

***PANEL DISCUSSIONS ON THE AFRICAN UNION
THEME OF THE YEAR 2025***

***" JUSTICE FOR AFRICANS AND PEOPLE OF
AFRICAN DESCENT THROUGH REPARATIONS" IN
THE CONTEXT OF THE "SHARED 2030 VISION" FOR
THE AU-EU PARTNERSHIP***

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INTRODUCTION

Distinguished delegates, ministers, ambassadors, diplomatic Staffs, fellow advocates for justice, Ubuntu connected family

First of all, my words of thanks for the invitation goes to the African Union Permanent mission in Brussels, the CIDO and ECOSOCC Officials for recognising the AUADS Sixth Region High Council (AUADS High Council); the Europe Pan African Forum for People of African Descent and its Reparatory Justice Coalition.

In my contribution, I will focus on the Legal Pathways and Institutional Frameworks for an AU mechanism to redress Historical Injustice from the Civil Society point of view. Some of the recommendations I have also presented during my panel presentation in Algeria. To be concrete the question I will focus on is the **role of civil society in achieving reparatory justice**.

I speak not only in my personal capacity, but as Chair of the AUADS High Council, on behalf of the Europe Pan African Forum for People of African Descent (EPAF-PAD) delegates who gathered at our Pan African Roundtable on 22-23 November 2024 to establish the Europe Pan African Coalition on Reparatory Justice. **When I say "we" in this contribution, I speak for these collective structures and the movements they represent.**

MOBILISING AND ORGANISING THE GLOBAL AFRICAN CIVIL SOCIETY AS A MATTER OF SELF REPAIR IN THE BROADEST CONTEXT OF SELF REPAIR:

And then I refer to article 3Q of the African Union Constitutive Act, 22 years ago, whereby the Diaspora was officially, "invited as full members in the building of the African Union (AU) and as an important part of the Continent." In this regard I refer to the AU 2012 Diaspora Declaration of which the Program of Action under *Paragraph Political Cooperation* is clear about the expectations of the Civil Society Diaspora and Caricom. I quote:

k) Encourage the Diaspora to **organize themselves in regional networks and establish appropriate mechanisms that will enable their increasing participation in the affairs of the African Union** as observers and eventually, in the future, as a sixth region of the continent **that would contribute substantially to the implementation of policies and programmes.**

The AUADS High Council has been established with the aim to serve as a non-governmental governance mechanism between the Global African Diaspora and the African Union, the African Commission, the AU Member States and affiliated Organs, Commissions and Mechanisms. In this regard we see Caricom as an important partner.

l) Continue to integrate the African Diaspora agenda in its engagement with international partners;

m) Encourage AU and CARICOM to create a conducive environment for the African Diaspora to invest, work, and travel on the African continent and the Caribbean. End of quote.

We experience the Article 3Q as a concrete implementation in context of Reparatory Justice and in perspective of the outcomes of the organised 8 Pan African Congresses and the Durban Declaration and Programme of Action as implementation of paragraphs 100, 165 and 166 that deal with various aspects of Reparatory Justice. In this regard I define the establishment of the Pan African Parliament, ECOSOCC and NEPAD as the legal pathways and institutional frameworks. ECOSOCC was the first that reserved 20 seats for the African Diaspora. During several meetings we

encourage the leaders of the Pan African Parliament to honour the Call for the adoption of a Diaspora instrument in terms of an observer status.

The Foundation AUADS High Council¹ covers more than 300 million African Diasporas: from Asia, Oceania, Australia, Pacific to the Americas including Brazil and the rest of Latin America and South America the Caribbean, Europe (for about 20 million Diasporas); Middle East and the Diaspora living in Africa. Amongst others main commissions in the High Councils structure are on Reparatory Justice; Capacity Building and Skills Development. Looking for a new model on Economic Development and Finance! we have adopted the Ubuntunomics strategy² as a matter of Transformative Justice.

MOBILISING AFRICAN CIVIL SOCIETY IN EUROPE ON THE TOPIC OF REPARATIONS

As representatives of African civil society in Europe, we bring a distinct perspective. We live and organise within the very Europe States that perpetrated colonial crimes. We experience the ongoing legacies of those crimes daily. And we have been building the infrastructure for Reparatory Justice for decades – often without recognition from state-level processes.

