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Policy Brief

"FROM UNGA RESOLUTION A/80/L.48 TO IMPLEMENTATION: THE AFRICAN UNION AND THE FUTURE OF REPARATORY JUSTICE"

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INTRODUCTION

The Declaration of the *Trafficking of Enslaved Africans and Racialised Chattel Enslavement of Africans as the Gravest Crime Against Humanity*, adopted by the United Nations General Assembly, marks a significant and long-awaited milestone in the global pursuit of historical justice. Much of the discourse surrounding the resolution has focused predominantly on its symbolic and declaratory significance. This emphasis, while important, obscures the policy dimension of the resolution. Reliefs 10–14 constitute the resolution’s operational core and outline concrete processes to begin reparatory justice.

The central policy question is whether Reliefs 10–14 merely continue the tradition of symbolic diplomacy that has often characterised international responses to slavery and its legacies, or do they establish a coherent and workable architecture for reparatory justice?

This brief examines the structure, content, and implications of Reliefs 10–14. It assesses if the Declaration marks a transition from recognition to implementation or remains constrained by declaratory international law.

REFRAMING THE DEBATE: FROM MORAL CLAIM TO POLICY ARCHITECTURE

Contemporary debates on reparatory justice have long centred on blame, moral responsibility, and historical recognition of the harms arising from slavery and its enduring legacies. This emphasis has sustained a politics of recognition, in which stakeholders repeatedly revisit the legitimacy of reparations rather than develop mechanisms for implementation.

The Declaration adopted by the United Nations General Assembly marked a significant shift from this paradigm. Reliefs 10–14 suggest a policy-oriented framework for reparations-linked development initiatives. They call for United Nations coordination on remembrance, education, and capacity-building; financial and technical contributions from Member States; regional collaboration; and education and memorialisation programmes on slavery and its legacies. These provisions engage policy execution, institutional responsibility, and coordinated implementation, outlining an emerging architecture for reparatory justice.

The resolution reframes the central question of reparatory justice. The debate is no longer: “Are reparations justified?”

The resolution has already answered that question. Paragraph 2 declares the trafficking of enslaved Africans and racialised chattel enslavement of Africans to be the gravest crime against humanity. Paragraph 4 recognises it as a violation of *jus cogens*, and the preambular paragraphs reaffirm, through African legal traditions, that “a crime does not rot.”

The policy question, therefore, is a practical one: “What is being built to deliver reparations?”

The resolution answers this question by constructing an emerging policy architecture composed of four pillars:

1. Legal and normative foundation
2. Institutional coordination
3. Tangible redress
4. Accountability mechanisms

RELIEFS 10–14 AS AN INTEGRATED IMPLEMENTATION SYSTEM

Reliefs 10–14 are best understood as parts of an integrated implementation system rather than as isolated provisions. Together, they combine coordination, resource mobilisation, institutional engagement, and normative emphasis, with each component reinforcing the broader framework for operationalising reparatory justice.

A. Relief 10 – Material Entry Point and Programme Logic

Within this integrated system, Relief 10 serves as the entry point, linking reparations to sustainable initiatives for affected societies. It shifts reparations from abstract claims for compensation to actionable development-oriented interventions. Nevertheless, this relief depends on voluntary support, external financing, and political will, raising questions about enforceability. Even so, it marks a decisive conceptual shift: reparations begin to assume an institutional character.

B. Reliefs 11–12 – Knowledge, Capacity, and Institutional Infrastructure

If Relief 10 provides the programme logic and material entry point, Reliefs 11–12 supply the intellectual and administrative foundations needed to make reparatory justice epistemically grounded.

Relief 11 directs the Secretary-General, in coordination with United Nations agencies such as UNESCO and the Office of the High Commissioner for Human Rights, to strengthen work on remembrance, education, research, and capacity-building related to the trafficking of enslaved Africans and the legacies of racialised chattel enslavement. Relief 12 complements this by encouraging voluntary Member State support and cooperation with African Union initiatives through capacity-building, technical training, and cultural diplomacy. Together, these provisions form the system's mid-layer, connecting Relief 10's material programmes to the political and memorial infrastructure of Reliefs 13–14.

Unlike Relief 10, which relies heavily on voluntary financing for development programmes, Reliefs 11–12 operate in a domain where institutional coordination, pedagogical reform, archival reconstruction, and research capacity are the main inputs. Administrative action, normative guidance, and technical cooperation can accelerate these measures, making this subsystem less exposed to the political volatility of direct material transfer negotiations. For that reason, Reliefs 11–12 are among the most immediately actionable parts of the implementation system.

Reliefs 11–12 perform three connected functions. First, they support curriculum reform through educational coordination and programme integration, ensuring that national curricula, teacher training, and standards address the history and consequences of enslavement.

Second, they support archival reconstruction by creating a framework for the restitution, cataloguing, digitisation, preservation, and use of cultural property, manuscripts, and archival materials. This epistemic reconstruction is essential to understanding the scale and consequences of the transatlantic trade in enslaved Africans.

