Working Group of Experts on People of African Descent

35th session
2-6 December 2024

UNHQ, New York

Principles, Provisos and Pathways to Reparatory Justice for People of African Descent

Preliminary conclusions and recommendations

I Introduction

The United Nations Working Group of Experts of People of African Descent (WGEPAD) held its thirty-fifth session at the United Nations Headquarters in New York from 2 to 6 December 2024, with a thematic focus on **"Principles, Provisos and Pathways to Reparatory Justice for People of African Descent".**

At its opening, the Working Group hosted the Assistant-Secretary General, Head of the Office of the United Nations for Human Rights in New, Ms. Ilze Brands Kehris, who delivered welcome remarks and chaired part of the opening session.

The Working Group was honored to host the Deputy- Secretary General of the United Nations, Ms. Amina Mohammed, who delivered opening remarks through a pre-recorded video. It was also honored to listen and host Her Honorable Barbara Lee, Member of the United States Congress, Her Excellency Ms. Ambassador Mathu Joyini, Ambassador and Permanent Representative of South African to the United Nations in New York, H.E. Mr. Harold Adlai Agyman, Ambassador, Permanent Representative of Ghana to the United Nations, the Special Representative for Racial Equity and Justice for the United States Department of State, Ms. Desirée Cormier Smith, who all delivered statements.

The Working Group heard statements from the United Nations Population Fund , United Nations Educational, Scientific and Cultural Organization , the African Union, the European Union, the InterAmerican Commission on Human Rights, the Chair of the Permanent Forum, the Representative of the Office of the Mayor of New York City and non-governmental organizations and the academia.

The Working Group held seven panels to explore the political, economic, social and cultural dimensions and collect experiences and thoughts regarding reparatory justice at the regional levels namely. "Reimagining and Reengineering Reparatory Justice", "Legislative and Legal Underpinnings and Determinants of Reparatory Justice"; "Political Dimensions and Implications of Reparatory Justice", "Economic and Financial Considerations for Reparatory Justice"; "Socio-Cultural Expectations and Ramifications of Reparatory Justice"; "Regional Perspectives from Africa, Latin America and the Caribbean"; "Regional Perspectives from Europe and North

America". It held a Roundtable focused on Representation, Alliances, Future Perspectives to move forward the issue of reparatory justice.

It also held a special event on "Durban Memoirs" as part of its annual commemoration of the Durban Declaration and Programme of Action (DDPA).

The Working Group organized a side-event in partnership with St. John's University School of Law under its Center for International and Comparative Law and its new Human Rights Advocacy Program. The event focused on "Advancing Reparatory Justice for Africans and People of African Descent: The Role of Civil Society".

The discussions that took place throughout the week brought together 32 experts from different fields of expertise who shared their thoughts and views and were joined in these panels by the Permanent Representative of Haiti to the United Nations and a representative of the Permanent Mission of Germany to the United Nations in New York, as well as a great number of participants from the civil society from many countries.

II Thematic Discussion : observations and findings

"On the evening of December 9, 1948, the Haitian Senator Emile Saint-Lot, the first Haitian Ambassador and a founding member of the United Nations, rose to present a draft resolution on human rights to the United Nations. He was a signatory of the Universal Declaration of Human Rights. It was a proud day for this descendant of slaves. As Rapporteur of for the UN's Third Committee – in charge of social humanitarian and cultural concerns – he was bringing forward a document that had run a two-year gauntlet of commissions, councils, committees and study-groups. Though not perfect, he said, the resolution that had emerged was a fitting counterweight to the recently ended World War![1]"
In the pursuit of reparatory justice for Africans and people of African descent, Haiti continues to be inspiration, symbol and instructor, linking the multiple contexts of Africans and people of African descent.

The dehumanization, and in some instances, the demonization, the damage to identity and dignity, the loss of life, liberty and limb, the spiritual, emotional psychological, physical, social, economic and cultural deprivations, the dismantling of families and communities, the damage to cultures, and the lost opportunities for the pursuit of development and happiness accruing to enslavement, colonization of Africans and people of African descent, are incalculable. There is no amount of dollars, pounds, francs, crowns or other currency that can provide redress for these egregious harms. The pursuit of reparatory justice is imperative, to provide the political, technical, social and economic resources to halt and reverse the impact of enslavement and colonization, and thereby to create the conditions for people of African descent to deploy their agency and alliances for repair, revitalization, development and the pursuit of happiness.

