



OHCHR - Call for input – 2023 SG report IDPAD

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Call for inputs for the 2023 report of the United Nations Secretary-General on the implementation of the programme of activities of the International Decade for People of African Descent

Summary

The present submission is made pursuant to the Call for inputs for the 2023 report of the United Nations Secretary-General on the implementation of the programme of activities of the International Decade for People of African Descent. It presents an overview of the implementation of the programme of activities in Jamaica and its diaspora, drawing on the work of this organization, the State and Agencies, the contributions of the IDPAD Fellows (Jamaica), academic institutions and civil society efforts. In particular it focuses on measures that have been undertaken at the local, national and international levels to address the legacies of the transatlantic trafficking in enslaved Africans, the racialized system of chattel slavery and colonialism including the efforts towards achieving both internal and external reparatory justice. The Submission also provides recommendations for action by Jamaica, to further the goals of the Decade.

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I. Introduction

1. The Children of the Maafa (Recognition Justice & Development Project) submission is made pursuant to the Call for inputs for the 2023 report of the United Nations Secretary-General on the implementation of the programme of activities of the International Decade for People of African Descent. It presents an overview of the implementation of the programme of activities in Jamaica and its diaspora, drawing on the work of this organization, the State and Agencies, the contributions of the IDPAD Fellows (Jamaica), academic institutions and civil society efforts. In particular it focuses on measures that have been undertaken at the local, national and international levels to address the legacies of the transatlantic trafficking in enslaved Africans, the racialized system of chattel slavery and colonialism including the efforts towards achieving both internal and external reparatory justice. The submission is also informed by the stakeholder's information acquired at the "Pan-African Think Tank"¹ convened September 15, 2022 at Liberty Hall, Kingston Jamaica.
2. Children of the Maafa (Recognition Justice & Development Project), is a civil society initiative aimed at promoting the welfare and interest of all people of African descent in Jamaica and the Caribbean who continue to suffer harm from the historic legacies of the Trans-Atlantic Trafficking in enslaved Africans (TTA), the racialized system of chattel slavery and colonialism. It was formally registered as a Non-Profit Civil Society Initiative in early 2022 by Former UN People of African Descent Fellow, Nattecia Bohardsingh to assist with the acceleration of the Programme of Activities for the International Decade for People of African Descent 2015-2024 and beyond. With a Board complement of the founder, lawyers who represent vulnerable populations, environmental youth activist, cultural expert, and gender specialist, the organization has been able to assist with important dialogue and action towards the recognition, justice and development of the most vulnerable Jamaicans.

II. Background Summary

3. On August 6 2019 the Government of Jamaica launched the IDPAD at its 57th Independence Grand Gala held at the National Stadium, Jamaica. It was declared that the launch would be the official start to the local activities and would also be the start of a year-long celebration commemorating the important contributions of the people of African descent to the Jamaican society. The Ministry of Culture, Gender, Entertainment & Sport was the focal point for implementation, through its various Divisions and Agencies.
4. The promotion of the Decade around Africa/Diaspora connection, including shared heritage, culture, the Trans-Atlantic Trade in Enslaved Africans, reparation and repatriation, facilitated common ground for stakeholders including: Academic Institutions, African-centered Civil

¹ The Pan African Think Tank forum provided an avenue for opening dialogue on the People of African descent in Jamaica and their views on recognition justice and development pillars to their sustainable development and growth. Contributors: - Pan African Think Tank, National Council on Reparation, Nation Of Islam Jamaica, State of the African Diaspora - SOAD, I-Nation Books & Necessities, The African Caribbean Institute of Jamaica/Jamaica Memory Bank, Leonard P. Howell Foundation, Children of the Maafa (Recognition Justice & Development Project), and the Universal Negro Improvement Association.

Societies, the Rastafari and Indigenous communities, churches and the Reparatory Justice Movements to share in the implementing programming of the Decade.

