

**PURSuing AN
AFRICAN AGENDA FOR
REPARATIONS FOR
COLONIAL CRIMES AND
SLAVERY**



Executive summary

This paper is an introduction to the African Futures Lab project, Pursuing an African Agenda for Reparations for Colonial Crimes and Slavery which consists of 7 research reports. It summarizes some of the key findings of these reports, which show, notably, that contrary to a commonly held viewpoint, **demands for justice and reparations** for colonial crimes and slavery have been **voiced on the African continent over the last sixty years**.

Our research shows that although violence tied to colonialism and slavery is at the root of the many political, economic, and social conflicts and crises faced by contemporary African societies, these **historical crimes have received little interest from international organizations** (state and non-state actors). Rather, **demands for justice and reparations in Africa have faced a hostile environment** marked by the continuity of colonial logics and, in certain contexts, repression by national governments.

The Pursuing an African Agenda for Reparations for Colonial Crimes and Slavery project calls for **supporting longstanding African demands for repair**. Addressing these demands is not just a moral imperative; it is a critical step towards tackling the multiple crises faced by contemporary African societies.

Furthermore, pursuing an African agenda for reparations requires **adopting a holistic scope**, in the sense that these efforts cannot be limited to redressing violence against individuals and groups, but must also consider injustices against institutions and states, as well as cultural and environmental ecosystems. Nor should reparations only apply to past injustices. Rather, they should also **address injustices in the present day** that are preventing the construction of a better future for the continent.



Reparations for Europe's Colonial Crimes in Africa and Slavery: A Critical Step in Tackling Africa's Contemporary Challenges

The issue of reparations for colonial violence and slavery resurfaced in public debates in both Northern and Southern countries in the wake of the Black Lives Matter protests of 2020. New voices called for reparations for colonial and slavery crimes in Africa, building on existing plans like CARICOM's 2013 proposal¹ from Caribbean nations to European states, or the National African-American Reparations Commission's (NAARC) 10-point reparations plan for the enslavement of Africans in the United States.²

When colonial crimes committed in Africa were raised, however, some critics were quick to point out that the issue of justice and reparations for slavery and colonization was not an African concern, but rather the concern of Afro-diasporic populations. According to these critics, African populations on the continent have other, more pressing, preoccupations than looking towards the past. Rather, they are more concerned with holding their post-colonial states and political leaders to account for present issues and focusing on building a better future.³

While this line of argumentation is not baseless, it nevertheless skirts two key issues. First, the concept of reparation is already used extensively in human rights and transitional justice programs across the African continent.⁴ Indeed, the idea that there must be reparations for mass injustice and violence is routinely proclaimed by human rights organizations and international post-conflict programs, as in Uganda, the Democratic Republic of Congo, and South Africa, among others.⁵

Second, the argument that the colonial past is less relevant to contemporary African realities holds little purchase when we consider that the vast majority of political and socio-economic conflicts on the African continent today originate in dynamics created by colonialism: the unequal distribution

of wealth and territory between social groups as instituted by colonial powers remains a key cause of enduring conflict on the African continent today.⁶

As such, it is rather odd to consider that colonization and its contemporary consequences are not a relevant concern for continental Africans today.

This paradox between extensively documented historical facts and commonly held beliefs about the irrelevance of reparations owed African populations for crimes tied to colonialism and slavery led us, at the African Futures Lab, to ask: If Africa is so deeply affected by the consequences of colonization and slavery, and human rights instruments and tools to seek justice are widely available, **why then are there so few demands from the continent for justice for colonial crimes and slavery?** Given the scale of the crimes and their contemporary consequences, why do we, when it comes to reparations, rarely hear of cases beyond the claims of the OvaHerero and Nama communities (Namibia) against Germany, and those of Mau Mau fighters (Kenya) against Great Britain?⁷

These questions led us to initiate the present project, which aims to identify demands from the African continent for justice and reparation for colonial crimes and slavery. The project asks:

- **What demands for justice and reparations are being expressed across the five regions of Africa?**
- **What has been their past trajectory, and how are these demands faring today?**
- **Who are the actors behind these demands?**
- **What constraints and opportunities do they face?**

To answer these questions, the African Futures Lab commissioned a team of fifteen researchers and research assistants, who undertook 7 research projects across the five regions of the African continent:

