

# Report of findings

Slavery History Dialogue Group Advisory Board

# Chains of the past

jezelf opdraaien  
het tempo opvoeren zodat  
de ketenen van het verleden  
strak komen te staan ankerketting  
die het schip van uwe staat  
& samenleving staaft tot uiterst  
doel: jezelf opgeheven tot nieuwer  
symboliek en een zoekmachine later  
zeg je jee wat gaat de teller snel  
ogen dicht sta je hoog  
op een dak in het land voelt  
hoe je in duister valt en  
er nullen rollen: de nulstand  
van samenzijn —  
wit en zwart nu  
één

antoine de kom

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# 1. FOREWORD

‘Not everything that is faced can be changed,  
but nothing can be changed until it is faced.’

James Baldwin

The Slavery History Dialogue Group Advisory Board (hereafter the Advisory Board) was established on 1 July 2020 and tasked with organising a dialogue within the Kingdom of the Netherlands about the history of slavery and its impact on modern society. A dialogue aimed at forging a sense of connection and more broadly acknowledging and coming to terms with this shared past.

In the current social climate, it is no simple task to organise a unifying dialogue about a shared past when people’s experiences of that past are so divergent. A past whose scars still run deep in today’s society. For some people, this past is about highlights of Dutch history, about prosperity and plenty. But for others, it is about prosperity and plenty accrued at the expense of their ancestors, the effects of which they are still feeling in their day-to-day lives.

Slavery is not just about victimhood, but also about courage, resilience and resistance, qualities that certainly apply to all those people upon whose work the Advisory Board is building. For years, they have campaigned to get the history of slavery and its impact in the present on the agenda. They have spoken out in protest and swum against the tide, and have already held many a dialogue on this issue.

A growing number of people are making their voices heard about the imbalances in our society. They are speaking out against racism, discrimination and exclusion. On the other side is a group of people who do not recognise that past or who do not want to hear about it. People who are afraid of losing their traditions, their foundations, their anchors in an already complex society. A society in flux, with different narratives. People do not always know how they should respond. They feel they do not know the right words, or what new standpoint they should adopt in respect of this complex issue.

The dialogues organised by the Advisory Board revealed a limited knowledge about the role of the Netherlands in the history of slavery. This applies to the Netherlands as a whole, as well as to descendent communities. Much more knowledge and collective awareness will therefore need to be acquired in order for our society to experience a shared, national history.

If the French occupation is part of national history, then so is the occupation of the colonies. If the revolt against Spain is part of national history, then so are Tula's revolt in Curaçao and the revolt of the Maroons in Suriname. That historical awareness and identification with the past are essential if we are to see the history of slavery and its impact truly as part of our shared history.

To bring about recovery, so that a shared future becomes possible, the State needs to:

- acknowledge that slavery and the slave trade were crimes against humanity;
- take responsibility for confronting the abuses of the past;
- acknowledge that the repercussions of slavery are still being felt today; and
- apologise.

With its urgent recommendations, the Advisory Board hopes to make clear that the time of non-commitment and looking the other way is well and truly over.

D.H. Oudshoorn-Tinga, Chair

E. Davids

L.Y. Gonçalves-Ho Kang You, LL.M

Dr J.L. Kool-Blokland

G. de Randamie

R.R. Severina

## 2. SUMMARY

The Slavery History Dialogue Group Advisory Board recommends that the slave trade and slavery that took place directly or indirectly under Dutch rule between the 17th century and 1 July 1863 be acknowledged by statute as crimes against humanity. This should include acknowledgement of the suffering of all those who were victims of those crimes and the suffering of their descendants.

Acknowledge too the struggles, successes and influence of those who, over the course of centuries, right up to the present day, have fought against slavery, racism and discrimination.

The Advisory Board further recommends that the State of the Netherlands, partly as the legal successor to previous Dutch governing authorities, which directly or indirectly allowed, enabled, encouraged or practised slavery and the slave trade, issue a statutory apology for these actions. The Advisory Board recommends that, in offering its apology, the State of the Netherlands express a willingness to redress as far as possible this historical injustice, which is still being experienced to this day in many different forms, such as discrimination and institutional racism.