Third, the resolution links research and capacity-building to UNESCO programmes such as ***Routes of Enslaved Peoples***, presenting reparations as an intellectual project: fostering scholarship on enslavement, training researchers from Africa and the diaspora, challenging colonial-era epistemic frameworks, and producing authoritative historical and legal records that can support future claims.

The resolution recognises that reparations have faltered because of epistemic asymmetry. Reliefs 11–12 address this imbalance by establishing the intellectual, institutional, and educational foundations needed to realise material claims.

C. Relief 13 – Regional Coordination (Diplomatic Leverage)

Relief 13 focuses on regional coordination as the principal mechanism for translating the resolution’s normative vision into political action. The architecture elevates regional and subregional organisations, particularly the African Union (AU), the Caribbean Community (CARICOM), and the Organisation of American States (OAS), as co-architects of the reparatory justice framework.

Paragraph 13 invites these regional organisations to collaborate with Member States and United Nations entities in developing frameworks for dialogue, cooperation, and action. This design addresses the fragmentation that has historically weakened reparations advocacy across geographic, institutional, legal, and temporal lines. Affected populations span Africa, the Caribbean, the Americas, and Europe.

Relief 13 responds by designating regional blocs as coordinating nodes, creating a triangular architecture that links Africa as the point of origin, the Caribbean as a primary diaspora destination, and the broader Americas as sites of secondary diaspora and colonial continuity.

Consolidating these dispersed efforts also strengthens collective diplomatic leverage. It supports institutional roadmaps such as the AU’s 2025 Year of Justice and the 2026–2036 Decade of Action on Reparations and African Heritage.

Relief 13 may carry coordination risks. Divergent historical experiences, uneven institutional capacities, competing priorities, and potential overlaps with United Nations entities could hinder coherent action. The resolution assumes collaboration based on good faith and shared history but provides no explicit dispute-resolution mechanism.

D. Relief 14 – Internalisation, Education, and Memory Politics

Relief 14 encourages Member States to promote comprehensive educational programmes, establish and maintain museums and heritage sites, fund scholarly research, and conduct public awareness campaigns. Through these initiatives, States internalise the historical record of slavery and the trafficking of enslaved Africans and shape identity, political consciousness, and long-term policy orientation. Relief 14 operationalises the African legal principle that “a crime does not rot.” It ensures that societies preserve and transmit the memory of these crimes across generations, regardless of the pace or scope of material reparations.

Relief 14 is the most immediately actionable provision because it depends primarily on domestic political will and administrative capacity. Unlike Relief 10, which relies on voluntary contributions, or Reliefs 11–12, which depend on United Nations coordination, Relief 14 can be implemented through existing national institutions. Ministries of education and culture, universities, and local authorities can reform curricula, create memorial spaces, and fund research within existing national frameworks, making this provision relatively resistant to political or financial obstruction.

Relief 14 also links to three foundational domains. First, identity: education and memorialisation affirm the dignity and histories of African-descended populations and embed observances such as the ***International Day for People of African Descent*** in national consciousness. Second, by teaching the legal and social dimensions of slavery, including ***res mobiles, meubles, partus sequitur ventrem***, and contemporary structural inequalities, Relief 14 builds public capacity to demand effective policy responses. Third, durable educational and memorial infrastructures keep reparatory claims politically salient across generations and sustain institutional memory and policy continuity.

Relief 14 also enables affected States to reclaim narrative authority, educate their populations about the slave trade and its legacies, build domestic constituencies for further reparatory measures, and impose reputational costs on non-compliant former colonial powers. Even if material resources are delayed or coordination falters, this provision allows institutions to preserve, teach, and transmit the historical record.

For that reason, Relief 14 reinforces the principle that reparatory justice begins with knowledge and memory, placing implementation directly in the hands of affected people without requiring external approval, funding, or treaties.

THE AFRICAN UNION AS THE INDEPENDENT VARIABLE

Core argument: the resolution provides the architecture for reparatory justice, but the African Union determines that it produces tangible outcomes.

Across Reliefs 10–14, the decisive factor is the AU's institutional capacity, internal cohesion, and strategic direction. Under Relief 10, the AU can transform isolated, donor-driven initiatives into a unified, continent-led agenda and a strategic bargaining instrument in global economic negotiations.

Under Reliefs 11 and 12, the AU's role becomes even more pronounced. Reconstructing historical knowledge, reforming educational systems, and developing research infrastructure require African leadership if the process is to avoid reproducing existing epistemic imbalances. The AU, therefore, helps determine whether reparations evolve into intellectual and historical redress or remain without structural impact.

Relief 13 emphasises the AU's diplomatic significance. The AU can aggregate its member states' interests, align with CARICOM, and shift reparations from moral appeals to structured geopolitical negotiations.

Relief 14 underscores the AU's capacity for immediate and independent action. Through reforms, memorialisation, and public awareness, the AU and its Member States can reshape historical narratives, strengthen political consciousness, and sustain long-term demand for reparatory justice. This dimension does not depend on external actors, making it the most direct path for progress.