1. Southern Africa (South Africa, Zimbabwe, Namibia and Malawi)
2. Central Africa (the Democratic Republic of Congo, Burundi, Rwanda, Cameroon)
3. North Africa (Tunisia, Egypt, Sudan)
4. East Africa (Kenya, Uganda, Rwanda)
5. West Africa (Ghana, Togo, Benin)

01

Reclaiming the Concept of Reparations

The concept of reparations is enshrined in several instruments of international human rights law that have been signed by most former colonial powers.⁸ In addition, fundamental principles and guidelines concerning the right to remedy and reparation for victims of gross violations of international human rights and serious violations of international humanitarian law were adopted by consensus by the United Nations General Assembly in 2005.⁹ The concept of reparations has also been consecrated as a pillar of transitional justice, a range of processes and mechanisms put in place by societies that have experienced mass violence to establish responsibility, render justice, and enable reconciliation.¹⁰

These legal instruments have recognized that reparation can take various forms¹¹:

Restitution, understood as restoring the victim to the original situation that existed before the gross violations of international human rights law or serious breaches of international humanitarian law occurred.

Compensation should be awarded for any damage resulting from gross violations of international human rights law and serious violations of international humanitarian law that lends itself to economic evaluation.

Rehabilitation, which refers here to medical and psychological care, as well as access to legal and social services.

Satisfaction, which should include, where appropriate, some or all of the following measures: effective steps to bring persistent violations to an end; verification of the facts and full and public disclosure of the truth; and a public apology, including acknowledgement of the facts and acceptance of responsibility.

Guarantees of non-repetition, which should include, where appropriate, reviewing and reforming laws that promote or enable gross violations of international human rights law and serious violations of international humanitarian law.

For the purposes of this research, we have chosen to work from the concept of reparations as defined in these international and transitional justice instruments. As mentioned above, though the idea of reparation has been widely used in contexts of post-independence political violence in Africa, its use in relation to colonial violence



remains poorly supported by the international human rights infrastructure (institutions, mechanisms, resources, and practices). We consider it critical to challenge this limited engagement with reparations. Indeed, **depriving African populations of the use of the legal avenues afforded by reparations constitutes a double injustice**: both colonial violence and its contemporary consequences, and lack of access to available justice mechanisms for protecting populations' rights.

Other advantages of this definition of reparations include: its institutional legitimacy, i.e. the fact that it is used internationally and nationally by human rights organizations; the fact that it is broad enough to encompass multiple types of demands for justice, whether material, symbolic, institutional, or individual; and the fact that it is capacious enough to accommodate a variety of demands and contexts.

Nevertheless, in using this definition, we are careful not to limit our conceptualization of colonial violence in need of redress solely to acts against the physical integrity of individuals (murder, abduction, torture, etc.). As demonstrated by the studies in this report, injustices and acts of violence during colonialism and slavery were perpetrated not only against individuals, but also against communities, institutions, political entities, and ecosystems. **Thinking with and from reparations can enable us to rethink the contemporary international order.**

For instance, the aspect of reparations that calls for the “adoption of institutional measures to put an end to violence and to prevent the recurrence of violent acts”¹² could be used to both bring about a recognition of the violence perpetrated by international financial systems instituted during the colonial era (IMF, World Bank, etc.) on African populations, and to demand the reform of this architecture, which has barely been rethought since.

02

Lessons Learned

Several lessons emerge from the analysis of the case studies at the heart of this project:

For decades, African civil society actors and states have consistently voiced demands for justice and reparations

Contrary to the popular discourse about African populations' desire to turn the page on the colonial past, there have been multiple demands for justice and reparation by civil society actors, states, and regional organizations since the end of the colonial era. As will be detailed in each report, these claims relate to socio-political and economic violence committed both during and after colonization (and, in the case of Tunisia, slavery):

1. The **Great Lakes** report examines demands relating to the political assassinations of national heroes and members of anti-colonial resistance groups, the forced displacement of populations, and land-grabbing by corporations and religious institutions.
2. Our report focusing on the abduction of mixed-race children by the Belgian colonial administration analyzes the mobilizations that have been undertaken in the **Democratic Republic of Congo, Burundi, Rwanda, and also in Belgium**, by mixed-race people and their families who were victims of segregation and discrimination during and after Belgian colonization.
3. The report on **Cameroon** discusses demands for justice and reparations raised in Cameroon for the repression of the independentist movements perpetrated by the French State.
4. In **Southern Africa**, our research focused on demands for justice and reparations in Zimbabwe, South Africa, Namibia, and Malawi concerning debt inherited from former colonial administrations after independence and demands for the decolonization of multilateral institutions.
5. In **North Africa**, we examined Black Tunisian activists' demands for justice and for the recognition of slavery.
6. In **West Africa**, we consider demands tied to the return of artifacts looted during the colonial era



in Benin, Togo, and Ghana and currently held in European collections.