It is recommended that the prime minister offer an apology on behalf of the government. The occasions on which the King has spoken about the past (Indonesia and Queen Wilhelmina (Second World War)) had great symbolic significance for the communities concerned.

The Advisory Board also recommends that the following action be taken.

Raise awareness about transatlantic slavery through research, education and artistic projects, including by initiating a national research programme on the history of slavery and its present-day legacy and impact, such as institutional racism. Descendants of enslaved people as well as non-descendants should be involved in setting up and conducting this research. Further research at grassroots level will provide a broader range of perspectives and should not only encompass the history of slavery, but also its historical and current socioeconomic, medical-psychological, spiritual-religious and cultural-political aspects. Examine how existing institutions, such as the National Institute for the Study of Dutch Slavery and its Legacy (NiNsee), can play a comprehensive role in this regard, both to prevent duplication and enhance the programme's sustainability.

Investigate how existing initiatives and institutions geared to enhancing the substantive citizenship of Afro-Antilleans and Afro-Surinamese people can be continued, intensified and strengthened.



Natasja Kensmil | White Elephant, 2019 | Amsterdam Museum Collection

Take measures to enhance education in this area by ensuring that the history of slavery and its present-day impact are made a standard part of the curriculum at all educational levels and particularly in teacher training.

Strengthen knowledge about the meaning of discrimination in everyday life and take legal steps to combat racism and xenophobia. Ensure systematic enforcement by implementing a long-term, intersectional programme to combat discrimination and racism, including institutional racism and ethnic profiling. Efforts to combat institutional racism in the labour market, the housing market, education and the police need specific and urgent attention.

Make the history of slavery visible so that it can become a shared history.

Dedicate a national museum or national facility in which multiple aspects of the history of slavery and its legacy are widely and accessibly displayed. Ensure that this history is more widely known and better



exhibited in the Caribbean and Suriname as well.

In consultation with descendant organisations, develop policy on the basis of which more new, common symbols of a shared future can be created in public spaces. Include existing slavery-related statues, monuments, buildings and street names in this process, in order, on the one hand, to recount history and, on the other, to ease the pain caused by confronting this history in public spaces.

Designate 1 July as a national remembrance day, supported and attended by the King and the government (prime minister) as an acknowledgement that the history of slavery concerns the whole of society.

Each of the former colonies of the Kingdom is of course free to choose its own remembrance day. Make use of public media to reflect that day as a nation on the atrocities of slavery and the suffering and fate of enslaved people throughout the former colonies.

The advisory brief requested that the rehabilitation of Curaçao resistance figure Tula be included in the remit. Given the opinions provided by researchers and the findings of the dialogues, the Advisory Board is in favour of the rehabilitation of Tula.

The Advisory Board notes that the task in this connection was limited to Tula, and that there are other resistance heroes who should be included in the national study on the history of slavery.

Provide sufficient permanent funding for reparative measures to enable sustainable investment in reducing the impact of the history of slavery. The Advisory Board recommends that the aforementioned acknowledgement, apology and redress be enshrined in law, to ensure the necessary level of commitment. The Advisory Board also suggests considering the option of Kingdom legislation agreed by common consent between the constituent parts of the Kingdom, although this must not delay the expeditious implementation of vital reparative measures. Such legislation would involve the Caribbean countries of the Kingdom in decision-making on the Netherlands' approach to acknowledgement, apology and redress. The more accepted the acknowledgement, apology and redress are to the countries in which slavery was practised, the more significance they will have for society in the future. Such legislation will have to stipulate explicitly that responsibility for the Kingdom's role in the history of slavery rests squarely with, and is accepted by, the European part of the Kingdom.

Establish a Kingdom fund of appropriate, respectful size to finance reparations on a structural and sustainable basis. The commemoration of the abolition of slavery in the Kingdom on 1 July 2023 would be an ideal time for its entry into force.

### 3. TASK

The Slavery Board Dialogue Group Advisory Board was set up on 1 July 2020 by the Minister of the Interior and Kingdom Relations, Kajsa Ollongren. Its task was to organise a dialogue about the history of slavery and its enduring impact in today's society, a dialogue aimed at forging a sense of connection and enabling Dutch society to more broadly acknowledge and come to terms with this shared past.