Reimagining and Re-engineering Reparatory Justice

[1] James V Spickard. (1999). The Origins of the Universal Declaration of Human Rights. University of Redlands.

Reparation is **multi-dimensional**: it addresses economic, social, cultural, and political aspects while requiring a broad spectrum of reforms including institutional reforms, law reforms, digital divide, and health reforms, among others. Reparation is about creating a better future as much as confronting the past.

Reparatory justice has never been a theoretical issue. It is an imminent reality that requires **practical implementation**. It is trite that every violation must be remedied and the blatant violations that characterized centuries of enslavement of persons of African heritage, and the subsequent colonialism are not an exception. The ultimate goal is to create a truly equitable world.

Reparatory justice should adequately correspond **with the nature of victimization**, which is collective, relating to the past, present and the future, and is systemic and structural universally. It should be noted that the wrongs to be addressed cannot be restricted to the past but are perpetuated in present realities. The restriction of the debate to the legacies of the Trans-Atlantic Slave trade is non-exhaustive, undertreating other similar phenomena such as the Trans-Saharan Slave Trade.

The momentum for reparatory justice must be built from national jurisdictions to the international level. It should be **state practice** for countries to integrate reparation-based approaches, laws and policies in their governance cultures. This would address the peculiarities of the realities of each populace and streamline the emergence of custom that is defensible internationally.

Legislative and Legal Underpinnings and Determinants of Reparatory Justice

The principles of natural and social justice are the foundation of reparatory justice, the root of which is *restitution, repair and the 'wiping out' wrongs,* and not just a legalistic approach but a focus on equity between nations because of those who benefited and those who did not. The pursuit of reparatory justice takes into consideration the loss of opportunities and its consequences.

There are several precedents for reparatory justice, including the reparations provided to groups of populations such as indigenous peoples, Japanese Americans for their incarceration after World War II, Jewish victims of the Holocaust, as well as in the context of the truth and reconciliation commissions set up in South Africa and in other countries, to repair and redress prejudices suffered because of systemic, gross and massive violations of human rights in the context of transitional justice. There have been some legal arguments about the legality of slavery in the times it was committed, and on the principle of inter-temporal law, which would prevent today to seek legal remedies for the crimes of slavery, particularly the trans-Atlantic slave trade.

These arguments have been and are being challenged legally. Not only was slavery reportedly prohibited in some states at the time of the trans-Atlantic slave trade, it was also considered as immoral abomination. It is therefore negated by the principle that immoral law is bad law first, and second that the 'universe' of lawmakers at that time had no representation of the people and countries that suffered the devastating violations. In addition, the principle of inter-temporal law can be challenged by the principle of trans-temporal law. It is evident that Africans and people of African descent still suffer from the legacies of the past crimes, which result in trans-generational prejudice. The right to reparatory justice, therefore, can be considered as a general principle of law. The Working Group must emphasize that reparatory justice should be multi-pronged, encompassing restitution, compensation, satisfaction, rehabilitation, non-recurrence and its

delivery should consider the peculiarities of each context. The international community has an obligation to introduce 'good' law to correct the impact of 'bad' law. There is, therefore, a justiciable basis for pursuing reparatory justice, predicated on three acts on the part of the state: first, recognition of the crimes committed; second,
acknowledgement of and accountability for the resulting harm; and third, formal, public apology that signals the willingness to engage with those who have suffered harm and the commitment to not repeat these wrongs.

Solidarity among and between historic and contemporary survivors, descendants and victims of slavery and slave trade crimes provides a powerful impetus to the pursuit of reparatory justice for people of African descent.

Political dimensions and implications of reparatory justice

Reparatory justice is inherently political due to the centrality of the primary responsibility of states in fulfilling the redress sought. Repair is for wrongs perpetuated through the exercise of state power or in complicity with governments, often characterized by intergovernmental collaborations, state succession of systems of oppression, development of empires and institutional frameworks that continue to benefit from the long-established systems and frameworks of deprivation.

The progression of the reparatory justice discourse is influenced by domestic politics and geopolitics. Firstly, the rise of right-wing political ideologies is characterized by pushbacks on gains in the reparatory justice movement. Secondly, suppression of the global Durban consensus is a dynamic factor in the reparations debate. Third, the resistance to reparation is by the superpowers and there is no mechanism to compel them otherwise. Reparations are actually sought within the same structures of subjugation. Fourth, the political will and the international solidarity are significant in mitigating even the conflictual agendas among those seeking reparation.