5. From 2019 to the present the focus of the activities in the country are geared towards: Awareness- Raising through Webinars, Summits, Conferences, Press Releases and events surrounding the Commemoration of important dates which held great significance to the lives of People of African descent in Jamaica and Continental Africa; Education and the school based curriculum in the revisioning of key historical documentation that distort the truth and experiences of the People of Africa and African descent; Data collection research and dissemination in the areas of reparatory justice and the remnants of colonialism, which facilitated processes of iconographic decolonization and the re-memorizing of key elements of Africa and her diaspora.
6. Since 2018 the State of Jamaica has three (3) Fellows listed in the Index Directory of the Fellowship Programme for People of African Descent. These Fellows: Jodi-Ann Quarrie (2018); Stephanie Sewell (2019); and, Nattecia Bohardsingh (2020) have been active participants in the implementation of the International Decade at the national, regional and international levels.

III. The implementation of the programme of activities for the International Decade for People of African Descent.

A. Promoting a greater knowledge of and respect for the diverse heritage, culture and contribution of people of African descent to the development of societies

7. Through the decolonization of the narrative around the Americas, the period of enslavement and colonialism there was the acknowledgement that the Trans-Atlantic Trade was an interruption of the history of the People of Africa and therefore the history did not begin with Christopher Columbus' voyages in the 1400's. School texts such as *Liberties Lost: Caribbean Indigenous Societies and Slave Systems*² and other revisionist historical work provided the basis of the reordering of the school-based curriculum, commemorative events and other Awareness-Raising and educational events in the island. This revisionist history approach located the importance of the history of Africa and Africa's cultural features and global connections before the transatlantic trade in enslaved Africans. It promotes cultural retention and provides the evidentiary basis upon which to dislocate traditional Euro-centric view on the people of Africa and African descent, which denied the positive global influence and cultural impact of Africa on world.

Examples of Commemorative events, Webinars and other awareness-raising initiatives are provided in boxes 1 to 3. Similar efforts were replicated throughout the years whether through academic institutions, civil societies, and or the Ministry of Culture Gender Entertainment and Sport and their Agencies

² Beckles, H. Shepherd, V. (2004). "Liberties Lost: Caribbean Indigenous Societies and Slave Systems.

Box 1. Ministry of Culture Gender, Entertainment & Sport and Agencies

- On April 8, 2020, the Ministry of Culture, Gender, Entertainment & Sport joined efforts in commemorating “Takyi Day” which marks the anniversary of the ‘Easter Rebellion’ of 1760, led by the formidable Chief Takyi and his counterparts who were brought to Jamaica from the Gold Coast and enslaved on the Frontier Plantation in St Mary. This was the first significant revolt against slavery.
- On January 24 2021, the Ministry of Culture Gender Entertainment and Sport in a joint initiative with the United Nations Educational Scientific and Cultural Organization hosted a Webinar in celebrated the “World Day for African and African descendant Culture” under the theme: “People of African Descent: Defamation, Race Relations and Developmental Institutions”
- As part of the iconographic efforts, and the Commemoration of the birth of Jamaica’s First National Hero, Pan-Africa Marcus Mosiah Garvey, in 2021 the Ministry of Culture in association with the Jamaican Consul to Namibia held a global virtual symposium entitled: “Afrikan Unity: the Spinal Cord”

Box 2. The University of the West Indies

- On June 12, 2020 the Centre for Reparation Research (CRR) at the University of the West Indies embarked on a school-based awareness campaign through a virtual forum under the theme: “History Education: Understanding the Caribbean Present through the Lens of the Past”;
- In July 2020 the Institute of Caribbean Studies hosted a “Critical Engagement of the Symbols of Jamaican Nationhood Part I, II, & III in collaboration with the Centre for Reparation Research;
- On Africa Day, 2021, The PJ Patterson Centre for African Caribbean Advocacy, which was officially launched in June 2020, held the reconnecting event entitled “Building Africa-Caribbean Solidarity in the Age of Global Pandemics”

