

AFRICAN UNION

الاتحاد الأفريقي

UMOJA WA AFRIKA



UNION AFRICAINE

UNIÃO AFRICANA

UNIÓN AFRICANA

ACCRA REPARATIONS CONFERENCE

Theme: Building a United Front to advance the cause of justice and the payment of reparations to Africans

DRAFT CONCEPT NOTE

A. Background and Context

The contemporary global order is shaped by the historical legacy of Western imperial expansion, which manifested itself through the slave trade, colonialism, and neo-colonialism. Historical research provides ample evidence that the wealth and power of Western societies were built upon the exploitation of forced labour, the violent extraction of human and material resources, and the deliberate dismantling of African economies. These oppressive practices also resulted in the degradation of African ecologies and the perpetuation of falsehoods that led to a disconnection from and disdain for African cultures.

2. The tripartite crimes of the transatlantic slave trade, slavery, and colonialism established a global system that designated Black Africa as a 'sacrifice zone' for the benefit of the rest of the world. This system imposed extractive infrastructure, dispossessed local populations, and destroyed indigenous systems of production and political governance and ethos. These systems of exploitation and injustice did not cease with the abolition of slavery and the slave trade. The wealth amassed during these periods gave rise to industries, institutions, and estates that continue to thrive in the Global North. Throughout the course of the slave trade, approximately 300 million Africans were forcibly uprooted from their families, homes, cultures, languages and histories. The material and human resources of Africa were pillaged, resulting in immeasurable consequences that continue to reverberate.

3. Globally, Africa and its diaspora are still in the process of reconnecting and collectively recovering from the deep wounds inflicted by slavery and colonialism. This historical context is essential for understanding the present and recognizing the urgency for reparatory justice. The demand for a global African identity has never been stronger, and it is crucial to acknowledge how slavery, colonialism, and racism intersect and impact the lives of black and African people worldwide. Only by doing so can we advocate for reparations, foster healing, and restore dignity to the African continent and its people.

4. Notably, Africans and Afro-descendants remain the only major group for whom reparations have been denied for crimes against humanities and other historical atrocities perpetrated against them at the hands of others. West Germany, for example, was compelled to pay reparations for the atrocities committed against Jewish people during the Holocaust, including to the then newly founded state of Israel to fund economic and infrastructural development, in addition to individual payments to survivors amounting to nearly 89 billion USD as of 2012. The US Congress, on its part, authorized two tranches of reparations through two separate pieces of legislation authorizing compensation to Japanese-Americans for the forced internment of 120,000 people from that community in camps during World War. It has been estimated that between 2.6 billion and 3.2 billion USD has been paid out through these programs.

5. Furthermore, and tellingly, it has been established as a matter of historical fact that confederate slave-owners were paid compensation for the forfeiture of their “property” and the associated free slave labour. Similarly, France received reparations from Haiti amounting to billions of dollars, after the Caribbean country fought to end slavery and gain its independence in 1804, a debt it finished paying after 122 years. In the same way, Britain’s slave owners were paid compensation amounting to 40% of the country’s national budget, under the Slavery Abolition Act. In none of these acts of “restitutive justice” was any compensation paid to the slaves whose forced labour had contributed to building these economies whose vastness continue to this day.

6. Over the past three decades therefore, a global movement has emerged to amplify the call for reparations to address the past wrongs suffered by various affected groups. The efforts and advocacy of these diverse groups, both within and outside the African continent, culminated in the Durban Declaration. Adopted in 2001, the Durban Declaration acknowledged that colonialism has resulted in racism, racial discrimination, xenophobia, and related forms of intolerance. It further affirmed the right of victims of mass human rights violations stemming from racism and related injustices to seek just and adequate reparations. This recognition and affirmation bolstered the determination of campaigners and advocates in the global movement for reparations.

7. This included the creation of a Group of Eminent Persons and the subsequent convening in, 1993, of the Pan African Conference on Reparations in Abuja, Nigeria, hosted by the Government of Nigeria. It is worthy of note that this groundbreaking Conference was of significance because it afforded the OAU/AU the opportunity to come up for the first time with a common position on the question of reparations. Indeed, in the Abuja Proclamation, which was its outcome, the international

community was called upon to recognize that there is “a unique and unprecedented moral debt owed to African peoples which has yet to be paid.”