7. In **East Africa**, where we focused on Uganda, Kenya, and Rwanda, our research examined the extent to which the climate reparation negotiations that led to the establishment of the COP 27 Loss and Damage Fund in 2022 are reproducing colonial injustices.

This overview clearly shows that demands for reparations are multiple and varied, and that they relate to violence against individuals as well as against institutions, ecosystems, and states. They concern not only the historical violence of colonization and slavery, but also the contemporary consequences of these phenomena.

Demands for reparation take place in contexts where colonial violence and domination have never ceased to unfold

In many of the regions where we carried out our research, colonial violence and domination have not disappeared; in some areas of social life, they have merely mutated. The case of the Black Tunisians provides ample evidence of this situation. The violence of slavery in the 18th-19th century

has been replaced by political violence and systemic socio-economic marginalization today, making it inconceivable for many Black Tunisians to even speak of justice and reparation, as the original wound is still bleeding.

The continuity of colonial domination can also be seen in the demands for an overhaul of the international economic order expressed by civil society actors in our study of the Southern African region. The demands of states and civil society consist in calls for the elimination of economic injustices established during colonization, such as the inheritance of debt from former colonial powers by African states at the time of independence, and the inadequate representation of African countries in international bodies. Our study shows that the measures taken to curb sovereign debt and the functioning of the international financial institutions that are creditors or administrators of the debt still operate according to a colonial matrix.

Together, these studies argue strongly that the economic and political domination and violence of the colonial era have not ceased. As such, **African demands for justice and reparation for historical colonial crimes correspond to demands for an end to (neo-)colonial violence and domination.**

Demands for justice and reparation for colonial crimes and slavery are in some contexts repressed by the State

Our research also shows that one of the obstacles to the emergence of demands for justice and reparations for colonial crimes and slavery in African countries is the **repression suffered by civil society organizations at the hand of African states themselves.** This situation is particularly striking in the cases of Tunisia and Cameroon. In Cameroon, the ties between the ruling power and the former colonial power (France) since independence have weakened the challenges that activists have brought to France's colonial past and its legacies. Although a few initiatives have risen to the surface over the years, the risk of repression remains substantial. Similarly, in Tunisia, where a brutal regime has been established that is openly racist against Black Africans, attempts to protest and demand justice for this population have systematically been violently repressed.

The transnational nature of the crimes poses a notable challenge for demands for justice

A particular feature of many claims for justice and reparation for colonial crimes on the African continent is their transnational character. Whether dealing with the abduction of children by the Belgian colonial administration in the Great Lakes region, the looting of artifacts

throughout the continent by French, German, British, or other colonial powers, or the operating principles of multilateral economic institutions, the violence and injustice were and continue to be perpetrated (at least in part) on the African continent, while the responsible actors are European (or from the Global North more generally). The transnational dimension of tackling historical colonial crimes in the present day **complicates justice-seekers' ability to mobilize, insofar as challenging the responsibility of a state or non-state actor** that is not located in the same legal space requires considerable material resources and expertise. The challenge is compounded by the fact that, as we will see below, the international human rights organizations that support African civil society organizations with expertise and funding have so far had little interest in the cause of justice for historical colonial crimes.

Demands for justice and reparation for colonial crimes are made invisible and marginalized by the international development and human rights sectors

One of the important contributions of this project research is what it reveals about how demands for reparation for colonial crimes and slavery have been invisibilized and marginalized for decades. As the report on the Great Lakes region shows, though demands for justice for colonial crimes have been voiced for many years, these claims have received no support from international, state, or non-governmental organizations in the international development or human rights sector.

Even among programs in sectors falling under the increasingly popular label of "decolonization," most initiatives have been limited to efforts to increase the representation of Afro-descended and other racialized people under the umbrella of "diversity and inclusion." While diversity and inclusion schemes are important, on their own they remain insufficient to tackle the consequences of the historical injustices of colonization and slavery. In the absence of material, financial, and political support, African demands for justice for historical crimes remain invisible and marginal in both national and international political arenas.

The need for a holistic approach in building a reparations agenda for colonial crimes and slavery

The various demands for reparations for colonial crimes and slavery cannot be approached from a single angle, whether they relate to violence against individuals, cultural practices and institutions, or political and economic entities.