Box 3. Civil Society Initiatives & Partnerships

- On August 4, 2022, Children of the Maafa (Recognition Justice & Development Project) and the ‘Love Your Skin Appreciate Your Melanin (LYSAYM) Foundation’ embarked on an awareness Seminar under the theme: “EMANCIPATION + 184 Jamaican Nationhood: ‘The black skin, a badge of shame, or a glorious symbol of greatness.” This was a critical engagement on the ‘African identity’, Jamaican nationhood and the remnants of chattel slavery and colonialism and was in association with the Global Black Collective Institute (GBCI) UN Fellow 2020 Cohort Initiative and the African Diaspora in China Network (Adic-Net) within the context of the United Nations declared International Decade for People of African Descent, Programme of Activities.
- In 2022, Children of the Maafa (Recognition Justice & Development Project), Universal Negro Improvement Association (UNIA-ACL) advanced, in partnership with the Ministry of Culture Gender Entertainment and Sport and Agencies, the celebrations of the “2nd International Day for People of African Descent celebrations, under the theme: “The International Day for People of African Descent: Honouring the contribution of People of African Descent, Jamaica.
- Between June 21-25, 2022 the Charles Town Maroons staged their 14th Annual Maroon Conference and Festival under the theme: “Sankofa and Healing of Indigenous Maroon Peoples Land and Culture” bringing into focus the recognition of the cultural diversity in the island.

B. Measures to address the legacies of the transatlantic trafficking in enslaved Africans, the racialized system of chattel slavery and colonialism

The Reparatory Justice Movement

8. Reparation comes from the Latin word for “repair”. It is the action by which one makes amends for a wrong committed by providing payment or other compensation to those who have been wronged. In reference to the Caribbean region, “reparation” is viewed specifically in the context of the wrongs done to people of African descent in the period of the transatlantic trade in Africans and the racialized system of chattel slavery, colonialism and its resulting harm and also for Native Genocide (...) of the Indigenous People.
9. The call for reparatory justice in Jamaica forms part of the larger call for reparation in the Caribbean and is seen to have been a feature of Caribbean history dating back to enslavement. Research conducted by Historians³ outlined that throughout the period, former enslaved peoples expressed the view that plantation slavery constituted a theft of labour. More so, they were attuned to the fact that non-compensation for enslavement posed a significant challenge to development for it denied them the necessary framework that guaranteed social and economic progress.
10. The Caribbean Reparation Movement was formally initiated in 2013 when the CARICOM Heads of Government established a CARICOM Reparations Commission and mandated the formation of National Commissions for Reparation in member States. *The mandate of the regional reparatory justice movement is to establish the moral, ethical and legal case for reparation by the former colonial European countries, to the nations and peoples of the Caribbean Community, for native genocide, the transatlantic trafficking in Africans, a racialized system of chattel enslavement, deceptive Indian indentureship, and continuing harm through the legacies of slavery and indentureship.*
11. The organized regional efforts towards reparatory justice in the Caribbean can be seen as part of the overall struggle for reparation and build on the struggles for freedom, emancipation and human rights of the indigenous peoples, enslaved and formerly enslaved peoples. It also underscores the work of Marcus Garvey, Rastafari and the Pan-Africanism which promoted reparation in its conceptual form as the fulfillment of the idea of the “redemption” of the African.
12. There is also evidence of reparatory justice activism in the Pre-Independence period of 1961, and in 2004, when a delegation of Rastafari presented a petition to the United Nations to persuade Europe to pay billions of dollars to the followers of the faith in reparation for slavery. Also, in 2002 on the visit of Queen Elizabeth I to Jamaica, another request was made but the Queen, after replying that she would revert,¹ rejected the claim on the grounds that Britain could not be held accountable for the wrongs of past centuries.⁴

³ *Professor Verene A. Shepherd, Professor, Sir Hilary Beckles, and Professor Ahmed Reid*