Political consensus is a prerequisite to reparatory justice. Power imbalances, however, undermine the legitimacy of political settlements advancing reparatory justice for people of African descent. Examples include the "Reconciliation Agreement" on the German crimes in Namibia concluded between Germany and Namibia in 2021, and the Treaty on Friendship, Partnership and Cooperation concluded in 2008 between Libya and Italy and called the "Treaty of Benghazi". Contemporary state formulations that represent victims of the actionable legacies are often in a precarious situation, which undercuts their rigor to negotiate. It has, therefore, become imperative that governments alone cannot be entrusted with reparation although they are essential in establishing the requisite infrastructure for civil society to realize their aspirations.

Economic and financial considerations

The landscape of injustices both in historical and contemporary forms involves racial, economic, and financial discrimination. In this context, inclusive, dignified, equitable, and collective practices and approaches are the building blocks of economic and financial reparatory justice.

Although compensation is very important, using an analytical lens to measure harm and injustices, reveals that other material considerations are crucial. Harm could be categorized in two broad temporal contexts: a) enslavement harms (e.g. forgone earnings, loss of liberty and identity,

personal injury, physical violence including gender-based violence, family separation, emotional harm) b) post-enslavement harms (e.g. wealth disparities, payments to enslavers, intergenerational trauma).

Carefully designed methods that take into consideration positionality of all involved (e.g. who is gathering the data, for what purposes, who receives reparation) and expanding the potential of local redress efforts, while increasing investment in people of African descent redress efforts, uncovering silences in history, and raising national consciousness are crucial in reparatory justice.

Developing impactful racial equity plans through an anti-marginalization approach requires local and deeper understanding of racial inequity and national government structures and practices.

Socio-cultural expectations and ramifications of reparatory justice

Reparatory justice, through a broader socio-cultural lens is necessary to address systemic and structural racism and safeguard dignity, healing, and cultural heritage. Reparation, when framed through the lens of well-being and restorative practices, lead to racial healing and racial justice. Reparatory well-being, closely connected to spirituality and faith-based, offer a pathway to lasting peace necessary for people of African descent.

Together, reparatory well-being and justice, not only address the immediate harms suffered but also seek to rectify the deep-rooted inequalities that exacerbate the impact on marginalized groups, particularly those more vulnerable- impoverished communities, women and LGBT groups of African descent. Understanding that one size does not fit all, and working towards a global reparations culture allows a united diaspora where people of African descent-together- become a source of global power of justice and solidarity.

Through the return of stolen and expropriated artefacts, some human rights violations are redressed, as are some of the vestiges of colonial injustice still experienced by peoples as the ‘afterlife of colonialism’.

There is an urgent need to deconstruct stereotypes or biases that have been perpetuated against people of African descent. This involves decolonizing the educational curricula to reflect cultures, contributions, and agency of people of African descent and global-local knowledge sharing efforts that empower young people to preserve and take pride in their heritage and foster a positive self-esteem.

Perspectives from Africa, Latin America and the Caribbean

Haiti’s independence continues to serve as an inspiration to people of African descent around the world, though the role Haiti played in the history of the Americas is not always reflected in textbooks and educational materials. The reparations Haiti was forced to pay for its liberation, were not only illegal and illegitimate, but left Haiti with a crippling debt burden that has stymied its national development. Similarly, the crimes committed against Africans and people of African descent in Latin America and the Caribbean have resulted in their present economic and social underdevelopment and marginalization.

Afro-descendant populations in the Americas constitute cultural groups that share collective ancestral ties to the lands and natural resources where they live. Thus, the pursuit of reparatory justice must integrate a focus on land issues, the claims of these populations and the right to determine the use of their ancestral lands and the resources therein.

In several South American and Caribbean states, people of African Descent encounter substantial hurdles that threaten their bare survival and sustain systematic racism. These difficulties are fundamentally entrenched in historical injustices and persistently affect their social, economic, and cultural welfare. The continuous practice of their legally owned lands being forcefully overtaken by their own governments and foreign corporations, extreme environmental pollution impacting the health of residents, the destruction of historical communities and their practices which previously enabled economic growth and provided social welfare are all examples of contemporary existential challenges.

Perspectives from Europe and North America

In Europe, it is imperative that communities and organizations of people of African descent attain a thorough understanding of the enslavement, colonization, and diverse forms of exclusion of Africans and people of African descent and actively participate in advocacy and activism to promote the agenda for reparatory justice.