There is growing interest in the history of slavery in the Netherlands. The traces of the past are still affecting our society to this day, which is why the government wishes to reflect on this episode in our history. The government also wants to nurture this interest in the history of slavery and the shared past by, for example, commemorating the abolition of slavery on an annual basis.

The dialogue focuses not merely on Dutch nationals of African descent, but on Dutch society as a whole, and on the Kingdom as a whole, including the Caribbean parts.

The Advisory Board discharges its duties independently and without being bound by instructions, has a broad composition and must guarantee the independence and substantive coherence of the dialogue. To this end, it is organising round-table discussions in various sectors and will compile a report of findings relating to those discussions.<sup>1</sup>

Besides the request to organise a dialogue, the minister also asked the Advisory Board to advise on the motion submitted by Senator Peter Nicolaï on 10 March 2020, adopted by the Senate. The motion requested the government to consider whether there were grounds – as in France – for designating by statute the practice of slavery and the slave trade in the past as crimes against humanity, and to consider whether the same legislation should guarantee the establishment and maintenance of a national monument to the history of slavery, a history of slavery knowledge centre and a slavery museum.<sup>2</sup>

Lastly, the Advisory Board was asked to advise on the 2019 request by *Plataforma Sklabitut I Herensha di Sklabitut* to the Council of Ministers for the Kingdom for the rehabilitation of Tula.

The report of findings will be presented to Minister of the Interior and Kingdom Relations Kajsa Ollongren on 1 July 2021.

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<sup>1</sup> Ms Ollongren's mandate is included in Appendix 1.

<sup>2</sup> The motion submitted by Senator Nicolaï is included in Appendix 2.

# 4 PROCESS

## 4.1 GENERAL

The Advisory Board has taken the broadest possible approach to its work in order to ensure a wide reach that encompasses the Dutch Caribbean islands. Besides encouraging dialogue and interviewing members of the public, the Advisory Board also consulted researchers and spoke to representatives of various interest groups, social sectors and community groups. The Board involved young people with dialogues focusing specifically on education. Dutch society in general was represented in broad-based 'dialogue tables', in sectoral discussions and through panel surveys. The remit encompassed both the Netherlands and the Caribbean part of the Kingdom, Saba, St Eustatius, Bonaire, Aruba, Curaçao and St Maarten. The Advisory Board set up a public campaign, consulted a citizens' panel and invited academic experts to contribute input on the various aspects of the Netherlands' role in the history of slavery and the impact of that history in modern society. With this approach, the Advisory Board sought both to broaden the dialogue to a wider public and to intensify the sectoral discussions.

In its work, the Advisory Board made use of Bart Brandsma's Polarisation Framework on dealing with polarisation and depolarisation in social discussions and processes.<sup>3</sup> A number of discussions were held with Mr Brandsma on this subject.

In order to align the required dialogue and resulting recommendations with initiatives already under way in various cities in the Netherlands, the Advisory Board held talks with Bert Wijbenga, deputy mayor of Rotterdam and member of the municipal executive for enforcement, outdoor space and integration, and Rutger Groot Wassink, member of the Amsterdam municipal executive for social affairs, diversity and democratisation.

The COVID-19 pandemic restricted the scope for in-person discussions, both in the Netherlands and in the Caribbean part of the Kingdom. The Advisory Board therefore limited the number of participants at the physical dialogue sessions and organised virtual sessions to run alongside them.

The approach taken is set out in more detail in the following sections.

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<sup>3</sup> Bart Brandsma (2016).

## 4.2 CARIBBEAN PART OF THE KINGDOM

The Advisory Board's assignment explicitly included the request to facilitate a social dialogue about the history of slavery and its legacy in the Caribbean part of the Kingdom as well as the European part. To do so, the Advisory Board first held talks with the competent authorities of the various islands and subsequently consulted local coordinators on each island with a view to establishing a public dialogue.

Due to restrictions resulting from the COVID-19 pandemic, physical attendance at the dialogues was only possible at a late stage in the proceedings. The programme was delayed as a result.

Dialogues have already been held on Bonaire, Curaçao and Saba, and more will follow later this year on St Eustatius, St Maarten and Aruba.