Because the issue of Reparatory Justice is primarily focused on countries in Europe – the perpetrator States – we have increasingly recognised the importance of a coordinated, coherent, and integrated approach at national, regional, global and continental Africa- level.

This is why we started TWO YEARS AGO WITH mobilising key persons on civil society grass roots level from across European countries: the Netherlands, United Kingdom, France, Spain, Ireland, Germany, Italy, Portugal, Sweden, Denmark, Belgium, Switzerland, Hungary, and Norway.

Our aim was to establish a **Europe Pan African Forum for People of African Descent (EPAF-PAD)** as a follow-up mechanism, building upon the reparations movements already existing in Europe³:

- The Pan-Afrikan Reparations Coalition in Europe (PARCOE)
- The Europe Wide NGO Council for Reparations (ENGOCAR)
- The International Network of Scholars and Activists for Afrikan Reparations (INOSAAR)
- The Mouvement International pour les Réparations (MIR-France)
- The Stop the Maangamizi: We Charge Genocide/Ecocide Campaign
- The National Platform of the Dutch Slavery Past

A series of developments have accelerated our work: the UN International Decade for People of African Descent (now extended to 2034) and sessions of the other UN Mechanisms such as the working group of experts on African People, the Permanent Forum for People of African Descent ; the AU Year of Reparations (extended to 2036); the Commission on the Elimination of all forms of Racial discrimination and the mobilisation toward the 9th Pan-African Congress. These developments led to the establishment of the **Europe Pan African Coalition on Reparatory Justice (EPAC-RJ)**. The Togo 9th PAC will take place in Lome this month December 2025, and in relation to this conference we were involved in pre-sessions in Bahai, Brazil (2024) and in London (2025).

Objectives of the European Pan African Coalition on Reparatory Justice are

¹ <https://auadshighcouncil.org/>

² <https://auadshighcouncil.org/wp-content/uploads/2024/11/AUADS-Ubuntunomics-v3.pdf>

³ <https://epafpad.org/press-article-of-the-roundtable/>

1. **To bring together voices from across the African Diaspora in Europe** to advocate for reparatory justice for Africa and its descendants, with attention focused on all perpetrators – including the State of the Vatican in Rome – that committed crimes against Africa and African people, taking into account international, regional, and national instruments on human and peoples' rights, including the Durban Declaration and Programme of Action (2001);
2. **To strengthen the European Coalition for Reparatory Justice** by building solid partnerships and enhancing advocacy capabilities across Africa and the rest of the world;
3. **To harmonise frameworks for reparatory justice** to ensure clarity and unity, with the aim of educating civil society at all levels including grassroots communities;
4. **To provide an overview of European positions on reparations** for a comprehensive, collective perspective;
5. **To mobilise the African Diaspora** in preparation for the Year of Reparations respective the Decade declared by the African Union and the African Commission on Human and Peoples' Rights with reference to the adoption of a Decade during the African Union – Caricom Summit on September 7-9, 2025.

Lessons learned from the Netherlands

In this work, we follow the vision and strategy that we have successfully used in the Netherlands. Through sustained civil society mobilisation, we achieved:

- The establishment of the National Slavery Monument (2002) and Institute
- A formal apology from the Dutch Prime Minister on behalf of the Cabinet (2022)
- A formal apology from the King of the Netherlands (2023)

Our attention is now focused on the integration of these apologies in the Dutch law⁴ as a matter of non-repetition, and the advancing of other aspects of reparatory justice. This demonstrates what organised civil society can achieve, and why our participation in continental mechanisms as Civil Society Experts is essential.

PARTICIPATORY REPARATIONS PROCESS IS ESSENTIAL

A participatory reparations process is important for several fundamental reasons:

Firstly, as underlined in the *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Violations of International Human Rights and Humanitarian Law*, reparations shall be "effective and adequate." This can only be achieved if reparations measures meet the needs of victims. Therefore, in deciding on reparation goals, programmes, strategies, tactics, and outcomes, it is crucial to consult different categories of victims – because only they can provide in-depth information as to their real needs and the harm suffered as a result of the continuing impact of historical and contemporary crimes against humanity, genocide, ethnocide, and other violations of their human and peoples' rights.

