

Transatlantic Minority Political Leadership Conference June, 1 & 2, 2010

Organised by “Group of the Progressive Alliance of Socialists & Democrats” in the European Parliament in cooperation with the “Washington DC, Commission on Security and Cooperation in Europe”

Find below the Memo of conclusions & recommendations of the Working group session (WG session)

Theme of the session: 2011 “the UN International Year of People of African Descent

Date: June, 2, 2010 time 14.15 - 16.05

Place: Headquarters of the EU Parliament, Brussels. Fifth floor

Expert: Barryl A. Biekman

Participants:

Mrs. Aurelie Ganga (France)

Mrs. Rita Nalooop (The Netherlands)

Mrs. Randianina Peccoud (USA/France)

Mrs. Marilyn Sephhoche (France)

Brima Conteh (France)

Christoph Adjahoudian (France);

Chibo Onyeji (Austria)

Rahma Kone (USA)

Program of the WG session

1) Introduction

2) Background information

3) Conclusions & Recommendations

1) Introduction

The Purpose of the WG session was to inform the session participants about 2011 the UN Year of people of African Descents and to discuss strategies to promote the UN Working group of Experts of People of African Descents (WGEPAD) proposals and the mobilization of the communities on National, Europe Region and Global level.

2) Background information

(Integral presentation of Barryl Biekman)

First I would like to refer to the adopted declaration and program of Action during the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) in Durban 2001, as well to the UN Durban Review adopted Resolution in Geneva, April 2009.

As representatives of the civil society NGO's, committed to the well-being of all people, in particularly, African people, we were deeply disturbed by the direction of the Durban Review in Geneva in 2009. Despite the boycotts, luckily the UN Review finished with the adoption of a Resolution whereby the United Nation States General Assemble, in article one, reaffirmed the Durban Declaration and Programme of Action (DDPA) as it was adopted at the WCAR. This WCAR in 2001 offered a unique opportunity to address the issues related to the Trans Atlantic slave trade, slavery and colonialism and its effects, also actual issues of anti black racism (Afrophobia). The governments, this includes the European Union and other Europe Nation states, met the challenge and produced a

Declaration and a Programme of Action that could lead the world to real change. For African people, the Durban Declaration and Programme of Action are historic. It acknowledge[d] that . . . the trans Atlantic slave trade. . . [is] among the major source and manifestations of racism” are crimes against humanity and that . . . Africans and People of African Descent. . . continue to be victims of [its] consequences. ¹ The Declaration goes on to recognize colonialism has led to racial discrimination against Africans and People of African Descent, the consequences of which must be prevented. ² The Declaration expressed a commitment to Africans and People of African Descent, including the eradication of all forms of racism, racial intolerance, xenophobia and other intolerance faced by African and People of African Descent ³ The Declaration is accompanied by a very specific Programme of Action, of which Item 4 through Item 14 were specifically directed at Africans and People of African Descent.

The Question now is, after nine years, what progress has the states, the United Nations and other institutions made toward the elimination of racism, particularly anti-Black racism. The Durban Review was designed to assess that progress. Like any Programme of Action, accountability was essential to assure effective and appropriate progress.

The initiative for an UN International Year for People of African Descent was from the CERD (UN Commission on Elimination of Racial Discrimination) member Pastor Elias Murillo Martinez, and was fully supported by the African Group, permanent ambassadors to the United Nations in Geneva. At its Eighth Session in 2009, the UN Working group of Experts of People of African Descents (WGEPAD) proposed that 2011 be proclaimed the International Year for People of African Descent. The proposal was adopted by consensus at the UN General Assembly on December 18, 2009 under Resolution 64/169. “The Proclamation was made with the view of strengthening national actions; and regional and international co-operation for the benefit of people of African Descent in relation to their full enjoyment of economic, cultural, social, civil and political rights. It also seeks to strengthen their participation and integration in all political, economic, social and cultural aspects of society and the promotion of greater knowledge of respect for the diverse heritage and culture of people of African descent”. The Agenda for the Session was centred on:

