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**PROGRESS REPORT ON THE IMPLEMENTATION OF THE ASSEMBLY
DECISION (Assembly/AU/Dec.847(XXXVI)) ON BUILDING A UNITED
FRONT TO ADVANCE THE CAUSE OF JUSTICE AND THE PAYMENT
OF REPARATIONS TO AFRICANS**

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THE CAUSE OF JUSTICE AND THE PAYMENT OF REPARATIONS TO AFRICANS**

1. It would be recalled that in February 2023, the 36th Ordinary Session of the Assembly of the African Union adopted a Decision, ref., **Assembly/AU/Dec.847(XXXVI)**, on Building a United Front to Advance the Cause of Justice and the Payment of Reparations to Africans. In the said Decision, the Assembly, *inter alia*, requested the Commission to submit a progress report on its implementation to its 37th Ordinary Session.
2. The Commission therefore, submits this report in fulfilment of its obligation to report to the Assembly by the deadline of February 2024 as stipulated in the above-mentioned Decision.
3. It would be recalled further that the Assembly Decision endorsed the proposal made by the Government of Ghana to co-organize with relevant stakeholders 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”. In that regard, the Commission was requested to collaborate with the Government of Ghana in organizing the Conference.
4. In the light of the above, an ad hoc Coordinating Committee, comprising the Permanent Mission of Ghana to the AU and the Commission was set up. This Committee convened a series of meetings to facilitate the Conference. A number of activities were also held during the period of preparation. Among these activities was a study tour on Reparations and Racial Justice hosted by the Government of Barbados, from 24th to 28th July, 2023, and attended by representatives of the Permanent Representatives’ Committee (PRC), namely, H.E. Youssouf Mandoha Assoumani, Chairperson of the Permanent Representative Committee (PRC) and the Permanent Representative of Comoros to the AU, and the Permanent Representative of Ghana to the AU, H.E., Amma Twum-Amoah. It served the purpose of laying the foundation for enhanced relations between Africa and its diaspora, an indispensable partner in our collective endeavour to pursue the claim for reparations at the global level.
5. The Conference itself was intended to build on past initiatives, undertaken in respect of the claim for reparations, and in which the African continent was involved. These included the OAU Pan-African Conference on Reparations held in Abuja, (1993); the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance held under the auspices of the UN in Durban (2001); and the Accra Conference on Advancing Justice: Reparations and Racial Healing (2022). The holding of the Conference thus represented a significant step forward in our collective endeavours as a continent to boost the worldwide reparations movement which was experiencing a renaissance.

6. The Accra Reparations Conference (ARC) was thus held in Accra, Ghana from 14th to 17th November, 2023.

7. The Conference was opened by H.E. Nana Addo Dankwa Akufo-Addo, the President of the Republic of Ghana, who gave the Keynote Address. In attendance also, was His Excellency Azali Assoumani, President of the Union of Comoros, and Chairperson of the African Union (AU). The Prime Ministers of Burundi, Barbados and Togo, and Ministers of Member States of the AU, as well as the Secretary-General of the CARICOM, together with other leading personalities of the diaspora, also made invaluable statements.

8. The Deputy Chairperson of the Commission, Dr. Monique Nsanzabaganwa, who represented the Chairperson of the Commission, H.E. Moussa Faki, also made a statement on his behalf. In attendance also, were legal experts, policy makers, academics and stakeholders from the African Union and the African diaspora.

9. Throughout the deliberations of the Conference, there was the core recognition that there were moral and legal justifications for the claim to reparations in respect of the historical injustices and injurious crimes committed against Africans and People of African descent. These included trans-Atlantic slavery, colonialism, genocide and apartheid; and it was underlined that pursuing the claim for reparations would open the way to advancing the cause of reparatory justice and healing for Africans and for all people of African descent.

10. It was further recognized that there was a need to also address the inequities characterizing the current neo-colonial international economic and political orders.

11. In the spirit of adopting a forward-looking approach, it was underlined that there was a need to underpin the movement for reparations by establishing institutions and mechanisms which would give it structure, promote its momentum and ensure sustainability.