As the case of Cameroon shows, the restitution of cultural objects cannot be approached without recognizing that these demands are intertwined with calls for justice and reparations for violence perpetrated by the French state against Cameroonian independence movements.

Similarly, as the Southern Africa study shows, demands for reparations for colonial crimes concern domestic dynamics such as socio-economic inequalities affecting specific communities inside Southern African countries (hence the calls to indigenize the economy), but they also concern global inequalities inherited from colonialism that subsist at the international level (leading to calls for decolonizing multilateral institutions). These demands are not expressed in a vacuum; rather, they interact with each other. Thus, **failing to see how they are intertwined and to take a holistic approach can only lead to superficial results.**

An African agenda for reparations must be shaped by African voices, visions, and epistemologies

Another important contribution of this research project is to show that the recent international and transnational initiatives put in place to render justice and provide repair for colonial violence leave little room for voices, visions, and epistemologies from the African continent.

Our reports on the process of restituting cultural artifacts in West Africa, and on the creation of the Loss and Damage Fund for climate injustices in East Africa each draw attention to the mechanisms and initiatives deployed by states and private actors to “repair” the injustices and violence of colonization. Both reports highlight the fact that while these efforts towards justice are positive developments, the process of designing and implementing reparative actions often reproduces colonial violence by silencing the voices of African actors and/or limiting their participation in the setting and implementation of agendas.

To truly effect repair for the crimes of the past and ensure a more just future for the African continent and its peoples, the African **reparations agenda must center and be driven by Africans and by African knowledge systems.**

03

Recommendations

African demands for justice and reparations for colonial crimes cannot continue to be ignored. The research undertaken for this project leads us to conclude that a variety of reforms are needed in order for these demands to attain legitimacy and recognition in national and international political arenas. Therefore, in addition to region-specific recommendations, we make the following overall recommendations for advancing the agenda for reparations for colonialism and slavery in Africa.

To African States

Action is already underway at the level of the African Union to draw up a common agenda for reparations for colonial crimes and slavery.¹³ In addition to this agenda, we suggest the following recommendations:

Develop **national plans in collaboration with civil society** actors to hold former colonial powers accountable for colonial crimes and reparations.

Adopt **holistic programs** that do not approach justice for colonial crimes from only one angle, such as the restitution of cultural artifacts. Rather, tackle the historical injustices of slavery and colonization from a broader perspective that addresses both domestic (e.g. economic, environmental, cultural, human rights) and international issues (e.g. representation and power in multilateral bodies).

Develop national infrastructures to **support these demands** by providing resources to research centers and civil society organizations mobilizing for justice and reparations for colonial crimes.

Pressure international bodies to ensure that the question of reparations is on their agendas and receives necessary attention and resources.

Center African voices, visions, and epistemologies in the initiatives and mechanisms for reparation of slavery and colonial crimes.

Collaborate with regional entities in Africa and its diasporas (e.g. African Union, CARICOM, etc.) in the development of an African and/or global agenda for reparations.

To civil society organizations

Develop alliances and collaborations between civil society actors fighting for reparations on the African continent and those active in African diasporas. **Solidarity across movements** will not only facilitate mutual reinforcement, but it can also bolster access to the necessary material resources for launching transnational mobilizations.



To International organizations (international development and human rights sector)

Shift from **development aid policies to reparation-driven policies**: To avoid a merely cosmetic uptake of the fight against the historical injustices of colonization and slavery and their contemporary legacies, international organizations must change the narrative from one of aid and development support to one that sheds light on the **responsibilities of Northern states and private actors** in both historical events and their contemporary effects.

Deploy political, material, and financial resources to **hold former colonial powers accountable** for colonial crimes and slavery.

Adopt programs that take into account the colonial dynamics that structure the continent's socio-political, economic, environmental, and cultural challenges.

Deploy political, material, and financial resources to **enable African demands for justice** for historical crimes tied to colonialism and slavery to gain legitimacy in both national and international political arenas.

Center African voices, visions, and epistemologies in the initiatives and mechanisms for reparation of slavery and colonial crimes.

Endnotes

1 For the CARICOM States' action plan, see the "Ten action Plan," available here <https://caricomreparations.org/> (accessed September 07, 2023).

2 For an overview of initiatives proposed in the United States, see: "Reparations Plan," National African-American Reparations Commission, accessed October 3, 2023, <https://reparationscomm.org/reparations-plan/>; William A. Darity Jr. & Kirsten Mullen, *From Here to Equality: Reparation for Black Americans in the Twenty-First Century*, 2nd ed. (Chapel Hill: University of North Carolina Press, 2022).