Secondly, a participatory process creates a sense of local, national, and regional ownership of reparations policies and programmes. Facilitating the participation of victims, beneficiaries, and other relevant stakeholders in shaping reparations agendas and designing processes and programmes from inception can assist in managing expectations of what such initiatives can and cannot deliver.

Finally, a participatory process has a potential healing effect on victims, beneficiaries, and communities. Being consulted and acknowledged as rights-holders helps victims to move

⁴ <https://app.box.com/file/1346290267195?s=qiqjdbrrms8df9ixljsim6oiljhabxpw>

forward, removing the stigmatisation tied to victimhood; restoring their agency and dignity as Africans, people of African descent, and Indigenous peoples; and affirming their political status as citizens – a status that has been impaired due to the impact of enduring violations and harms on contemporary generations.

See here the reason of our request to officially integrate the Civil Society voices in all the aspects of the Expert-Files from an Ubuntu and Pan African and Intersectional Point of view and⁵. The AUADS High Council, EPAF-PAD and EPAC-RJ are ready to function as Central Mechanism

ESTABLISHING A CRITICAL FOUNDATION: COLONIALISM IS ALREADY CRIMINALISED

Before addressing implementation, we must establish a critical foundation: **colonialism has already been criminalised under international law**. The AU (including their organs, Diplomatic Missions on National and Regional level where they are resided and Partners must build upon – not duplicate – these existing legal instruments:

6. **UN General Assembly Resolution 2621 (XXV) of 12 October 1970** explicitly "Declares the further continuation of colonialism in all its forms and manifestations as a crime which constitutes a violation of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the principles of international law."
7. **UN General Assembly Resolution 3103 (1973)** reaffirmed colonialism as a crime and recognised peoples' inherent right to struggle against colonial powers.
8. **UN General Assembly Resolution 1514 (XV) of 1960** has crystallised into Customary International Law, making its provisions legally binding on all States.
9. **The African Charter on Human and Peoples' Rights (1981)** establishes principles for human and African peoples' rights.
10. **The Abuja Proclamation (1993)** arising from the Conference held in Abuja, Nigeria, attended by representatives from throughout the Diaspora.
11. **The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power** (General Assembly Resolution 40/34, 29 November 1985).
12. **The Durban Declaration and Programme of Action (2001)** – the most action-oriented UN instrument, consisting of 122 paragraphs stating that the Transatlantic Slave Trade, Slavery, and Colonialism are crimes against humanity, plus a Programme of Action of 219 paragraphs including provisions on remedies, reparations, and apologies.
13. **Article 3Q of the African Union Constitutive Act (2003)** recognising the African Diaspora.
14. **The African Union African Diaspora Declaration (2012)** which led to the establishment of the AU African Diaspora Sixth Region High Council.
15. **UN General Assembly Resolution 60/147 (16 December 2005)** – 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.

THE MAANGAMIZI: A COMPREHENSIVE FRAMEWORK FOR UNDERSTANDING COLONIAL CRIMES

Defining the Maangamizi

⁵ <https://auadshighcouncil.org/>

Maangamizi is a Kiswahili term derived from the verb *-angamiza*, which means "to cause destruction, to utterly destroy." The "a" prefix indicates amplified, massive destruction. This term explicitly captures **intentionality** – deliberate, systematic action rather than accident or natural disaster.

Maangamizi describes the ongoing system of destruction perpetrated against African people through chattel enslavement, wars of extermination and conquest, colonialism, and neo-colonisation – **a continuum that persists today**.

This system encompasses **war crimes, genocide, ethnocide, and ecocide** – crimes against both humanity and Mother Earth. It operates through two phases: first, the destruction of the national pattern of the oppressed group; second, the imposition of the coloniser's national pattern.

For a deeper understanding of this framework, we acknowledge the work of the Maangamizi Educational Trust.

The Maangamizi as Continuum, Not Isolated Events

The Maangamizi framework rejects the compartmentalisation of these crimes into separate historical "events" with defined start and end dates. As Akala powerfully articulates: ***"the process ain't ever stopped."***

This means:

- **These are not past crimes but ongoing harms:** The structures, ideologies, and material conditions created by enslavement and colonialism persist and continue to cause injury;
- **Flag independence did not end colonialism:** The formal end of colonial administration did not end colonial exploitation – it merely changed its form through neocolonialism;
- **The harms are interconnected:** Economic underdevelopment, political instability, cultural erasure, psychological trauma, and environmental destruction are not separate problems but manifestations of a single system of oppression;
- **Perpetrators continue to benefit:** Former colonial powers and their institutions continue to derive wealth and advantage from the structures established through the Maangamizi.