⁴ The Centre for Reparation Research (CRR), UWI

13. The regional claim for reparation was initially made through formal letters to the Heads of Government of six (6) European States in 2016: – Denmark, France, Portugal, Spain, The Netherlands and the United Kingdom, although others have since been added. The letters set out the reasons those countries were singled out, and outlined the evidentiary basis for the claim, including the lasting impact of conquest, colonization, African enslavement and post-slavery injustices.
14. The Caribbean Centre for Reparation (CRR) for which a core budget for operation exists began operation in March 2017 and has been the main regional research arm of the CARICOM Reparatory Justice Movement. The CRR also supports National Commissions on Reparation in the various CARICOM states to: fosters awareness around the lasting and adverse consequences of colonialism and in the Caribbean and offer practical solutions to halting and reversing them.
15. In support for the case for reparation in the Caribbean, research conducted by the Centre for Reparation Research (CRR) revealed that there is incontrovertible evidence that European countries were heavily involved in human trafficking, and in the deaths of millions of enslaved Africans, which subsequently led to the criminal enrichment of their societies and that plantation slavery provided the scaffold for Britain's industrial advancement. The CRR⁵ also revealed that the harm to the victims was extensive as although a total of about 5.5 million Africans were trafficked to the British-colonized Caribbean over two centuries in 1834, just 800,000 remained. Further, scholars worldwide have presented evidence to show that during the 400-year period...Europeans as colonisers have:
 - a) instructed genocidal actions upon indigenous communities;
 - b) created the legal, financial and fiscal policies necessary for the enslavement of Africans;
 - c) defined and enforced African enslavement and native genocide as in their 'national interests';
 - d) Refused compensation to the enslaved with the ending of their enslavement;
 - e) Imposed a further one hundred years of racial apartheid upon the emancipated, and;
 - f) refused to acknowledge such crimes or to compensate victims and their descendants.

Examples of recent important interventions, towards reparatory justice for the transatlantic trafficking in enslaved Africans, the racialized system of chattel slavery and colonialism are provided in box 4.

⁵ The Centre for Reparation Research (CRR) located at the University of the West Indies: The CRR emerged out of a need to support the CARICOM/Global Reparatory Justice Movement, build awareness, engage in advocacy and conduct research which will advance the claim to Europeans for various forms of reparation for native genocide, African enslavement, deceptive indentureship, colonialism and its legacies.

Box 4. CARICOM Reparation Commission and The University of the West Indies

- In February 2023, the Caricom Reparations Commission in collaboration with The UWI Centre for Reparation Research, and the PJ Patterson Institute for Africa-Caribbean Advocacy held a symposium under the theme 'Reparation and royalty, Africa and Europe: Exploding myths, empowering truths'. This symposium was the latest attempt at a dialogue by CARICOM with leaders on the Continent regarding the argument that there is a shared responsibility for reparation between Africa and Europe as Africans sold their people into slavery'.
- In September 2021 the PJ Patterson Centre for African Caribbean Advocacy and the Centre for Reparation held a Webinar aimed at:
 - Assessing the Durban Declaration and Programme of Action, the persisting challenges to its full implementation and the ways these challenges can be overcome within the United Nations, at the regional, national and local levels;
 - Assessing the situation of People of Africa and African Descent as a distinct group (victims) identified in the text of the Programme of Action of the DDPA para. 4-14, and the merits in declaring the transatlantic trade in enslaved Africans and chattel slavery as crimes against humanity; Taking stock of the impact of the COVID-19 pandemic and other phenomena on, development and empowerment of people of African descent in the CARICOM Region and the need for reparatory justice.

Jamaica National Council on Reparation

16. The National Council on Reparation (NCR) was created through bipartisan approach to reparatory justice in Jamaica. The Council was mandated through its Terms of Reference to:
- 1) Organize events and engage in robust countrywide outreach programme that will increase public awareness of the historical and current justification for reparation.
 - 2) To conduct research and publish the findings in accessible forms that will educate the public on reparatory justice.
 - 3) To recommend the form or forms that reparation may take, taking into account social, moral, cultural economic and international factors.
17. Since its inception, the NCR has been focused on both internal and external reparation for the people of Jamaica who have suffered harmful state practices. It is seen that the Jamaican Government have since made attempts at compensation to the victims and descendants of the Coral Garden's Massacre of 1962, an event in which state operatives on the orders of the Prime Minister, brutalized and imprisoned Rastafari in an island wide onslaught. The calls for internal reparation were made, by Rastafari and members of the reparation movements, to be extended as a moral obligation before any external claims.

