

**Working Group of Experts on People of African Descent – 32<sup>nd</sup> Session  
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**Reparations in Colombia – A contribution to the Global Movement  
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Hello good morning everyone, greetings to the WG and congratulations to the new Chair.

My presentation today will focus on the evolution of the reparations movement in Colombia and what it means for the global reparations movement today.

**Case for reparations in Colombia**

The specific history and contemporary context of Colombia has influenced the ways in which reparations are thought about and discussed. Colombia played a key role in the history of enslavement in the region with Cartagena on the Caribbean coast being one of the main ports through which enslaved Africans were trafficked and later transported to different regions of the country and continent.

Enslaved Africans, played a fundamental role in the wars of independence, many under the unfulfilled promise of liberation; while Colombia gained independence from Spain in 1819, slavery was not formally abolished until 1851. Thus, both European states and the Colombia state bare responsibilities. In the context of racial democracy, discourses of mestizaje, and the denial of the very existence of racism, there has been a systematic invisibilisation of black communities and their cultural, economic, scientific, technological and political contributions to the nation.

When slavery was abolished, structural racism continued. In 2009 members of the reparations movement initiated a case against the 1851 law which abolished slavery (Law 21<sup>st</sup> May, 1851) accusing the law of being unconstitutional in that it violates the very principle of human dignity and maintained inequality by creating a system of compensation for the perpetrators of the crime but not for the victims. The Court ruled itself inhibited from deciding the case, but it set an important precedent for the national discussion on reparations.

Thus, like other contexts, the case for reparations in Colombia includes 1) the sheer gravity of the crime and the physical, cultural, psychological, spiritual damages caused; 2) the fact that reparations was never paid to the victims of the crime, even though the perpetrators received financial compensation; and 3) the lasting legacy of slavery, reflected in structural racism, economic and social inequality, political exclusion and ongoing systemic violence.

The economic legacy of enslavement is particular stark in Colombia not just in terms of the wealth extracted by the European countries involved, but racial inequality within the

country and the huge wealth accrued by ruling elite families and agricultural and extractive industries that continue to enjoy that wealth today. Just as Europe underdeveloped Africa and the Caribbean, we talk about the internal underdevelopment of Afro-descendant ancestral territories which are still treated as economic enclaves for the extraction of raw materials and cheap labour but not for production and investment. One of the speakers spoke a few days ago about British colonial policy of “not a nail was to be made in the colonies” which made me think of the port city of Buenaventura, so fundamental for Colombia’s import/export economy, but home to a community that has long been denied fundamental rights to health, education, employment, sanitation, and safety.

Another key element in the discussion on reparations, is the ongoing armed conflict in Colombia which has had a disproportionate impact on Afrodescendant communities. Afro-descendant ancestral territories have long been seen by state and armed groups as strategic for economic interests, with an abundance of natural resources and key trade and trafficking routes.

In the context of underdevelopment and lack of state protection, black communities have been especially vulnerable to the impacts of war as they were caught in the crossfire. But further, they have been targets of war, as those who oppose economic interests in their territories are seen as obstacles to development and progress. Forced displacement, dispossession, torture, and massacres have been strategies used to defend economic interests. Thus, activists have demanded that the laws and policies on reparations for victims of the armed conflict address these underlying historical and structural factors.

In this sense, the understanding of reparations in Colombia is a decolonial one, which recognises not only the historic crime, but its legacy and the ongoing racial violence, exploitation and oppression affecting Afro-descendant peoples in a paradigm of coloniality, in which the same colonial ideologies that underpinned slavery (white supremacy, accumulation, patriarchy, extractivism), continue to shape power relations and structures. Reparation must seek to address that historic and ongoing chain of racial injustice.

### **Reparations Demands**

Economic justice is a key part of the reparations demand in Colombia; from affirmative actions for access to labour markets, dignified work and higher education, to opportunities for entrepreneurship, loans and financial services.

But, the demand is also very much rooted in the Afro-descendant movement’s historic struggles for ethno-territorial rights, and thus has a strong collective rights focus that goes beyond individual compensation.

