



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



**Recognition of responsibility and reparation for massive and flagrant
violations of human rights which constitute crimes against humanity
and which took place during the period of slavery, colonialism and
wars of conquest**

Sub-Commission on Human Rights resolution 2002/5

The Sub-Commission on the Promotion and Protection of Human Rights,

Referring to its decision 2000/114, and drawing the attention of the international community to the cases of massive and flagrant violations of human rights which should be considered as crimes against humanity and which have, to date, benefited from impunity, in spite of the tragic suffering which slavery, colonialism and wars of conquest have inflicted on numerous peoples in the world,

Recalling its resolution 2001/1 of 6 August 2001,

Considering that it is not possible to combat racism and racial discrimination, struggle against impunity or denounce the human rights violations which persist in the world without taking account of the deep wounds of the past,

Believing that, in the framework of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, it was necessary that the international community should consider the causes and consequences of those ills which, historically, have been brought about largely by slavery, colonialism and wars of conquest,

Believing also that the historic responsibility of the relevant Powers towards the peoples whom they colonized or reduced to slavery should be the subject of solemn and formal recognition and reparation,

Recalling that this responsibility is all the more well-founded since the periods of slavery and colonialism have brought about a state of economic collapse in the countries concerned, serious consequences in the social fabric and other tragedies which continue even today to affect entire peoples throughout the world,

Considering that the solemn and formal recognition of this historic responsibility towards the peoples concerned should include a concrete and material aspect such as rehabilitation of the dignity of the peoples affected, active cooperation in development not limited to existing measures of development assistance, debt cancellation, implementation of the "Tobin tax", technology transfers for the benefit of the peoples concerned and progressive restoration of cultural objects accompanied by means to ensure their effective protection,

Considering that it is essential that the implementation of reparation should effectively benefit peoples, notably their most disadvantaged groups, with special attention being paid to the realization of their economic, social and cultural rights,

Convinced that such recognition and reparation will constitute the beginning of a process that will foster the institution of an indispensable dialogue between peoples whom history has put in conflict, for the achievement of a world of understanding, tolerance and peace,

1. *Takes note* of the Declaration and Programme of Action adopted in Durban in September 2001 at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

2. *Takes note also* of Commission on Human Rights decision 2002/109 of 25 April 2002, in which the Commission invites the Sub-Commission to give careful consideration to the Durban Declaration and Programme of Action and to play a complementary role in the realization of the objectives of the World Conference;

3. *Requests* all the countries concerned to acknowledge their historical responsibility and the consequences which follow from it to take initiatives which would assist, notably through debate on the basis of accurate information, in the raising of public awareness of the disastrous consequences of periods of slavery, colonialism and wars of conquest and the necessity of just reparation;

4. *Recommends* that the public recognition of the slave trade and slavery as crimes against humanity should include the establishment of a common date to commemorate every year, both in the United Nations and in all States, the abolition of the slave trade and slavery;

5. *Emphasizes* the importance for school curricula, university training and research, as well as the media, to place adequate emphasis on the recognition of the flagrant and massive human rights violations which occurred during the period of slavery, colonialism and wars of conquest, and to develop human rights training programmes;

6. *Recommends* that international, national or local initiatives, particularly those in the field of history and culture, involving museums, exhibitions, cultural activities and twinning projects, should help to contribute to this raising of collective awareness;

7. *Considers* that crimes against humanity and other flagrant and massive violations of human rights, to which statutes of limitation do not apply, should be prosecuted by the competent courts;

8. *Requests* the United Nations High Commissioner for Human Rights to initiate, in a concerted fashion, a process of reflection on appropriate procedures for guaranteeing the implementation of the present resolution, in particular with regard to acknowledgement and reparation;

9. *Decides* to remain seized of this question at its fifty-fifth session.

*18th meeting
12 August 2002*

[Adopted without a vote. See chap IV.]