18. Throughout its tenure, the National Council has embarked on several research and advocacy initiatives towards reparatory justice and has been conducting surveys and research along the lines of the TOR. In 2021, the Minister of Culture Gender Entertainment and Sport made announcement in Parliament that they have made further steps in the strides towards seeking Reparatory Justice for the victims and descendants of the Trans-Atlantic Slave Trade. She explained that on Tuesday, March 9, 2021 the NCR/MCGES along with members from the Attorney General’s Chambers met to discuss the way forward regarding the Petition and Supporting documents prepared by their legal team which seek reparatory justice for slavery from the United Kingdom. She further highlighted that the Petition was to be presented to the Queen of the United Kingdom (UK) and/or the Government of the UK. The Minister further highlighted that in pursuit of reparation from the UK it was agreed from a 2018 meeting with the Ministry of Foreign Affairs and Foreign Trade that the Attorney Generals Chamber would need to weigh the merits of the Petition in the eventuality of the Government of Jamaica involvement in the Petition and that it would be the responsibility of the AG Chambers to file the Petition on behalf of the people of Jamaica.

Examples of recent important interventions, towards reparatory justice for the transatlantic trafficking in enslaved Africans, the racialized system of chattel slavery and colonialism are provided in box 5

Box 5. The National Council on Reparation

- In 2021 the Ministry of Culture Gender Entertainment & Sport through the National Council on Reparation (NCR) partnered with the South African High Commission in Jamaica; the P.J. Patterson Centre For Africa Caribbean Advocacy (PJP-CACA); and, the Centre for Reparation Research (CRR) to host a three part Webinar series to advance collaboration with the African Continent and the Diaspora with respect to reparation and repatriation. This Series (Et Al) hosted a Conversation between the President of South Africa and the Prime Minister of Jamaica and other important stakeholders.
- On July 2021 the National Council on Reparation through the Ministry of Culture Gender Entertainment & Sport embarked on a Webinar with Civil Rights Attorneys Benjamin Crump and Jasmin Rand along with other stakeholder, UN IDPAD Fellows and other Stakeholders in “Dissecting Race: Defamation, Discrimination and Development”. The webinar covered “race”, in the context of systemic racism— racialized norms embedded in our laws, policies and practices which ‘license certain atrocities on people of African descent and the need for reparation.

Legislative and Policy Measures

19. The NCR has also embarked on the creation of a National Policy on Reparatory Justice for Jamaica which will outline the parameters, perspectives, approaches, modalities and projected outcomes for the pursuit of reparations. This policy is also expected to outline the parameters (...) upon receipt of reparation by the country.
20. In 2022 The Government of Jamaica approved the setting up of a Constitutional Reform Committee, which will play a key role in ensuring Jamaica’s smooth transition a Constitutional Monarch style government to a Republic. The Queen of England now King represents ‘remnants of colonialism which is seen as a necessary act which forms part of the decolonisation process.

IV. Conclusions and recommendations

Challenges towards achieving reparatory justice for people of African descent.

- (1) There is a need for more Civil Society participation, encouragement and inclusion in the movement for reparatory justice at the various levels in the country;
- (2) There is a need for formal support of the various regional and international rights mechanism to enhance the efforts of the local and national activism towards reparation for CARICOM countries.

The Right to Equality and Non-Discrimination

Consistent with the right to equality and non-discrimination the state should seek to:

- (1) withdraw reservations contrary to the object and purpose of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), including seeking to include in any Constitutional Review, a broaden definition of racial discrimination to include considerations under Article 1 of CERD;
- (2) Adopt comprehensive anti-discrimination legislation and ensure its effective implementation;
- (3) Establish independent national human rights institutions, in conformity with the Paris Principles;
- (4) Remove all obstacles that prevent the equal enjoyment of all human rights of the people of Jamaica including the restrictive Savings Law Clause.
- (5) Amend/ Abolish archaic legislations and policies that seek to discriminate against persons on the basis of racial attributes, social class etc.

The Right to Development

- (1) Consistent with the right to Development, it is recommended that the state seeks to adopt policies and measure aimed at securing the right to education, employment, health, housing regardless of the racial attributes including hairstyles, hue, and sensitize state actors on the obligations of equality and non-discrimination.

[End]