- a) Structural Discrimination against people of African Descent in Education, Health and Justice;
- b) The Collection of Disaggregated data as a tool in fighting Structural Discrimination;
- c) Developing a Draft Programme of Activities for 2011, in addition to commemorating the 10th anniversary of the Durban World Conference against Racism

Civil society organisations were invited to deliver their input at this ninth session. You have received three documents in your conference bag. The one is a joint proposal that I have presented during the ninth session of the Working Group in April 2010, on behalf of several NGO’s, (these includes Tiye International, a federation of 21 national Organisations of black, migrant and women and youth organisations with consultative status to the UN (ECOSOC); The SRDC coalition/AUADS Europe; The Foundation regarding the Dutch Slavery Past & the Federation of African Organisations in Suriname “Un Bondru”). The two other documents are 1) the proposals from the WGEPAD regarding the Year 2011 and 2) conclusions and recommendations regarding the status and implementation of the DDPA & the DR 2009 Resolution. These proposals from the WGEPAD on the Year 2011 have not been adopted yet by the UN General Assemble. The planning is for June or September 2010. It has come to my attention that a Resolution has already been developed to discuss in the HR council in June 2010. Besides the afore mentioned proposals there is a proposal from the International NGO

Congress Inc (Barbados) for the establishing of a Day of Hope (October) for “Truth, Justice, Healing and Reconciliation for people of African Ancestry”; another proposal from the Haitian/Dominican Republic International Foundation, SOS Cris denfants (with head office in Switzerland Geneva), for an International Peoples Conference in Haiti to be organise in October 2011, and about three Proposals from Panafstrag International with Head office in Nigeria. In the Netherlands we have established Coordination Working Group “2011: the UN International Year of People of African Descent” as part of the “Durban Review 2009 Monitoring Group, The Netherlands”. We are on speaking terms with the department of Foreign Affairs.

What is that I would like to achieve at this Transatlantic Minority Political Leadership Conference?

In 2011 the United Nations States, this includes all EU states, have a new opportunity to

- Review what has been achieved until to day from the perspective of the Programme of Action which is directed at Africans and People of African Descent. In the Netherlands for instance the DDPA has not implemented yet. The Dutch government refused to declare the AAD group as special target group to combat racism. This implicates no Statistics resp. Data regarding anti black racism. The CERD in its session with the Dutch government in February 2010 recommend to the Dutch government to realize policy within their National Action Plan that has not developed yet.
- Undertake a critical analysis to assess the states effectiveness in the progress on "remedies this includes reparations for the modern day effect of the transatlantic slave trade and racial injuries".
- Realize on Europe Region level an International summit on all aspects of the transatlantic slave trade including assessment of the modern day effect and racial injuries, organized in cooperation with the Working Group of Experts on Africans and People of African Descent and involvement of the AAD civil society.

What I would like to achieve is that the organizers of these important Transatlantic Minority Political Leadership Conference, members of the EU parliament and the US Senate and Congress use their influence, so that the proposals for the year can be a serious topic on the Agenda of these Political and decision-making bodies and when it comes to the decision in the UN General assemble we hopes with positive intentions. We need the support on National level and on Regional level.

My wish is that this topic will be a Central focus in 2011 and in preparing towards 2011 in 2010 of the EU parliament, the EU Commission and all relevant stakeholders and anti racism institutes in the EU. I have already communicated with two EU parliamentarians from the Netherlands this morning and unfortunately they have informed me that they are not aware of the establishment and proposals of the UN year 2011. It is clear that we are the once who have to make our parliamentarians aware about the importance of the year for the Global People and in particularly African people. It is our duty to support and promote the proposals, conclusions and recommendations of the WGEAD to our communities and to take into consideration the Joint Proposals that I have present in Geneva in April during the ninth session of the WGEAD.