## 4.3 THE NETHERLANDS

### 4.3.1 Interest groups

The Advisory Board acknowledges the work of the many interest groups which have campaigned for years to promote the interests of the descendants of enslaved Africans, to draw attention to inequality and discrimination and to address the impact that slavery in the past still has in modern society. They have already organised multiple dialogues and have made their voices and those of their supporters heard, often under difficult circumstances. That is why the Advisory Board spoke with representatives of various interest groups,<sup>4</sup> with the aim of discussing the structure and substance of the dialogue. The interest groups were asked what they thought about the task the minister had set the Advisory Board. They were also asked how they felt the recommendations could bring about lasting results.

The interest groups raised various points of concern during the discussions. Their representatives called in particular for targeted action against discrimination and especially institutional racism, for broader representation both in government and all sectors of society, for the education sector to promote knowledge on issues such as the history of slavery and discrimination, and for recognition of the importance of apologising for, acknowledging and redressing the damage caused by the Netherlands' role in the history of slavery. The interest groups stressed the dialogue's importance in regard to raising awareness of the history of slavery and its legacy.

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4 The Advisory Board spoke to the following interest groups: National Platform on Slavery, National Institute for the Study of Dutch Slavery and its Legacy, OCAN Foundation, Dutch Centre for Intangible Culture Heritage, The Black Archives, Kick Out Zwarte Piet, Museum Facility Initiative (Municipality of Amsterdam), ProFor, Comité 21Maart. The Advisory Board also spoke to Mercedes Zandwijken, initiator of the Ketji Koti Table.

Their work and commitment remain as vital as ever. The interest groups have made clear the urgent need for change in the government's approach. Feedback on their input was given in the concluding phase of our work as the Advisory Board.

### **4.3.2 Structure of the dialogues, public campaign and citizens' panel**

Because of the COVID-19 pandemic, the sectoral dialogues were carried out differently than originally intended. The number of participants attending in person had to be limited to maintain the required distance of 1.5 metres. Some meetings were also postponed to a later date, when the relaxation of the coronavirus restrictions allowed more in-person meetings.

To nonetheless fulfil its task of involving a broad cross-section of Dutch society in the dialogues, the Advisory Board held a series of digital dialogue sessions, opting for three different forms:

1. three broad-based social, digital dialogues in collaboration with Pakhuis de Zwijger;
2. six sectoral dialogues in collaboration with IZI Solutions;
3. 21 dialogue classes and eight concluding dialogues with pupils and students in collaboration with the Discussiëren Kun je Leren Foundation.

In collaboration with Motivaction, the Advisory Board also set up an online citizens' panel to increase input from the public, and launched a campaign in association with De GoedeZaak.

All these dialogues addressed how the impact of slavery is experienced in different sectors of society. They also zoomed in on specific themes, such as representation, opportunities in education, portrayal in the media, culture and public spaces, recognition, acknowledgement and apologies.

The three broad-based social dialogues consisted of two parts: a panel discussion and breakout sessions. The panel discussions were broadcast live and were thus accessible to a wide audience. After the panel discussions, participants split off to talk to each other in smaller groups. The breakout sessions were not broadcast live so that participants had the opportunity to speak privately.

The six sectoral dialogues involved representatives from the justice and security, culture and media, sport, government, care and education sectors. Their discussions were based on specific propositions.

For young people, the Advisory Board organised 21 dialogue classes in 15 groups. The students came from different educational levels: primary education, secondary education, secondary vocational education, higher professional education and university education. In addition, eight online concluding dialogues took place between students and experts.

The citizens' panel was set up in the form of an online community, with 55 participants reflecting Dutch society. Half of the panel was made up of people of Surinamese and Antillean descent. The citizens' panel was available throughout a period of eight weeks and was used for various studies, assignments and surveys. Members of the panel were in contact with the dialogue tables: the outcomes of the dialogues and the findings of participants at the sessions were presented and discussed in the online community.

A wide-ranging public campaign was designed to deepen and broaden the dialogue using online resources. The campaign invited residents of the Netherlands to take part in the public dialogues and to speak out publicly against racism via social media. By signing a pledge, those concerned promised to help our society both acknowledge and come to terms with the history of slavery, for instance by speaking out against racism in their own environment. On the website [ikzeteenstap.nl](http://ikzeteenstap.nl), signatories were given space to highlight their own actions. So far, 2,203 people have signed the pledge.

