant thereto, the Defendant has an absolute international legal obligation to decolonize New Afrikan Territories immediately and to transfer all powers it currently exercises there to the New Afrikan People.

Four members of the Tribunal reserve the right to consider the documentary evidence further before making a final determination.

Obviously, I lost this Land “Reparations” argument by 3 in favor to 0 against to 4 abstaining. The Organizers of the San Francisco Tribunal had requested me to argue for this Land “Reparations” form of relief for African Americans, and I did that to the best of my ability. I suspect it appeared to be too “radical” a proposition for a majority of Judges on the Tribunal to endorse. But I take some consolation from the fact that at least three Judges agreed with me and none dissented.

The Tribunal concluded its Verdict with the following Order to the United States government: “Now therefore, it is ordered, adjudged and decreed that the Defendant cease and desist from the commission of the crimes it has been found guilty of herein.” Pursuant thereto, I then filed a copy of this San Francisco Verdict with its Cease and Desist Order upon the Attorney General of the United States of America in Washington, D.C.

In return, I later received a 5 February 1993 Letter from the U.S. Department of Justice that

acknowledged the receipt of the San Francisco Tribunal Verdict and its Cease and Desist Order against the United States government. This U.S. D.O.J Letter then advised me: “If you, or the Tribunal, have any evidence of the violation of federal criminal law, we ask that you provide that information to your local office of the Federal Bureau of Investigation.”

As I saw it at the time, and still see it as of today, historically this would be analogous to the Nazi Ministry of “Justice” advising a German lawyer representing the Jews to file his Complaint of criminal law violations by the Nazi government against the Jews with the Gestapo. The F.B.I is and has always been the American Gestapo — especially for all Peoples of Color living within its imperial domain, and in particular against African Americans.[1] I also make that statement on the basis of first-hand personal experience.

In the summer of 2004 the F.B.I. and the C.I.A/F.B.I Joint Terrorist Task Force in Springfield, Illinois put me on all of the U.S. government’s so-called “terrorist watch lists” because I refused to become an informant for them against my Arab and Muslim Clients, which would have violated their Constitutional Rights and my Ethical Obligation as an attorney. That is what the U.S. government’s “war on terrorism” is really all about: It is a War by the White Racist Judeo-Christian Financial Power Elite of America against Arabs and Muslims—many of whom are African Americans—both in this country and abroad. The Crusades all over again!

As Special Prosecutor for the San Francisco Tribunal, it came as no surprise to me that the Judges unanimously endorsed most of my charges against the United States government with respect to African Americans. This is because the principles of international law with respect to African Americans are incontestable, and thus so glaringly obvious for the entire world to see. I most respectfully submit that African Americans should use the Tribunal’s Verdict, Preliminary Findings, and Order in order to support, promote, and defend their basic rights under international law, including and especially African Americans’ right to self-determination as found unanimously by the San Francisco Tribunal in 1992.

In this regard, the Verdict, Preliminary Findings, and Order of this San Francisco Tribunal qualify as a “judicial decision” within the meaning of Article 38(1)(d) of the Statute of the International Court of Justice. Pursuant thereto, this Verdict, Preliminary Findings, and Order constitute “subsidiary means for the determination of rules of law” for international law and practice. Furthermore, the Statute of the International Court of Justice is an “integral part” of the United Nations Charter under Article 92 thereof. Hence the San Francisco Tribunal’s Verdict, Preliminary Findings, and Order can be relied upon by the International Court of Justice itself, by the International Criminal Court, by some other International Tribunal, or by any other Court in the world today, as well as by any People or State of the World Community — including and especially by African Americans. The Verdict of the San Francisco Tribunal still serves as adequate notice to the appropriate officials in the United States Federal Government that they bear personal criminal responsibility under international law and the domestic legal systems of all Peoples and States in the World Community for designing and implementing these illegal, criminal and reprehensible policies and practices against Indigenous Peoples and Peoples of Color living in North America, including and especially against African Americans.

Obviously, in my brief presentation here today, I do not have the time to go through each and every one of these nine charges; to discuss all of the factual evidence that supported these nine charges; or to provide you with an analysis of the international legal bases for each one of these nine charges. For that type of information, I refer you to the Video and the Book on the San Francisco Tribunal as well as to its Verdict, Preliminary Findings, and Order

itself. But in the discussions that follow tonight and tomorrow, I will be happy to respond to any questions you might have.

Thank you.

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