Brima Conteh (France)

In addition to the contribution of Biekman, Brima Conteh brought under attention the importance of the Taubira's (France) Law what was and still is historic in the Case of the trans Atlantic slave trade, slavery and colonialism. (Note Biekman: for your understanding in attachment information of the LAW from MIR/France). Conteh explained about the hundred thousands of Africans who gather all over the World and participated in the Durban Conference. This WCAR was indeed a Mayor Challenge for African People all over the world. We are obliged to defend the DDPA2001 and to make sure that the DDPA and the 2009 Durban Review Resolution implement by the Nation States, the national government, he said. The decision of declare the trans Atlantic slave trade, slavery and colonialism as a crime against humanity is the result of a strong mobilization of African People in the several regions, Brazil, America, Caribbean, Europe etc. The strong lobby, networking of several AAD groups that made possible that Mary Robinson, the former High Commissioner of UN Human Rights Commission, decided a special chapter on AAD peoples in the WCAR Draft. It is up to us Conteh emphasized to mobilize our governments, the political parties and all relevant institutions of good will to realise what was decided in Durban 2001.

Rita Naloop (The Netherlands)

In addition to the contribution of Conteh, Rita Naloop brought under the attention that some parties tried to qualify the Durban WCAR as a racist Conference; even during the preparation for the Durban Review April 2009 there was a negative Lobby to boycott the Conference. She reminded us to be aware that these parties are still in existence to boycott the implementation of the DDPA and the Durban Review 2009 Resolution. Tiye International and many other civil societies NGO's in the Netherlands experienced the role of the Dutch government as a historical failure to boycott the Durban Review Conference.

3) Conclusions & Recommendations

- 1) Information is the key to success and therefore it is necessary to disseminate the information as wide as possible. Networking & lobbying towards the national & local government parliamentarians, especially those from African origin & national Human Rights and Education institutions;
- 2) Documents must be available in the country languages to make sure that people can read the information. Biekman will disseminate relevant papers and all will take responsibility for the translation in country languages. All can ask for a budget at the national government. Relevant documents such as the adopted resolutions and conference reports are in several languages available on www.ohchr.org.
- 3) ENAR (Europe Anti Racism Network) and BWEC (Back Women in Europe Council) have the opportunity to discuss actions in their general assemblies in June resp. July 2010. We all should indentify ENAR members on national level and ask to discuss in the June General Assemblies Meeting in Brussel. *Conteh* will inform the ENAR members in Portugal, UK, France, Sweden, and Norway. *Biekman* said that she has already informed the facilitators of the Europe Region AUADS, this includes the Netherlands, Spain, Germany, Russia, Belgium, France, UK, and Switzerland. She brought also under attention of ENAR in Holland. *Rita Naloop* explained that the BWEC who covers most EU nation states has put the issue already on their Strategic Meeting July, 1 & 2 2010 in Austria;

- 4) The challenge is to realise working committees on National level. These committees have the opportunity to realise national action plans (as collectives) including Strategic, Communication and Budgetplan and to take in consideration contributions of the civil society /this includes grassroots Africans NGO's and all other individual stakeholders' and or actors in solidarity. On local level organisations must be free to realise local activities. These local activities can be supported by the collectives ;
- 5) Make sure that space is given to people who will bring new "energy" and capacity to the table such as students, youth and elderly people. Together with the others who were involved in the Durban WCAR 2001 process & the Durban Review. We decided that we will promote democratic procedures.

Taubira's law adopted in may 2001¹
(comparison – On the left the private bill (1998) on the right the final law (2001))