The outcome of the dialogues is set out in Section 6.1.

## 4.4 ACADEMIC INPUT

On the academic front, numerous studies have been conducted over the past few years into the Netherlands' role in the history of slavery. The Advisory Board used various publications to carry out its task. We also sought advice from a number of experts with regard to a public apology by the Dutch government, the legal options and the desirability of legislation.<sup>5</sup> Particular advice was sought in respect of the implementation of the motion submitted by Senator Peter Nicolaï.

Section 6.2 discusses the substance of that advice.

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<sup>5</sup> The Advisory Board sought advice from the Asser Institute (Centre for International & European Law): Dr Bastiaan Rijpkema LL.M., Prof. Arjen van Rijn & Dr Glenn Thodé LL.M., Prof. Philomena Essed, Dr Rose-Mary Allen & Prof. Alex van Stipriaan, Prof. Gilbert Cijntje, Disrael Orphelin and Dr Francio Guadeloupe. Their contributions are set out in full in Appendix 4.

# 5 SOCIAL DEVELOPMENTS

## 5.1 INTERNATIONAL

In recent years there have been significant international developments concerning society's focus on the history of slavery and its legacy. Increasingly, countries are addressing their own painful history. Various countries are acknowledging and apologising for their controversial actions in the past, or are legislating in respect of acknowledgement, continuing effects, apologies and redress. Those countries include Germany, Belgium, France, the United Kingdom and the United States.

The United Nations (UN) has adopted various resolutions regarding slavery, the slave trade and the position of people of African descent.

In 1999, UNESCO, the UN organisation for education, science and culture, designated a number of international days to keep the memory of slavery alive. The date of 25 March was designated as the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade; 23 August was chosen as the International Day for the Remembrance of the Slave Trade and its Abolition; and 2 December was designated as the International Day for the Abolition of Slavery, which also applies to modern slavery.

UNESCO's International Scientific Committee also called on governments and institutions to take responsibility for their role in the history of slavery and 'to take immediate and comprehensive measures to repair these crimes, which are reflected in global patterns of poverty, inequality and racism'.<sup>6</sup>

The Durban Conferences, held under the auspices of the UN (Durban in 2001, Geneva in 2009 and New York in 2011), were a milestone in the global debate on racism, discrimination and exclusion. The conferences addressed controversial issues, including reparations for victims of the transatlantic slave trade. In 2013, the UN proclaimed the International Decade of People of African Descent, aimed at protecting the freedoms of those people. The resolution called on UN countries to take action against racism, racial discrimination, xenophobia and related intolerance. The Dutch government is supporting this resolution in order to bolster the approach to tackling racism in the Netherlands. In doing so, the Netherlands has adopted the three pillars of the UN resolution: recognition, justice and development.

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<sup>6</sup> Opendemocracy.net (2016).

In a resolution on 22 December 2018, the UN General Assembly called for the establishment of a permanent forum on people of African descent.<sup>7</sup> The forum will serve as a consultative body for people of African descent and other stakeholders, as a platform for improving the quality of life and livelihoods of people of African descent and to contribute, by means of a declaration, to the elaboration of the UN resolution. That declaration will be the first step towards a legally binding instrument for the promotion and full respect of the human rights of people of African descent.

In 2019, the European Parliament adopted the Resolution on fundamental rights of people of African descent in Europe, which establishes a direct link between racism directed specifically at people of African descent and the history of colonialism and slavery. The resolution calls on the EU member states to, for example, take action against racism and exclusion. This resolution was ground-breaking because it was the first time the European Parliament had made the link between discrimination and historical injustice against people of African descent.<sup>8</sup>

The history of slavery and its legacy in the present also led to public acknowledgement in various European countries. On 28 May 2021, the German government acknowledged committing genocide in Namibia at the beginning of the 20th century. Germany admitted guilt, apologised and made a sum available for aid projects in Namibia.<sup>9</sup> On 30 June 2020, King Philippe of Belgium expressed profound regret for atrocities committed in Congo under the rule of his ancestor King Leopold II.<sup>10</sup> In the United Kingdom, the national government and the city councils of London and Liverpool, as well as religious organisations, financial institutions and parts of the business community have apologised for their part in slavery, the slave trade and the inhuman treatment of enslaved people.<sup>11</sup> France has legally defined slavery and the slave trade as crimes against humanity.<sup>12</sup> Former US President Bill Clinton expressed regret as early as 1998 for slavery and the slave trade, which underpin today's economy. In 2021, Juneteenth – 19 June – was declared a federal holiday by US President Joe Biden. It is the celebration and commemoration of the official end of slavery in the United States, and is also known as Emancipation Day.<sup>13</sup>

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<sup>7</sup> United Nations (2019).