Why the Maangamizi Framework Matters for Implementation

The Algiers Declaration's implementation strategy should adopt the Maangamizi framework because:

- **It centres African conceptualisation:** Rather than relying solely on Western legal categories, it uses Afrikan language and concepts to name and frame the harms – an act of cognitive justice in itself;
- **It captures intentionality:** Unlike terms that might suggest accident or natural disaster, Maangamizi explicitly identifies deliberate, systematic destruction;
- **It demands comprehensive repair:** Piecemeal approaches addressing only economic compensation or only symbolic apology are inadequate – the Maangamizi requires holistic reparatory justice addressing all dimensions of harm;
- **It recognises crimes against both humanity and Mother Earth:** The framework encompasses ecocide alongside genocide and ethnocide, demanding environmental repair as integral to reparatory justice;
- **It connects continental and diaspora struggles:** The Maangamizi framework recognises that Africans on the continent and in the diaspora are victims of the same system and must work together for repair;

- **It integrates with Planet Repairs:** The Maangamizi's inclusion of ecocide and epistemicide alongside genocide aligns with the Planet Repairs nexus of cognitive, reparatory, and environmental justice.

REQUIREMENTS FOR THE AU REPARATIONS MECHANISM

For the Outcome Document to succeed where others have failed, it must establish implementation mechanisms that are **peoples-centred, not merely state-centred**. The proposed African Union Mechanism on Reparations must include:

- **A Civil Society Assembly:** A permanent body of civil society representatives with defined powers – not merely advisory status – in reparations policy development and monitoring (an organisation model is presented on page 10);
- **Regional Peoples' Councils:** Structures in each AU region AND in diaspora regions (Europe, Americas, Caribbean etc) that can feed directly into the Mechanism – with the AUADS High Council and the European Pan African Coalition on Reparatory Justice including all allied organisations and partners;
- **Community-controlled funds:** Any reparations resources must flow to community-controlled institutions, not only through state treasuries where they can be!!!! captured;
- **Independent monitoring:** Civil society-led monitoring mechanisms to track implementation and hold states accountable.

Establishing Participation Rights as Non-Negotiable

16. **Recognise civil society and peoples as rights-holders, not merely stakeholders:** Affected communities must have legally protected rights to participate in all reparations processes, not merely be "consulted" at states' discretion;
17. **Guarantee African civil society in Europe specific representation:** Distinct from CARICOM, distinct from but interconnected with continental African and Caribbean civil societies – with defined seats and powers in AU reparations mechanisms;
18. **Create accessible entry points:** Current ECOSOC requirements on this moment legally exclude grassroots organisations. Implementation mechanisms must be designed for accessibility, not gatekeeping;
19. **Ensure gender parity:** Women have been central to reparations movements globally. Implementation mechanisms must guarantee women's equal participation at all levels.

RECOMMENDATIONS FOR THE BRUSSELS DECLARATION/OUTCOME DOCUMENT

We respectfully recommend that the Brussels Declaration/Outcome Document, to be presented to the Responsible African Union authorities:

1. **Explicitly recognise civil society and peoples – not just states – as central actors** in reparations processes, with legally protected participation rights;
2. **Provide special recognition for African civil society in Europe**, specifically acknowledging the AU African Diaspora Sixth Region High Council, the Europe Pan African Forum for People of African Descent (EPAF-PAD), the Europe Pan African Coalition on Reparatory Justice (EPAC-RJ), PARCOE, INOSAAR, the Stop the Maangamizi Campaign, and the Maangamizi Educational Trust, and their distinct standing and contributions;