8. Additionally, the significance of the Abuja Proclamation lay also in the fact that it defined the issues underpinning the claim by the continent of Africa for reparations; and, in that regard, it is worth noting that the enduring relevance of these issues featured in the Abuja Proclamation, has been repeatedly highlighted in the outcomes of major initiatives about reparations which have followed. These include, as mentioned below, the CARICOM 10-Point Plan, the Durban Summit and the Accra Summit on Reparations and Healing. Indeed, these issues have continued to inform the discussion on reparations, both on the continent and in the diaspora.

9. Significantly, the Abuja Proclamation also featured issues, which 30 years after its adaption (1993-2023) remain crucial in the discourse on the neo-colonial aspect of reparations. Thus, for example, it highlighted the need for “total relief from foreign debts”, and for African peoples to demand for “proper and reasonable representation” in the “political and economic areas of the highest decision-making bodies. This pronouncement as well as its request that the **OAU** should “intensify its efforts on restructuring the international system in pursuit of justice, with specific reference to a permanent African seat on the Security Council of the UN”, resonate with current demands by Member States of the AU for reform of the current international financial, economic and political orders which are neo-colonial manifestations of colonial times.

10. Consequently, the Durban Conference and its resulting Declaration and Programme of Action acknowledged that colonialism had resulted in racism, racial discrimination, xenophobia, and related forms of intolerance. It further affirmed the right of victims of mass human rights violations stemming from racism and related injustices to seek just and adequate reparations. This recognition and affirmation bolstered and sustained the determination of campaigners and advocates in the global movement for reparations.

B. Accra Conference on Reparations and Racial Healing

11. In August 2022, in Accra, Ghana, the African Union (AU), the African Transitional Justice Legacy Fund (ATJLF), and the Diaspora Affairs Unit in the Office of the Presidency of Ghana co-organised the inaugural global conference on Reparations and Racial Healing. This conference brought together a diverse group of participants, including policymakers, activists, researchers, diplomats, and journalists from Africa and the African diaspora. Building upon the 1993 Abuja Proclamation and the 2001 Durban Declaration and Program of Action, the conference aimed to reframe the discourse surrounding reparations for historical injustices such as colonialism, apartheid, and slavery as well as contemporary forms

of exploitation, xenophobia, and colonialism. This resulted in a new perspective on reparatory justice for Africans and people of African descent.

12. The Accra Declaration, born out of this conference, sheds light on the enduring legacies of the Trans-Atlantic Slave Trade, colonialism, and ongoing harm. It calls upon African nations, their citizens, and political leaders to advocate for full reparations from the responsible nations, institutions, and governments, considering the profound impact that slavery, colonialism, and apartheid have had on Africans and people of African descent. Recognizing that the imperative for reparations and healing spans generations and borders, the Declaration emphasizes the necessity of active engagement from grassroots movements, civil society, the private sector, policymakers, and leadership at all levels to effect transformative change within the systems, structures, and institutions that have perpetuated harm against Africans and people of African descent.

13. Moreover, the Declaration urges the United Nations Permanent Forum on People of African Descent to convene a global summit of former colonial powers on the issue of reparations. It also calls for the reform of global systems and structures to foster prosperous economies, as well as the return of stolen artefacts to their nations of origin. Additionally, the Declaration advocates for the extension of the United Nations Decade for People of African Descent, and for a process of acknowledgement and healing for the roles that Europe and Africans played in the Trans-Atlantic Slave Trade.

14. During the Accra Conference, President Nana Addo Dankwa Akufo-Addo delivered a keynote address emphasizing the long-overdue need for reparations to Africa. His message of solidarity with the reparation's movement holds immense significance as it encourages governments and heads of state to actively engage in the global reparations' movement. The implementation of the Accra Declaration relies heavily on political will and commitment. By actively involving governments and political leaders, it is possible to initiate the healing process and provide redress for the historical economic, social, political, and cultural harm inflicted upon Africans and people of African descent.