Most colonizing States, or their current successors , as well as those complicit in the enslavement and trafficking of Africans, are European countries. Furthermore, additional entities, like the Vatican, the Church of England, corporations, and insurance firms involved in the transportation of enslaved Africans from their homeland to the Americas and the Caribbean were all of European origin, lobbying and direct engagement in Europe is significant for the formulation of legislation that facilitate reparations and reparatory justice for people of African descent from the descendants of the of the perpetrators.

It is important to note that the Germany has already started implementing measures to achieve reparatory justice.

North America

In 2023 in the United States, a Congressional bill established the Commission to Study and Develop Reparation Proposals for African Americans. The commission is required to gather documentary evidence of slavery in the United States; examine the involvement of federal and state governments in perpetuating slavery; assess discriminatory laws and policies targeting freed African slaves and their descendants; and propose measures for the United States to acknowledge and address the repercussions of slavery and discrimination on African Americans, including a formal apology and reparations. The commission comprises representatives from civil society and reparations organizations, together with appointees designated by the President and congressional leadership; Members of Congress and government workers are ineligible to participate on the commission. The commission is authorized to conduct hearings, issue subpoenas for witnesses and records, and engage other bodies to facilitate its operations. The commission is required to provide

its final report within 18 months after its initial meeting. Similar Commissions are currently under establishment in all parts of the United States.

It is pivotal to emphasize that the institution of slavery was present in Canada, a reality that remains largely unrecognized in historical discourse. Advocacy for reparatory justice has commenced, with the objective of collaboratively developing an agenda with the state to ensure the implementation of reparatory justice. A proposed 12-point plan arises from years of discussions with community leaders and members, as well as comprehensive research undertaken by professionals and activists across numerous sectors aimed at addressing anti-Black systemic racism in Canada.

Representation, Alliances and Future Perspectives

Reparatory justice requires representation at all levels, from local communities to international platforms. This includes:

- **UN Resolutions**: Advocating for and securing United Nations resolutions that recognize and address the historical injustices faced by people of African descent.
- **Commitments in International Law**: Ensuring that international legal frameworks incorporate commitments to reparatory justice, providing a basis for legal claims and policy actions.

Alliances

Building strong alliances is crucial for advancing reparatory justice. Key stakeholders include:

- **Universities, Teachers, and Students**: Engaging academic institutions to research, educate, and advocate for reparatory justice.
- **Governments**: Collaborating with national and local governments to implement policies and programs that support reparatory justice.
- **Global Financial Institutions**: Working with financial institutions to address economic disparities and support reparatory initiatives.
- **Churches and International Organizations**: Partnering with religious and international organizations to mobilize support and resources.

Changing Global World Order

The shifting global world order presents both challenges and opportunities for reparatory justice. As power dynamics evolve, there is potential to:

- **Move from Talk to Policy**: Transition from discussions and declarations to concrete policies and actions that address reparatory justice.
- **Philosophical Framework**: Develop a philosophical framework that guides reparatory justice efforts, emphasizing principles of equity, justice, and healing.

Cross-Cutting Alliances

Reparatory justice intersects with various other movements, necessitating cross-cutting alliances:

- **Environmental Movements**: Collaborating with environmental justice movements to address the interconnected impacts of environmental degradation and historical injustices.
- **Indigenous Peoples**: Partnering with indigenous communities to advocate for shared goals of justice, recognition, and reparations.

Mindful Partnerships

Being mindful of the constraints and capacities of partners is essential for effective collaboration. This involves:

- **Understanding Limitations**: Recognizing the limitations and challenges faced by different stakeholders and working collaboratively to overcome them.
- **Building Trust**: Establishing trust and mutual respect among partners to ensure sustainable and impactful reparatory justice efforts.

Dialectical Discourse

Reparatory justice is about engaging in a dialectical discourse between the past and the future. This involves:

- **Intergenerational Commitment**: Ensuring that reparatory justice efforts are sustained across generations, fostering long-term commitment and innovation.
- **Innovation and Creativity**: Embracing innovative approaches to reparatory justice that address contemporary challenges and opportunities.

Enthusiasm and Generative Nature

The pursuit of reparatory justice is driven by enthusiasm and a generative nature, focusing on:

- **Rebuilding and Creating for the Future**: Developing initiatives that rebuild communities, create opportunities, and foster a sense of hope and possibility.
- **Connecting and Healing**: Promoting healing and reconciliation through efforts that connect individuals and communities, addressing historical wounds and fostering unity.