3. **Formally endorse both the Brussels Resolution on the establishment of EPAC-RJ⁶ and the Hague RootsSynergy Declaration on Participatory Reparatory Justice** as foundational documents establishing principles for civil society participation.
4. **To adopt the Declarations on Landrights⁷; the London Declaration with regards to the TOGO upcoming 9th Pan African Congress⁸ and the Declaration on Reparatory Justice and the Samoa agreement⁹, considering the AU Reparatory Justice Decade;**
5. **Distinguish between state engagement and peoples' engagement:** CARICOM represents Caribbean states; EPAC-RJ, PARCOE, and allied organisations represent African peoples in Europe. Both are needed, but they are not the same and cannot substitute for each other;
6. **Mandate civil society architecture within the AU Reparations Mechanism:** A Civil Society Assembly, Regional Peoples' Councils (including a European council), and diaspora representation with defined powers, not merely advisory status;
7. **Reference existing legal instruments** (Resolutions 2621, 3103, 1514, the Durban Declaration, and others listed above) as the foundation, focusing on implementation and accountability rather than re-establishing criminality;
8. **Include concrete timelines and accountability mechanisms:** Specific deadlines, reporting requirements, and consequences for non-implementation;
9. **Adopt the Maangamizi framework** to address the continuum of colonial crimes and their ongoing legacies;
10. **Incorporate Planet Repairs:** The nexus of cognitive, reparatory, and environmental justice as a comprehensive framework;
11. **Ensure gender parity** at all levels of implementation mechanisms;
12. Adopt the **Term Afrophobia** as a term that reflect all forms of multiple racism against African People and derived from a concept of the Past¹⁰;
13. Incorporate the Durban Plus 20 EPAC-RJ campaign with regards to the 20 years anniversary of the Durban declaration and Program of Action in the AU Year 2026. Let this anniversary become the main Agenda for the Program of Action 2026¹¹.

CONCLUSION

We therefore call on the Outcome Document Drafting Committee:

*To formally adopt the Maangamizi as the conceptual framework for understanding and addressing colonial crimes against African humanity and Mother Earth;

* We further call on you for the adoption of the AUADS High Council to formally endorse the Brussels Resolution on the establishment of EPAC-RJ and the Hague Roots Synergy Declaration as foundational documents for participatory reparatory justice; the Berlin Declaration, the Samoa and the Declaration on Landrights as input for the Reparations Decade Program of Action 2026-2036;

The work we have done in the Netherlands – achieving the monument, the apologies from the Prime Minister and the King – demonstrates what organised civil society can accomplish. But

⁶ <https://app.box.com/s/t74cnp172cbk6mtfhn9xq19tzj41bix3>

⁷ [Dr. Barryl Biekman on behalf of the Kingdom of Kush, the AUADS 6th Region High Council and partners written Statement & Presenting Side Event Declaration on Landrights on Reparatory Justice | African Union African Diaspora High Council](#)

⁸ <https://epafpad.org/london-pan-african-declaration/>;

⁹ <https://epafpad.org/declaration-on-reparatory-justice-and-the-samoa-agreement>

