



Statement of Attorney Nkechi Taifa

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Note: Oral Statement will be limited to two minutes

I am Nkechi Taifa, Executive Director of the Reparation Education Project, a non-profit non-governmental civil society organization based in Washington, DC. Our mission is to support and amplify the escalating reparations ecosystem as a trusted resource and strategic thought partner, bringing to the table long-standing expertise and demonstrated capacity for effective cross-sector collaboration.

The demand for reparatory justice is a fundamental assertion of human dignity and rights. For too long the global Black community has borne the brunt of systemic racism, exploitation, and violence. From the horrors of the war resulting in the transatlantic trafficking of human beings, to the legacies of enslavement, colonialism, neo-colonialism, apartheid, jim crow and current manifestations from those eras—in the areas of health, wealth, education, peoplehood, and punishment—the wounds inflicted upon Black bodies and psyches have yet to be repaired and healed. In the face of such historical intergenerational trauma, the Reparations Movement of today emerges as a moral, legal, and legislative imperative and a pathway to liberation and global healing.

Let me be clear. The demand for global reparations is not a matter of charity or benevolence; it is a matter of justice and accountability. For centuries, Black lives have been devalued, commodified, and brutalized in the service of white supremacy and exploitation. The time is past due that the perpetrators of these crimes against humanity be held accountable and for reparation be made to the descendants of those who suffered immeasurable harm.

Unfortunately, the road to reparatory justice has been fraught with challenges and obstacles. Despite growing recognition of the righteousness of reparations and the fact that reparations have been paid to other peoples throughout the centuries, many governments and institutions remain resistant to meaningful action in the Black World. This resistance is

rooted in a deep-seated reluctance and outright refusal to confront the legacies of white supremacy, as well as a fear of disrupting existing power structures. Moreover, the global nature of the Reparations Movement presents unique issues, as different countries, and communities grapple with distinct histories of oppression and resistance.

I feel it critical that the African diasporic communities who are descendants of Africans enslaved in the Western Hemisphere advance new definitions and narratives for terms such as “transatlantic slave trade,” “victims,” and “full reparations.” Indeed, **the transatlantic “slave trade”** was not a trade, but a war, characterized by the kidnapping and illicit transfer of African prisoners of war in genocidal death ships, forcibly transported over a period of three months, and intended to be separated forever from their families, cultures, languages, and homeland. This crime against humanity has been referred to as the “Maafa, or “African holocaust.”

The concept of “victims” expressed by the U.N. General Assembly’s December 2005 Basic Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Gross Violations of International Human Rights Law is limited. “Victim,” is described in the document as “persons who individually or collectively suffered harm ... the term ‘victim’ also includes the immediate family or dependents of the direct victim.” Unfortunately, this definition falls short of including the profound and enduring trauma inflicted upon the descendants of African prisoners of war who were enslaved. Indeed, the international instrument fails to expressly include within the ambit of the term “victim,” the generational realities of the international capturing and chattelization of human beings.

Such crimes against humanity spanned generations, and international law must expressly state such. Thus, the term “victim” must not be narrowly construed, as well as “immediate family or dependents of the direct victim,” but expressly include the descendant class of victims who represent generational legacies of the enslavement era and its living legacies as well.

Finally, **the concept of “full reparations”** is unrooted in the reality of a crime against humanity that goes far beyond economically assessable harms, lost opportunities, and material damages. Despite being enshrined in international law, we who are the intergenerational victims of a genocide unmatched in history must not be under any pretense that a concept of “full reparations” will wipe out all consequences of this crime against humanity. Indeed, the very horrific nature of the crime itself precludes “full” reparations; a status this day unable to achieve. Rather, the clarion call should be for “comprehensive reparations,” inclusive of multi-faceted remedies to ameliorate multi-faceted harms. And, while it is appropriate and fitting that the U.N. General Assembly’s December 2005 Basic Principles and Guidelines on the Right to a Remedy and Reparation

for Victims of Gross Violations In International Human Rights Law be lauded and uplifted as it outlines the forms of reparations to include restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition, it is incumbent that when international standards are drafted, that there be representation of all segments of injured parties to ensure the most appropriate and inclusive definitions. Otherwise, we are limited to forever pigeon-holing our claims to standards advanced by others whose experiences differ from our own.

RECOMMENDATIONS

To overcome challenges and obstacles, the international community must take concrete steps to support the demands for reparatory justice advanced by the global Black community. As such, the Reparation Education Project presents the following recommendations as Calls to Action to be considered and implemented by either the Permanent Forum for People of African Descent, Member States, and/or the instrumentalities of the United Nations system:

- Advance new definitions and narratives for terms such as “transatlantic slave trade,” “victims,” and “full reparations.” Language matters. We must not allow the niceties of words to modify or dull the horrific reality of how we came to these shores, who we are, and that reparations after centuries of genocidal assault represents a negotiated settlement, as opposed to a full recovery.
- Expand the International Decade for People of African Descent to another decade.
- Request an advisory legal opinion by the International Court of Justice on reparatory justice for the descendants of Africans enslaved in the United States, as advanced by RNA Minister of Foreign Affairs Siphwe Balenta, and inclusive of the recognition that international law rights that should have accrued at the close of the enslavement era, with reparations, included the rights to repatriation, integration, general emigration, and independence -- rights that remain to this day.
- Utilize the 2001 Durban Declaration and Programme of Action as a guiding document, reaffirming the “transatlantic slave trade” and its progeny as a crime against humanity and solidifying the claim without time limitation.

- Develop a comparative global analysis of African and African diasporic reparations litigative and legislative initiatives from different countries and establish a Pan African-centered understanding of justice and repair.

In closing, it is indeed exciting to be engaged “history-in -the-making, a history that is equal parts edgy, exciting, transformational, confrontational, messy, confusing, and joyous. We are beyond rhetoric now and well into action mode. We are one people, united by a shared history of resilience and resistance. It is our collective duty to demand accountability and ensure that all our voices are heard, in the words of the great Malcolm X, El Hajj Malik El Shabazz, “in this day, at this time, which we intend to bring into existence, by any means necessary!”

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