TENSION: APPEAL VS ARCHITECTURE

A careful reading of Resolution A/80/L.48 reveals a structural tension that complicates its effectiveness. The resolution draws on two distinct but related logics. The first is a logic of appeal, relying on requests, encouragement, and voluntary cooperation. The second is an emerging logic of institutional policy architecture that can operate independently of external consent. This duality is central to understanding both the resolution's limits and its transformative potential.

The logic of appeal is the dominant mode of international diplomacy. Several provisions depend on the goodwill of States, especially former colonial powers, to engage in dialogue, apologise, provide compensation, or contribute resources. Because these provisions use non-binding language such as “encourages,” “invites,” and “requests,” they create moral expectations rather than legal duties. Key elements of the resolution, particularly those involving financial transfers and formal acknowledgement of wrongdoing, depend on actors whose incentives may not align with reparatory justice. If the resolution is confined to this framework, it may reinforce recognition without ensuring implementation. Earlier efforts, like the Durban Declaration and Programme of Action, similarly acknowledged the injustice of slavery without producing a comprehensive reparations system.

Equally, the resolution mandates United Nations-system coordination, sets reporting timelines, affirms legal principles, such as classifying slavery as a *jus cogens* violation, and creates space for unilateral action by affected States and regional bodies. Through measures on education, research, memorialisation, and archival restitution, the resolution enhances progress without external approval or participation. This architecture could guarantee reparatory justice through self-directed institutional development.

The coexistence of these two logics places the resolution in a balanced but complex position. It is not merely aspirational because it contains institutional directives that can be implemented despite external resistance. It is also not fully autonomous because material reparations and financial contributions still rely on voluntary cooperation. The resolution, therefore, reflects the constraints of international law while attempting to work within them.

The resolution is best understood as a framework that redefines the terrain of action. The AU's task is to navigate and integrate these two logics effectively, using diplomatic leverage to influence external engagement while building internal structures that aid reparatory justice.

POLICY CONTINUITY OR STRATEGIC SHIFT?

Does Resolution A/80/L.48 reproduce familiar patterns of symbolic diplomacy, or does it mark a turn toward implementation? The resolution can plausibly be read both ways, and its significance lies in this ambiguity. It creates the possibility of change but has not yet secured it.

This brief's synthesis is as follows:

1. The African Union plays the lead role. If the AU integrates reparations into broader agendas such as development, trade, and diplomacy, and treats Reliefs 10–14 as a coordinated system, the transition toward implementation becomes possible. If actors treat the resolution as a symbolic achievement without follow-through, old dependencies will prevail.
2. A second factor is the response of former colonial powers. Their willingness, or refusal, to engage in dialogue, provide resources, and support restitution will influence the effectiveness of the appeal-based elements of the resolution. However, unlike previous frameworks, their non-cooperation no longer completely halts progress, because the resolution enables action that does not depend on their consent.
3. A third factor is the engagement of civil society, academic institutions, and affected communities. The resolution provides tools, but these actors must use them. Advocacy, research, litigation, and public education are necessary to convert institutional possibilities into concrete outcomes.
4. The resolution functions best as an enabling instrument. It does not deliver reparations or compel compliance. Instead, it constructs a framework for pursuing reparatory justice through unilateral action, regional coordination, and sustained advocacy.
5. The resolution thus sits at a historical hinge. It retains elements of the old paradigm of symbolic recognition, while also introducing the foundations of a new approach grounded in institutional development and strategic coordination.

CONCLUSION: CONDITIONAL TRANSFORMATION

Resolution A/80/L.48 signals progress without guaranteeing it. It creates conditions for reparatory justice across legal, institutional, and political domains and establishes a strong normative foundation. Through its operational provisions, it introduces coordination mechanisms, encourages resource mobilisation, and empowers affected States to act unilaterally in areas such as education, research, and memorialisation. It also embeds timelines and aligns with continental initiatives, keeping the issue politically active rather than episodic.

Nonetheless, conditions do not automatically produce outcomes. Legal recognition does not translate into compensation; institutional coordination does not, by itself, generate implementation; and reporting requirements do not guarantee compliance. Implementation requires political will and institutional capability. The transformation envisioned is therefore conditional, not automatic.

The resolution also opens important strategic opportunities, which could link development-oriented reparations and continental economic frameworks such as the African Continental Free Trade Area (AfCFTA). Aligning reparatory initiatives with trade, infrastructure, and industrialisation goals could support long-term economic transformation. The resolution creates space for such linkages, but their realisation depends on deliberate policy choices. The AU still struggles in institutional capacity, technical expertise, and coordination across its diverse membership. Sustaining a long-term agenda, such as the 2026–2036 Reparations Decade, will require institutional continuity that transcends leadership transitions and shifting policy priorities. These challenges do not negate the resolution's potential, but they define the conditions under which its objectives can be realised.

The UNGA Resolution A/80/L.48 does NOT deliver reparations, but it establishes an architecture for pursuing reparatory justice.