

# TRANSATLANTIC SLAVE TRADE RESOLUTION AND THE EU'S LEGAL POSITION

Balancing Legal Consistency, Historical Justice, and Economic Realities



## POLICY BRIEF

### Executive Summary

The European Union's abstention from a United Nations General Assembly resolution recognizing the transatlantic slave trade as a crime against humanity reflects a tension between legal formalism and the growing global demand for historical justice. While grounded in principles such as non-retroactivity, the EU's position risks being perceived as normatively inconsistent and politically insensitive, particularly by African states.

Beyond legal considerations, the decision carries important economic implications, including potential reparations debates, shifts in EU-Africa economic relations, and evolving expectations around development finance and corporate accountability.

A balanced approach combining legal coherence with political sensitivity is essential to strengthen EU-Africa relations and advance global justice.

## 1 Introduction

The United Nations General Assembly recently adopted a resolution recognizing the transatlantic slave trade as one of the gravest crimes against humanity. While the European Union acknowledged the historical injustice, it abstained, citing concerns over retroactive application of modern legal classifications and the risks of hierarchizing atrocities.

This position reflects a preference for legal consistency but also exposes tensions between legal doctrine and the political and historical demands of affected regions, particularly Africa.



## 2 Key Implications

**I. Legal Consistency vs. Moral Expectations:** The EU's stance aligns with the principle of non-retroactivity in international law. However, it may be perceived as moral ambivalence given prior acknowledgments of the slave trade as a crime against humanity.

**II. Normative Inconsistency:** The EU's strong stance on atrocities such as the Holocaust contrasts with its reluctance here, raising concerns about selective historical recognition.

**III. EU-Africa Relations:** The abstention risks straining relations with African states advocating for recognition, reparative justice, and accountability.

**IV. Global Governance Divide:** The issue reflects a broader divide between legalist (EU) and justice-oriented (Global South) approaches to international law.

**V. Policy Spillovers:** The decision may influence the discourse on reparations, modern slavery frameworks, and trust in multilateral institutions.

## 3 Economic Implications

**I. Reparations Pressure:** Recognition could intensify calls for reparations, raising concerns about fiscal exposure for European states.

**II. Trade and Investment Trust:** Perceived reluctance to fully acknowledge historical injustice may weaken trust in EU-Africa trade and investment partnerships.

**III. Development Finance Shifts:** African countries may push to reframe aid, debt relief, and climate finance within a reparative justice framework.

**IV. Structural Inequality:** The enduring economic legacy of the slave trade continues to shape disparities in human capital and industrial development.

**V. Corporate Accountability:** Increased scrutiny of European firms may drive stronger environmental, social and governance standards and calls for corporate reparations.



## 4 CERPA's Position

CERPA adopts a balanced and forward-looking stance, recognizing both the EU's legal rationale and the legitimacy of historical justice claims.

**I. Promote EU-Africa Dialogue:** Strengthen engagement to reconcile legal and historical perspectives.

**II. Bridge Law and Justice:** Encourage the EU to complement legal consistency with political recognition and symbolic measures.

**III. Support Reparative Initiatives:** Advance economic inclusion, education, and cultural restitution efforts.

**IV. Strengthen Anti-Slavery Frameworks:** Align historical awareness with current human rights enforcement.

**V. Ensure Normative Consistency:** Improve coherence between legal positions and moral commitments.

## 5 Conclusion

The UN resolution highlights a critical tension between legal consistency and moral responsibility. While the EU's position is legally grounded, it risks undermining its credibility and strategic relations with Africa.

A practical method is needed one that balances legal strictness with historical responsibility and economic awareness.

Constructive EU-Africa engagement will be key to advancing justice, reconciliation, and sustainable development.

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### About CERPA

The Centre for Economic Research and Policy Analysis (CERPA) is a think tank dedicated to providing independent, data-driven economic research and policy recommendations to foster sustainable

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