12. Consequently, the following recommendations (as detailed in the Accra Proclamation adopted at the end of the Conference and attached as an Annex to the present Progress Report) were made; and the Commission submits these recommendations as worthy of consideration:

- i. Committee of Experts on Reparations: There should be a re-affirmation of the directive contained in the Assembly Decision **(Assembly/AU/Dec.847(XXXVI))** pertaining to the establishment of a Committee of Experts on Reparations by the Commission, in consultation with Member States, ECOSOCC and other AU organs as well as the RECs. This would be for the purpose of developing a Common African Policy of Reparations and incorporating it therein;

- ii. Office of the AU Special Envoy on Reparations: In order to reinforce the work of the Committee of Experts, an Office of the AU Special Envoy on Reparations should be established in accordance with due processes of the AU Commission, and in consultation with the Executive Council, with particular reference to his/her mandate.
- iii. Exploration of legal and judicial options for reparations: There should be AU-wide support for actions being taken in and outside the continent by individual member states and victims and their descendants in relation to historical crimes, as well as for future litigation for reparations. While recalling, that the relevant organs of the AU, including the African Court on Human and People's Rights, the African Commission of Human and People's Rights, the African Union Commission on International Law have in the past, worked on the subject of the legal aspects of reparations, collaboration between them as well as other AU organs should be encouraged, with the focus on how international law interacts with or, supports the quest for reparations. In parallel, there should be collaboration between the relevant AU organs on the one hand, and their counterpart entities in the CARICOM, Latin America and other regions of the diaspora, as well as with the United Nations and other relevant multilateral bodies.
- iv. Increased and Active Role for AU Organs and Institutions: Overall, there should be an increased and active role for AU organs and institutions, including, but not limited to, the African Commission on Human and People's Rights, African Court, AUCIL, ECOSOCC, PAP, ACERWC, AU Advisory Board Against Corruption, as well as RECs in the reparations campaign. This should be effected in close coordination with the African Union Commission, in order to take concrete measures, promote and sustain linkages among them.
- v. A Legal Reference Group: A Legal Reference Group which would work in close coordination with the African Union Commission, should be set up to support the AU Committee of Experts and the AU Special Envoy. This Legal Reference Group would provide legal advice on the question of reparations including, best legal practices on the law and litigation impinging on the reparations agenda. The Legal Reference Group will further provide thought leadership and advice, drawing from global case studies, to influence policy.
- vi. Recognition of African Civil Society efforts on reparations: With a view to building on the work done by the AU Commission and ECOSOCC, through state and non-state institutions with African citizens, through civil society actors, including the African diaspora community. This will allow day-to-day discourses to be informed by the claim for reparations and reparatory justice.
- vii. Creation of a Transcontinental Partnership Framework: A transcontinental partnership framework between the AU, CARICOM, and the African diaspora in Latin America, North America, Europe, UK and all other regions in the world, should be established, with a view to promoting collaboration and solidarity within

the Global South. This would be premised on the recognition that reparations are an integral pillar for sustainable development.

- viii. Increased role for the United Nations: In the context of the wider United Nations, the United Nations Permanent Forum on People of African Descent, may consider convening, in close coordination with the African Union Commission, an International Conference, involving former colonial powers, on the issue of reparations, as well as extend the Decade for People of African descent.
- ix. Repatriation, Restitution and Safeguarding of African Cultural Artifacts: In the light of the relevant provisions of the African Union Agenda 2063, which call for the full repatriation and safeguarding of Africa's stolen culture, heritage and artifacts, a strong Common African Position on the Restitution of Cultural Property and Heritage should be developed. Further, a Framework for Action on the Negotiations for the Return/Restitution of illicitly trafficked cultural property from the Continent in accordance with the Continental Consultations on the Restitution of Cultural Property and Heritage held from 30 November to 2 December 2021 should be produced.
- x. Global Reparations Fund: A Global Reparations Fund to advance the campaign for reparations in Africa should be established in close cooperation with the African Union.
- xi. Building a United Front to Tackle the Inequities in the International Neo-Colonial Financial Architecture: Through the reform of the systems and structures of the neo-colonial financial architecture, as advocated in other international for a by African Heads of State including those of Kenya, South Africa and Ghana, should be established. This would be with a view to achieving a new global financial infrastructure including the Bretton Woods institutions, that is reparatory in nature and economically equitable in scope and practice. In the same vein, mechanisms for loss and damage, climate change, debt relief, curbing illicit financial flows should be established.
- xii. Building a United Front to Tackle the Inequities in the Neo-Colonial International Political System: A united front should also be established to tackle the prevailing inequities in the international political system, with particular reference to the composition and working methods of the UN Security Council as championed repeatedly by the AU.
- xiii. An Annual International Conference on Reparations: In collaboration with the AU Commission, other AU Member States should be encouraged to offer to host the Conference on an annual basis, alongside other relevant mechanisms for dialogue relating to specific aspects of reparations, to sustain the momentum.
- xiv. The Theme of the Year 2025: The theme of the year 2025 should be "**Justice for Africa Through Reparations**".

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Progress report on the Implementation of the Assembly Decision (Assembly/Au/Dec.847(Xxxvi)) on building a United Front to Advance the Cause of Justice and the Payment of Reparations to Africans

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