<sup>8</sup> European Parliament (2018).

<sup>9</sup> Auswärtiges Amt (2021).

<sup>10</sup> King Philippe of Belgium (2020).

<sup>11</sup> Faulconbridge (2020).

<sup>12</sup> Contribution by Asser Institute, see Appendix 4.

<sup>13</sup> The Emancipation Proclamation was issued under President Abraham Lincoln in 1863, but it was not until more than two years later, on 19 June 1865, that the last African-American slaves actually regained their freedom, after the surrender of the southern Confederate states in the American Civil War.



## 5.2 THE NETHERLANDS

Article 1 of the Dutch Constitution states that all persons in the Netherlands must be treated equally in equal circumstances. Discrimination on the grounds of religion, belief, political opinion, race or sex or on any other grounds whatsoever is not permitted. The requirement of equal treatment and the prohibition of discrimination and racism are laid down and elaborated in statutory provisions, which the Advisory Board assumes are familiar to the reader. In this section, the Advisory Board focuses particularly on the public debate on racial discrimination, highlighting relevant research and developments.

In every country that has signed the UN anti-discrimination convention, the UN conducts periodic surveys, focusing on possible forms of discrimination. In 2014, the UN Working Group of Experts on People of African Descent visited the Netherlands. One of the recommendations in its report was that the Netherlands should develop a national action plan to tackle racial discrimination on the grounds of the findings of discrimination, ethnic profiling, inequality in education and the portrayal of Black Pete (*Zwarte Piet*), which perpetuates a negative stereotype of Africans and people of African descent.<sup>14</sup>

It should be noted that in 2020 the Netherlands voted against the UN General Assembly resolution on a global call for concrete action for the elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.<sup>15</sup>

The debate in the Netherlands is gradually broadening from everyday racism to institutional racism.<sup>16</sup> Racism is often entrenched in institutions, where organisational processes, policies and rules lead to structural inequality between people of different backgrounds, skin colour or religions.<sup>17</sup> Institutional racism received a great deal of public scrutiny in the wake of serious failings by the Dutch tax administration in the childcare benefit system. And racial profiling by the police had already been the subject of an investigation previously.<sup>18</sup>

The past 30 years have seen a growing awareness in the Netherlands of the country's own role in the history of slavery and the impact of that history in modern society. The involvement of a broad cross-section of the public and of Dutch celebrities has increased. Interest groups have played an important role in setting the agenda, in the debate itself and in raising awareness.

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<sup>14</sup> United Nations (2014).

<sup>15</sup> A list of countries that voted for and against the resolution can be found at [digitallibrary.un.org/record/3896183?ln=en](https://digitallibrary.un.org/record/3896183?ln=en). *NRC Handelsblad* reported that the European Commission had criticised the Netherlands because its national laws do not fully or accurately transpose EU rules on combating racism and xenophobia or on the denial of international crimes and the Holocaust (Schreuder, 2021)

<sup>16</sup> Philomena Essed coined the term 'everyday racism' in 1984; see Essed (1984).

<sup>17</sup> Platform Inclusion & Community (KIS) (2021).

<sup>18</sup> *Ibid.*

Studies have been conducted, publications have been produced, poems have been written; theatre and dance performances have been staged, films have been made and exhibitions have been organised. The subject of slavery is part of the national canon of Dutch history and since the mid-1990s has featured in the attainment targets of primary and secondary education.<sup>19</sup> Nevertheless, many teachers report having insufficient knowledge to actually be able to meet those targets.

Slavery monuments have been erected in three cities. The national commemoration of Ketikoti at the National Monument in Amsterdam's Oosterpark is attended by a government representative and broadcast live by public service broadcasters.