In summary, the future of reparatory justice lies in comprehensive representation, strategic alliances, and commitment to moving from talk to policy. By embracing a philosophical framework, fostering cross-cutting alliances, and engaging in a dialectical discourse, we can build a future that honors the past while creating opportunities for healing and growth.

III [Durban Memoirs: The Enduring Relevance of the DDPA]

IV Conclusions

Principles

The history and the future of Africans and people of African descent are inextricably linked, and therefore the pursuit of reparatory justice for and by Africans and people of African descent must be seamless, internally consistent, and complementary and reinforcing in approach.

The pursuit of reparatory justice for enslavement in the trans-Atlantic slave trade and colonization must be pursued from a pan-African posture, by-passing the distinctions of African, Africans in diaspora and people of African descent.

The egregious harms of enslavement, colonization and human rights violations were wrought on people as a collective and therefore reparatory justice must accrue to the collective.

Reparatory justice must be comprehensive as the harms of enslavement, colonization and human rights violations affected and continue to affect all aspects of the life of people of African descent.

Reparatory justice must be pursued with the full knowledge of and engagement with people of African descent and by their own agency.

Some core, common principles are as follows:

1. The claimants: Africans and people of African descent.
2. The offenders: States and their successors that formerly enslaved and colonized.
3. The purpose: to wipe out all consequences of enslavement and colonization
4. The foundation: the claim rests recognition of enslavement and colonization as crimes against humanity.
5. The form: full, comprehensive and acceptable to Africans and people of African descent, with return and protection of ancestral lands a central tenet given the spiritual, socio-cultural and economic ties that Africans and people of African descent have to these lands and the resources they contain.
6. The medium: full participation of Africans and people of African descent in their diversity must be an integral part of the process.
7. The process: the necessity for monitoring, evaluation and explicit intra- and inter-communication mechanism, and clear lines of accountability.
8. The means: supported by a system of incentives and sanctions.

Provisos

The enduring relevance of the Durban Declaration and Programme of Action must be protected by the United Nations, Member States, the international community and people of African descent.

As the United Nations has recognized the enslavement of Africans in the trans-Atlantic slave trade as a crime against humanity.

Clear international and national legislative and legal frameworks must be defined, identified or established to ensure due process, transparency and ultimate resolution of claims.

Since the trans-Atlantic trade and trafficking of Africans, enslavement and colonization were perpetuated by the aggrandizing needs of several European countries and their successors, emboldened by anti-African racism and notions of white supremacy, reparatory justice for people of African descent must be informed by anti-racism, anti-black racism, anti-Afrophobia and pursued for economic restitution and its concomitant purposes and expressions.

There should be no statute of limitations on pursuit of reparatory justice for the crimes of enslavement and colonization.

The cost of pursuing reparatory justice should be borne by the countries and their successors, and private entities, that formerly perpetrated slavery and colonization.

The linkages between reparatory justice and racial, environmental and digital justice is evident, and therefore the common principles and tenets of anti-racism, anti-black racism, anti-discrimination, xenophobia and Afrophobia obtain.

Reparatory justice is not a government-to-government transaction. The interlocutors between the claimants – people of African descent, and the accused – states and their successors that enslaved, colonized and segregated Africans and people of African descent, serve as *agents* of people of African descent, acting on their behalf with their the full consent, support and guidance, secured through adequate and appropriate consultation with due regard to mechanisms that would assure transparency, accountability and the integrity of the approach, delivery and commitments on behalf of people of African descent at all times, ensuring that decisions reflect the purpose, intent and express will of people of African descent.

Reparatory justice for Haiti must remain at the forefront of the pursuit of reparatory justice for and by people of African descent.

Pathways

The diversity in the history, geography, lived experience and contexts of people of African descent require flexible, responsive and evolving approaches and strategies in the pursuit of reparatory justice. Among others, the following are indispensable:

- Agreement on common/shared principles.
- Agreement on purpose of reparatory justice.
- Agreement on interlocutors.
- Agreement on approaches and strategies.
- Agreement on priority areas for repair, restitution, repatriation, return of assets, artifacts and remains to meet the diversity of contexts and claims.

Specific possible approaches that were suggested are:

- Legal proceedings through the courts or specially established mechanism.
- Truth and reconciliation-type engagement.
- State-to-State negotiation.

- Mediation through/supported by a United Nations body.
- State-supported commissions and committees at national and sub-national levels.
- Community/grassroots/civil society-led organizations for reparatory justice.