Demands include strengthening laws and policies (such as Law 70 of 1993), to guarantee the protection of collective land rights, autonomy, self-governance and the restoration of traditional cultural practices and livelihoods. Thus, when we talk about economic justice, as

well as calling for **economic inclusion**, this also implies **economic autonomy and sovereignty**, power to make our own decisions that affect our lives, our territories and our resources.

Colombia's experience of Transitional Justice has also been important in the understanding of reparations, highlighting for example the importance of the rights of victims of crimes against humanity to **memory** and **truth** about injustices suffered. It also emphasises **guarantees of non-repetition**, which require transformative reparations and structural measures that address not only historical damages but the ongoing conditions and structures that enable racial injustice to continue.

### **Reparations on the national agenda**

In 2017 members of the movement held the first international workshop on reparations in which we made the links between the legacy of enslavement, the impacts of the armed conflict, and reparations. We invited colleagues from the Caricom reparations Comisión and the National African American Reparations Commission to share experiences. The outcome document identified the need for the creation of a National Reparations Commission.

On the 21st May 2019 we made the official call before Congress for the creation of such a Commission, to “study the historical impacts and present consequences of enslavement, the slave trade, racism and racial discrimination and propose measures to overcome them.”

As I'm sure many of you are aware, on June 19<sup>th</sup> 2022 Colombia elected its first black female Vice President Francia Elena Marquez Mina, who has long been a leading voice for the rights of black communities in Colombia in struggles for land rights, racial justice and political participation. Francia comes from a black social movement that has located the contemporary black ethno-territorial rights struggle in the wider context of demands for reparations and historical justice. Since the campaign trail, she began to put the issue of reparations on the national agenda.

Thus, after generations of inaction from previous governments, with the election of Petro and Francia, the issue of reparations has now been elevated to the government level and the calls from the movement are finally being heard. The official government programme committed to “repair the historical debt owed to the Afro-descendant, black, Raizal and Palenquero peoples, victims of the slave trade, enslavement and structural racism” and part of the mandate of the Vice President is to create and coordinate a National Comisión on reparations to “overcome the effects of racism, racial discrimination and colonialism” (Decree 1874 of 2022).

Environmental justice, which is high on the new government's agenda, is understood as deeply intertwined with racial justice and reparations, with the **losses** and **damages** caused by environmental degradation being understood as rooted in colonial injustices that must be repaired.

The Vice President also has an agenda to strengthen relations with the Continent of Africa. This is key for the reparations process as for the first time the African foreign policy strategy is rooted in the concept of a “**reencuentro**” or **reconnection** with Africa, principles which will underpin and guide international cooperation, economic solidarity, actions around memory and culture, and political and diplomatic relations. Steps are already being made to reopen embassies that were closed by previous administrations and new embassies in countries where Colombia has never had relations, Afro-descendants from the movement have been named as ambassadors to several African countries, and steps are being taken to make visa processes and flight routes between Africa and Colombia more accessible. This is seen as part of the debt that is owed to Afro-descendants in this part of the 6<sup>th</sup> region, who have long been denied their relationship with the mother land.

The recent developments in Colombia are a triumph for the region and for the global reparations’ movement. Colombia, under the leadership of its first black female VP, is joining forces with the CARICOM States in putting the issue of reparations firmly on the international agenda and, with the participation of the movement, will bring the important national debates and discussions on reparations to the international conversation. But as a movement we are aware of both the advantages and challenges of a State taking on the reparations agenda.

While it is undoubtedly a historic achievement, reparations remain a hugely controversial topic in a country that still denies much of its racial history, and create a target for criticism and push back against those in government who defend the issue. Our ongoing conversations with members of the CARICOM and US movements have emphasised the importance of maintaining an active civil society reparations movement. Any national plans or laws on reparations that come out of these developments must be the product of collective visioning with communities and organizations, research processes into the historic debt must include community-based research, reparations measures must be rooted in the historic cultural resistance of Afro-descendent peoples, their realities and needs, and the demands they have long made for ethno-development, economic empowerment and autonomy.