Taubira's Bill n° 1297 - 1998	French law – may 2001
<p>Article 1</p> <p>The French Republic recognizes that the trans-Atlantic slave trade and slavery, perpetrated from the fifteenth to the nineteenth century by European powers against the African people deported to America, constitute a crime against humanity.</p>	<p>Article 1</p> <p>The French Republic recognizes that the transatlantic slave trade as well as the slave trade in the Indian Ocean, on the one hand and slavery on the other, perpetrated from the XVth century, in the Americas the Caribbean, in the Indian Ocean and in Europe against the African, Amerindian, Madagascar and Indian, constitutes a crime against humanity</p>
<p>Article 2</p> <p>Schoolbooks and programmes of research in history and human sciences give to the longest and most massive deportation in the history of human kind all the importance it deserves. Cooperation, which will enable the written archives available in Europe to be linked together with the oral sources and the archaeological knowledge that has been accumulated in Africa, in the Americas, in the Caribbean and in other territories that have known slavery, will be encouraged and fostered.</p>	<p>Article 2</p> <p>The slave trade and slavery will be given the place it deserves in school curricula, and in research programmes in history and in the humanities. Cooperation, which will enable the written archives available in Europe to be linked together with the oral sources and the archaeological knowledge that has been accumulated in Africa, in the Americas, in the Caribbean and in other territories that have known slavery, will be encouraged and fostered.</p>
<p>Article 3</p> <p>A petition for recognition of the transatlantic slave trade and of slavery as a crime against humanity shall be submitted to the European Union, international organisations and, first and foremost, the UNO.</p>	<p>Article 3</p> <p>A petition for recognition of the transatlantic slave trade as well as the slave trade in the Indian Ocean and of slavery as a crime against humanity shall be submitted to the Council of Europe, to international organisations and to the United Nations Organisation. This petition will also aim to seek a common date at the international level for the commemoration of the abolition of the slave trade and of slavery, without prejudice to the commemorative dates peculiar to each of the overseas territories.</p>

¹ From MIR France/author Fanta Kaba's contribution in Report of the Pan African Roundtable on Durban plus 5, held in Addis Ababa/Ethiopia, 18-20 April 2007 Review of the WCAR of 2001

<p>Article 4</p> <p>On 8 February, each year, the Vienna Congress of 1815 will be commemorated as the official condemnation by European nations of the slave trade regarded as "negating the principle of humanity and universal ethics". The utmost will be done, to have this date adopted by free nations as the international commemoration date.</p>	<p>Article 4</p> <p>The last paragraph of the only article of the law N° 83-550 of June 30 1983 relative to the commemoration of the abolition of slavery is replaced by three paragraphs, as follows: "A decree establishes the date of the commemoration for each of the above territories concerned. "In metropolitan France, the date of the annual commemoration of the abolition of slavery is set by the Government after the widest consultation, "A committee of qualified personalities, which will include representatives of associations defending the memory of slaves, is established with the responsibility of proposing, over the whole of the national territory, places and actions guaranteeing the durability of the memory of this crime through the generations. The composition, the competence and the missions of this committee are specified by a decree in the Conseil d'Etat within six months of the publication of the law N° of , ..aiming at the recognition of the slave trade and of slavery as a crime against humanity."</p>
<p>Article 5</p> <p>A committee of qualified personalities is established in charge of examining the damage and the conditions of compensation for this crime. The competences and goals of this committee will be determined by a decree of the Conseil d'État (State Council).</p>	<p>deletion (partially in art.4)</p>
<p>Article 6</p> <p>It is inserted after the article 24(2) of the law of July 29, 1881 on the Freedom of the Press, the following article 24(3):</p> <p>"Art.24(3) – Those having contested the crime against humanity defined at art.1 of the present bill, by one of the means mentioned at the art.23, Will be punished according to sanctions provided at Article 24 (2).</p>	<p>deletion</p>
<p>Article 7</p> <p>It is inserted after the article 48(2) of the law of July 29,1881 on the Freedom of the Press, the following article 48(2-1):</p> <p>"Art 48(2-1): any association which has been legally registered for two years at least at the moment when the facts took place and of which the statutes stipulate the defence of the moral interests and memory of slaves, and honour of descendants of slaves can exercise the rights belonging to the party claiming damages concerning the apology of crimes against humanity such as established by Article 24(3).</p>	<p>Article 5</p> <p>In article 48-1 of the law of 29 July 1881 on the freedom of the press, after the words: "by its statutes, of", are inserted the words: "defend the memory of the slaves and honour of their descendants,"</p>

1. Item 13, Declaration and Programme of Action, World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, p. 16 (2001).

2. Item 14, Declaration and Programme of Action, World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, p. 16 (2001).

3. Item 32 to Item 35, Declaration and Programme of Action, World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, p. 21-22 (2001).