Recommendations

In light of the findings and conclusions above, the Working Group **recommends** the following:

- **Conducting a series of regional/national consultations in 2025 on the issues, the present conclusions and recommendations of its 35th session, with due regard to language and geographic groupings;**
- **Developing a toolkit of resources, in collaboration with interested partners, as a living resource for Member States, civil society, UN agencies and others to use for advocacy, education, policy and programme development and implementation.**
- **Developing the following three global projects:**
    - **'Crowd-sourcing' the translation of the Durban Declaration and Programme of Action (DDPA) into as many national languages as useful to meet the public education needs in all countries;**
    - **Developing, in collaboration with interested agencies, parameters, supporting technical strategies, and a virtual repository for the development of *Living History* projects that document the struggles, heroes and heroines involved in emancipation, independence and integration movements, in easily accessible formats.**
    - **Developing easy-to-read, age/culturally appropriate materials on reparatory justice.**

- **Implementing the tenets of the Black Transnational and Transcontinental frameworks by forming coalitions and advocacy groups that function across all continents.**

Further, the Working Group recommends that:

1. **The United Nations recognizes the principle of reparations for slavery and the slave trade as a norm of international law.**

2. **The United Nations pass a resolution in support of the pursuit of reparatory justice in all its forms including restitution, compensation, satisfaction, non-recurrence ; compensation should not be excluded *prima facie*, by and for people of African descent, including among other thing;, the designation of a UN mechanism to consult and guide the process.**

3. **The United Nations support Member States, academics, civil society and other interested parties in the mapping and meta-analysis of the concerns, initiatives and approaches to reparatory justice for people of African descent, including the legal, political and economic underpinnings, and the measure of their success.**

4. **The United Nations convene a group of eminent experts and scholars to document, analyze and synthesize the legal determinants, economic and financial considerations, and political implications and ramifications for the pursuit of reparatory justice in the diverse legal settings of former enslaving and colonizing states and their successor regimes.**

5. **The United Nations hold a high-level meeting (HLM) to examine the issues, concerns, and pathways to reparatory justice for people of African descent with a view to establishing the appropriate global body/mechanism to provide technical support to people of African descent in their claims for reparatory justice, to monitor progress and assure accountability and oversight, and to bring eventual resolution and closure.**

6. **The United Nations, Member States and the international community maintain attention to and support for addressing racial justice, environmental justice and digital justice, paying due regard to their intersections with reparatory justice.**

7. **The United Nations, Member States and the international community integrate the pursuit of reparatory justice for people of African descent in the Second International Decade for People of African Descent.**

8. **Member States take appropriate steps to promulgate the Second International Decade for People of African Descent, providing technical and financial resources for its implementation, and guaranteeing the protection of activists and advocates for the rights of people of African descent.**

9. **The United Nations, Member States and the international community make reparatory justice a central theme of the (draft) United Nations Declaration on the respect, protection and fulfilment of the human rights of people of African descent with a view to ensuring the non-repetition of this crime against humanity.**

10. **The United Nations, Member States and the international community, in collaboration with academics and researchers, should make every effort to institutionalize norms of ethical and legal conduct in the application of digital technologies to promote and support reparatory justice.**

11. **The United Nations and Member States should ensure that reparatory justice documentation and materials are published in child-friendly language and made accessible to young people of African descent.**

12. **The United Nations and Member States should guarantee language accessibility by publishing materials on how to access protection, immigration procedures, and services in languages commonly spoken within migrant communities of African descent, such as Haitian Kréyol.**
13. **Member States should adopt research and evidence-based approaches to assess the harm caused to people of African descent by legacies of the past, racism and racial discrimination as a pre-requisite to reparation.**

14. **Civil society groups should promote activities that support and engage with processes of deep sharing through self-narration, story-telling, and other sharing circles.**

15. **Finally, the United Nations should facilitate the formal recognition, acknowledgment and apology owed to Haiti for the discrimination suffered through enslavement and colonization, and the further discrimination suffered from the financial demands at its independence and the restitution of such payments as an integral element of reparatory justice to Haitians.**

Concluding remarks

The Working Group would like to express its deepest gratitude to all States, international and regional organizations, academia, the experts and the great number of civil society organizations who attended this session in New York, the Law School of the St John's University, but also for all written contributions received prior to the session. The Working Group, after considering the discussions that took place, would like to deliver its following preliminary conclusions and recommendations. It will prepare a more detailed report to be presented at the Human Rights Council and the General Assembly in 2025.