In other parts of the Kingdom and in Suriname, the history of slavery is seen from different perspectives, which need to be respected. Unlike Suriname, for example, the Caribbean islands were not subjected to 10 years of state supervision. Nor do the islands observe the commemoration on 1 July. A different liberation story is told there. And the Maroons too have different commemorative occasions.

Everyday racism is also being recognised and acknowledged in the public debate to a growing extent, and public protests against it are becoming more frequent. A key example of this growing awareness is the turnaround in the discussions surrounding the figure of Zwarte Piet: whereas in 2013 89% of the more than 29,000 members of [current affairs programme] *Een Vandaag*'s opinion panel were still opposed to changes to his appearance, by 2020 this figure had dropped to 55%.<sup>20</sup>

Awareness of racism was boosted in 2020 by the tragic death of George Floyd in the United States. Mr Floyd's violent arrest was shared widely on social media. His death was followed by Black Lives Matter demonstrations around the world, denouncing institutional racism and racist police violence.

The social dialogue about the history of slavery and its legacy in contemporary society is changing in a manner characterised by different levels of affinity, knowledge and speed. For one group, change is not happening fast enough, while for another, things are happening too fast and there is a resulting sense of disorientation. People may feel that traditions and achievements are being taken away from them. Moreover, some Dutch people feel a sense of fear and anxiety on the issue of slavery and its ongoing legacy in modern society. They are cautious in conversations, not daring to express an opinion for fear of making mistakes, offending others or saying the 'wrong' thing. Then there are others who regard the changes as 'wokery gone mad', sweeping in from the United States. They feel that they have less and less freedom to express their views in the public debate and that they are too quickly labelled as racist.

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<sup>19</sup> Contribution by Van Stipriaan, see Appendix 4.

<sup>20</sup> *EenVandaag* opinion poll (2020).

In 2019, the Netherlands Institute for Social Research (SCP)<sup>21</sup> conducted a study on the social state of the Netherlands and found that Dutch people perceived more conflicts in society. In early 2019, 43% perceived conflicts between different sections of the population, whereas in 2012 that figure was just 32%. Research showed that immigration/integration and the way in which people co-exist in society were seen as some of the most common social problems.

A quarterly survey by the SCP, the Citizens' Outlooks Barometer (*Burgerperspectieven*), revealed that three-quarters of the Dutch population feel that disagreements on social issues in the Netherlands are on the increase.<sup>22</sup> They blame this increasing polarisation on people's mentality and the multicultural society, but most of all on the role played by social media.<sup>23</sup>

A survey conducted by the *Trouw* newspaper (poll by I&O Research in 2021) showed that 56% of Dutch people believe the Netherlands played a serious or very serious role in slavery. Fifty-five percent think an apology is not necessary, 31% feel that an apology is warranted. The respondents who were not in favour of an apology argued that one cannot apologise for something that happened in the past and that this would encourage polarisation. Those in favour felt that giving an apology would indicate an acknowledgement of suffering, that it would help raise awareness and that it would help combat racism in the future.<sup>24</sup>

Despite the growing awareness of discrimination and racism, a great deal of inequality still prevails in various sectors of society.

## 5.3 SECTORS OF SOCIETY

As outlined above, the Advisory Board organised round-table dialogue sessions ('dialogue tables') in a number of social sectors in the course of performing its task. This section details a number of relevant studies and developments in these sectors.

### 5.3.1 Labour market

Research carried out by the SCP in 2010 revealed that candidates with a non-Western name were less likely to be successful in job applications, regardless of their education and work experience. The differences were greatest in low and mid-level positions. The inequality lies in the opportunities they are given: applicants whose names are not traditional Dutch names are simply less likely to be invited for an interview.<sup>25</sup>

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<sup>21</sup> Wennekers et al. (2019).

<sup>22</sup> Monitor 2019/1. Dekker & Den Ridder (2019).

<sup>23</sup> Monitor 2019/1. According to the respondents, the biggest conflict is that between ethnically Dutch people and people with a migration background. The debate surrounding *Zwarte Piet* is given as an example of polarisation (Dekker & Den Ridder, 2019).