3 "Commission spéciale Passé colonial," LA CHAMBRE. BE, Belgian Parliament, accessed September 1, 2023, <https://www.dekamer.be/kvvcr/showpage.cfm?language=fr§ion=/pri/congo&story=audition.xml>; Olivia Rutazibwa, "Décoloniser le développement international et penser la solidarité," interview by Liliane Umubyeyi, *Future Perfect | Futur Antérieur*, September 13, 2022, <https://africanfutures.mit.edu/news/2022-09-13-1-olivia-rutazibwa-decoloniser-le-developpement-international-et-repenser-la-solidarite/>; Jemima Pierre, *The Predicament of Blackness: Postcolonial Ghana and the Politics of Race* (Chicago: University of Chicago Press, 2012), see also Jemima Pierre, *Race and Africa: Cultural and Historical Legacies* (Abingdon: Routledge, 2024).

4 The Africa programs of organizations such as the United Nations, International Centre for Transitional Justice, Amnesty, Human Rights Watch, or international development agencies such as USAID and EU external services are ample proof of the importance of this discourse on reparations on the continent.

5 Elias O. Opongo, "Transitional Discourse in Post Conflict Societies in Africa: Introduction," *Journal of the British Academy* 9, no. 2 (May 2021): 1-7, <https://doi.org/10.5871/jba/009s2.001>.

6 One need only look at the contemporary conflicts and crises in several Sahelian states to realize how colonialism and neo-colonialism are at the heart of citizens' resentments and protests. See Thomas Borrel et al., *L'Empire qui ne veut pas mourir: Une histoire de la Françafrique*, (Paris: Éditions du Seuil, 2021).

7 In 2013 the UK paid out £19.9m in costs and compensation to more than 5,228 Kenyans who suffered torture and abuse during the Mau Mau uprising; on this case, see "UK to compensate Kenya's Mau Mau torture victims," *The Guardian*, June 6, 2013, Africa, <https://www.theguardian.com/world/2013/jun/06/uk-compensate-kenya-mau-mau-torture>, see also Caroline Elkins, "History on Trial: Mau Mau Reparations and the High Court of Justice," in

Time for Reparations: A global Perspective, eds. Jacqueline Bhabha, Margareta Matache, Caroline Elkins (Philadelphia: University of Pennsylvania Press, 2021), 101-119.

8 Universal Declaration of Human Rights (art. 8); International Covenant on Civil and Political Rights (art. 2); International Convention on the Elimination of All Forms of Racial Discrimination (art. 6); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (art. 14); Convention on the Rights of the Child (art. 39); The Hague Convention respecting the Laws and Customs of War on Land (art. 3); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (art. 91); and Rome Statute of the International Criminal Court (arts. 68 and 75)

9 General Assembly resolution 60/147, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law adopted by the United Nations General Assembly on December 15, 2005, §23 available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation> (accessed on August 30, 2023)

10 See on this link Luke MOFFETT, *Transitional justice and reparations: remedying the past?* In Cherill Lawther, Luke Moffett, & Dov Jacobs (Eds.), *Research handbook on transitional justice*, Edward Elgar, Northampton, 2017 (pp. 377-400).

11 General Assembly resolution 60/147, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law adopted by the United Nations General Assembly on December 15, 2005, §23 available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation> (accessed on August 30, 2023)

12 General Assembly resolution 60/147, "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law adopted by the United Nations General Assembly on December 15, 2005, §23 available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation> (accessed on August 30, 2023).

13 See for instance the Draft Decision adopted by the 36th Ordinary Session of the African Union Assembly, on building a united front to advance the cause of justice and the

payment of reparations to Africans, available at https://www.afdb.org/sites/default/files/documents/resolutions_36th_ordinary_session_african_union_assembly_19_february_2023.pdf (accessed on September 6, 2023). See also the adoption of this resolution by the African Commission on Human and People's Rights, "Resolution on Africa's Reparations Agenda and The Human Rights of Africans In the Diaspora and People of African Descent Worldwide - ACHPR/Res.543 (LXXIII) 2022." This resolution was adopted on November 9, 2022. It is available at <https://achpr.au.int/index.php/en/adopted-resolutions/543-resolution-africas-reparations-agenda-and-human-rights-africans> (accessed on September 5, 2023).

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