¹⁰ <https://app.box.com/s/65uzz526lpz2el146825twmc33o9edl6>

¹¹ <https://epafpad.org/2026-year-durban-plus-25/>

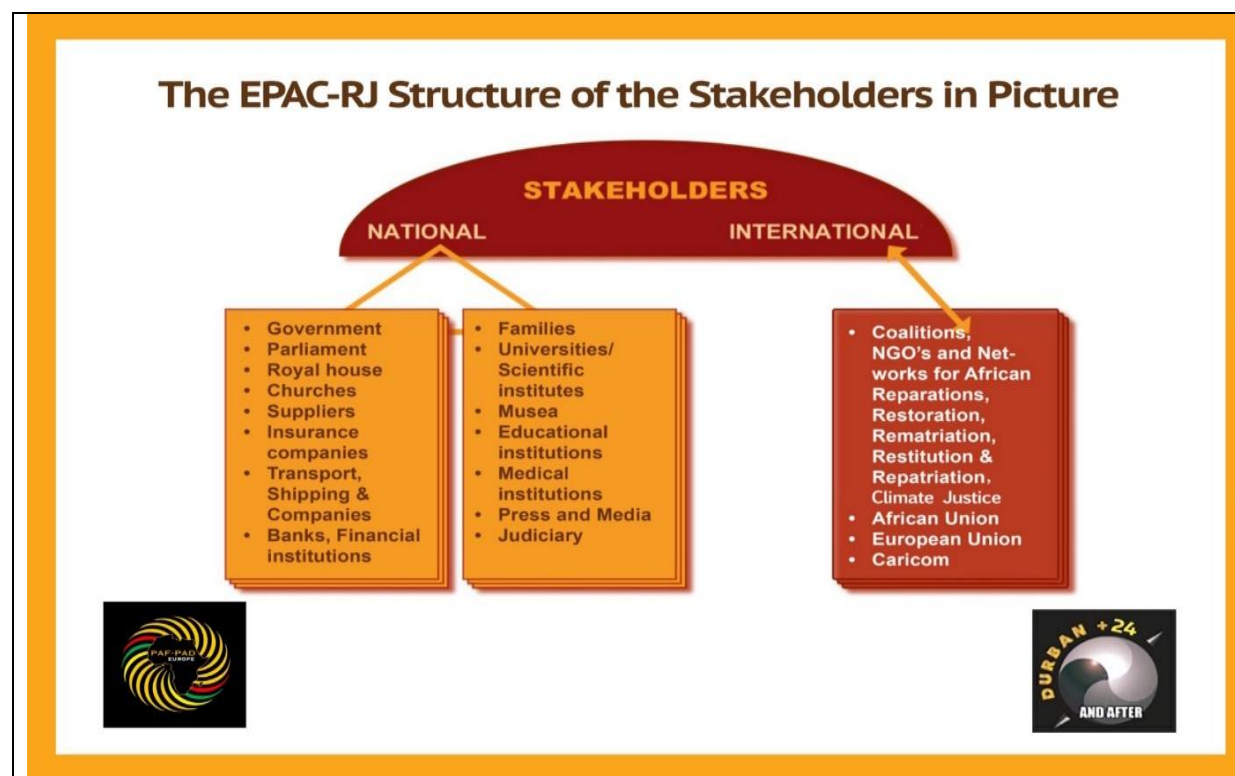
these achievements are only the beginning. We continue to struggle for anchoring these apologies in law and for comprehensive reparatory justice;

Finally, I asked to respect the work of those living Elders, on whoos shoulders we stand. Let we keep honouring them and be conscious that without them we should never has reach the Durban 2001 Goal. They received a Formal and honouring Seat as Elder in the Conversations on Reparatory Justice. Let we do something to bring them back in the centre of the struggle for instance as advisors. They can be of enormous importance towards the building of Power.

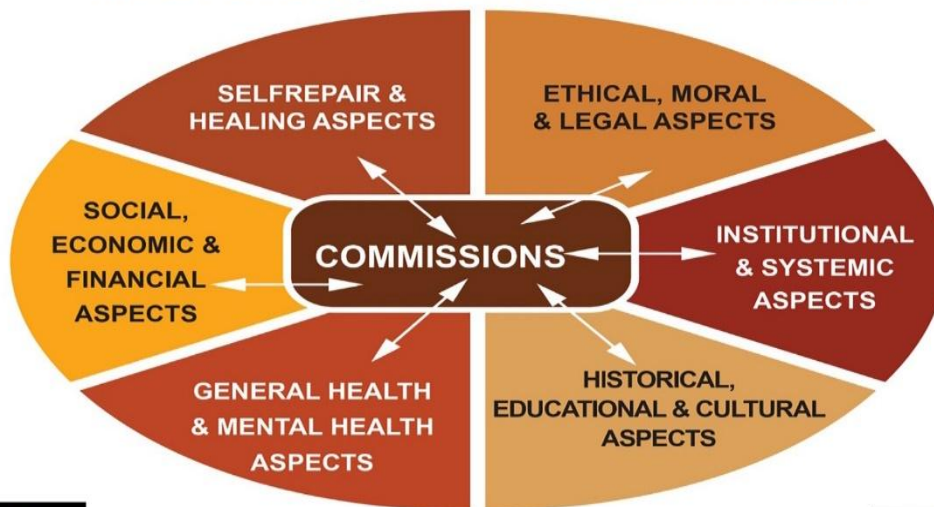
Ubuntu Connected, Peace Wisdom and Power

Let this conference mark the moment when the African Union recognised that **reparatory justice cannot be achieved by states alone**. Civil society – organised, coordinated, and empowered with participation rights – must be at the centre of any mechanism that hopes to succeed.

Thank you.



The EPAC-RJ Expert Commissions in Picture



The EPAC-RJ Structure of the Stakeholders in Picture



The EPAC-RJ Organisation Structure in Picture