C. AU Assembly Decision on the Reparations

15. The Republic of Ghana has been at the forefront of championing reparations and healing from the deep-rooted legacies of slavery, colonialism, and apartheid. Under the leadership of H.E. Nana Addo Dankwa Akufo-Addo, President of the Republic of Ghana, the country has demonstrated exceptional political will in advocating for an equitable and just world that treats the global black and African community with respect and fairness. Following the President's remarks at the Accra, Conference, the Republic of Ghana submitted a draft Decision to the African Union Assembly of Heads of State and Government (AU Assembly) during the African Union Summit held in February 2023 in Addis Ababa, Ethiopia. The submission resulted in the

Assembly formally and unanimously passing the landmark Decision: Assembly/AU/Dec (XXXVI) entitled “Decision on Building a United Front to Advance the Cause of Justice and the Payment of Reparations to Africans”.

16. This landmark Decision represented the first unified declaration and positioning of the African Union on the question of reparations, representing a tremendous paradigm shift in the global reparations discourse and presenting a crucial framework for consolidating African contributions to this agenda in terms of conceptualization, programming, policymaking, advocacy, funding, and the establishment of institutional structures and mechanisms. Assembly/AU/Dec (XXXVI) reinforced the outcomes of the Accra Summit on Reparations and Racial Healing and, notably, called for the development of a Common African Position on Reparations together with a continental Program of Action. It further endorsed the proposal by the Republic of Ghana to co-organize and host an International Conference in 2023 towards “***Building a United Front to Advance the Cause of Justice and the Payment of Reparations to Africans***”.

17. As a result, Ghana, in collaboration with the African Union, will convene the above-referenced Conference in line with the Decision of the African Union Assembly.

18. The Conference will convene political leaders from the African continent and the Caribbean region, policymakers at the global, continental, regional and national levels, academics and scholars, civil society actors and relevant stakeholders from around the continent and the global African Diaspora for substantive deliberations, and the development of actionable strategies to promote and advance a continental initiative for reparatory justice. Through facilitated discussions and knowledge sharing, the conference will create an action plan for a sustainable reparatory justice process in Africa and the African diaspora.

D. Objectives

19. There are several objectives and key desired outcomes for this conference. These include:

1. Facilitating meaningful discussions and knowledge sharing among experts, policymakers, academics, and stakeholders on the topic of reparations;
2. Examining the legal and moral grounds for reparations and exploring different models of reparatory justice;
3. Exploring mechanisms for truth-telling, acknowledgement, reconciliation, and healing both within African and African diaspora societies and in relationships with former colonial powers;

4. Developing an action plan for a sustainable reparatory justice process in Africa, taking into account the historical context, current challenges, and future prospects;
5. Building a united front and strengthening collaboration among African nations, the African diaspora, civil society organizations, policymakers, and other key stakeholders to advance the cause of justice and reparations;
6. Discussing effective advocacy strategies to engage international institutions, governments, and civil society organizations in the reparation's movement;
7. Identifying opportunities for collaboration among African nations, the African diaspora, civil society organizations, and policymakers to advance the cause of reparations and justice.

E. Outcomes

20. The conference is expected to result in the following outcomes:

1. An African Reparatory action plan/programme, outlining key strategies, timelines and the responsible stakeholders, for a sustainable reparatory justice process;
2. Increased awareness, mobilization of support from all relevant stakeholders on the issue of reparations at the global level through engagement with international institutions etc.;
3. Strengthened unity and collaboration among Africans, peoples of African descent, the diaspora etc., through the establishment of an African - Caribbean Joint Mechanism on reparatory justice;
4. Establishment of an African Committee of Experts on Reparations for the purpose of developing a Common African position on reparations as well as to implement the Action Plan of the Accra Reparations Conference;
5. Establishment of a global Reparations Fund to support the activities of the Committee of Experts on Reparations;
6. Opportunities for experience sharing, greater networking, synergism and capacity building among participants.

F. Participation

21. The Conference will be attended by Legal experts, policymakers, academics, and stakeholders from the following: Caribbean Region, Reparations Commissions- Americas and the Caribbean, the UN System, California Reparations Task Force, African Civil Society organisations, and Regional Economic Communities of AU Member State, the Diaspora Focal Points etc. In addition, fifteen (15) selected Heads of State and Government from Africa and the Americas will be in attendance.

G. Date and Venue

22. The Conference will be held from **14 to 17 November 2023** at the Kempinski Gold Coast Hotel in Accra, Ghana.