<sup>24</sup> Broken down by background of the respondents, 62% of Dutch people without a migration background felt that an apology was unnecessary; for Dutch people with a migration background, that figure was just 20% (Van Engeland et al., 2021).

<sup>25</sup> Andriessen et al. (2010).

In 2018, the television programme *Radar* investigated the human resources policy at a call centre by means of a fictitious request not to recruit staff from a certain ethnic background. Of the employment agencies approached, 47% said they would take this into account and 36% ignored the request.<sup>26</sup>

In 2019, the Social Affairs and Employment Inspectorate conducted a similar study, and it too found that a large proportion of employment agencies were willing to comply with a request to exclude workers with a particular ethnic background.

In 2020, Dutch research consultancy Panteia published a study on discrimination in recruitment. It showed that, on average, people with a migration background had a 58% chance of being invited for interview. For people without a migration background, that figure was 64%.<sup>27</sup> Employers are more likely to select candidates who do not have a migration background when hiring new employees because they tend not to have a positive image of people who do. Where employers have had practical experience with employees with a migration background, they have a more positive attitude than that reflected by the general picture among employers. Nonetheless, almost a quarter of employers prefer not to hire employees with a migration background.<sup>28</sup> In its report on institutional racism in the Netherlands, Platform Inclusion & Community (KIS) also focused heavily on racism in the labour market.<sup>29</sup>

The *Monitor Arbeidsdiscriminatie 2015-2019* (Labour Discrimination Monitor) also found evidence of discrimination in the workplace, stating that 'reports of racial discrimination in the workplace often involve some form of hostile treatment'.<sup>30</sup>

Discrimination in the workplace creates a sense of insecurity. People change their behaviour, call in sick or make less of an effort. Another consequence is that they only apply for jobs within 'their own circle', thus limiting their future prospects in the labour market.<sup>31</sup> It undermines their trust in society and impairs their participation in society and the economy.

### **5.3.2 Education**

In 2001, the Historical and Social Development Committee (known as the De Rooy Committee) issued a report entitled *Verleden, heden en toekomst* (Past, Present and Future), containing recommendations on improving history education in the Netherlands.<sup>32</sup>

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<sup>26</sup> AvroTros (2018).

<sup>27</sup> Panteia (2020).

<sup>28</sup> RADAR (2021).

<sup>29</sup> Platform Inclusion & Community (KIS) (2021).

<sup>30</sup> Van Bon & Fiere (2020).

<sup>31</sup> RADAR (2021a).

<sup>32</sup> De Rooy (2001).

The subject of the transatlantic slave trade was singled out as a distinctive feature of the 17th and 18th century economy.

In 2006-2007, the Dutch Canon Development Committee (known as the Van Oostrom Committee) published a report describing the Dutch Canon. It contained a list of 50 'windows' that are considered the most important themes in Dutch history. The transatlantic slave trade, the exploitation of the population of the Dutch East Indies and the decolonisation of Suriname and the Netherlands Antilles are all separate windows in the report.

When the Dutch Canon was revised in 2020, the Surinamese anti-colonial writer and resistance fighter Anton de Kom was added and the window covering Suriname and the former Netherlands Antilles was extended to the wider Caribbean region.<sup>33</sup>

In 2019, The Black Archives created the poster 'Ten times more history – Broadening the mainstream curriculum' as part of the Hidden History project.<sup>34</sup> This initiative focuses on history lessons, calling for more viewpoints than merely the Eurocentric perspective, and pressing for more world history. Another aim is to reduce the professional reticence felt by teachers in this connection. A subject-specific trend analysis for history, conducted by the National Institute for Curriculum Development (SLO) in 2016,<sup>35</sup> showed that history teachers have trouble finding ways to teach the history of slavery.

In 2020, a citizens' initiative (later merged with the organisation Zetje In) was launched to address themes such as equality, racism and discrimination in the curriculum for primary and secondary schools. This was endorsed in motions in the House of Representatives.<sup>36</sup>

In 2020, Platform Inclusion & Community (KIS) studied the school careers of young people with a migration background. Its main conclusion was that young people in primary education often receive a lower secondary school recommendation than they are capable of, given their cognitive abilities. Language deficiency and limited parental involvement are cited as the main causes. At all levels of secondary education, the dropout rate for young people with a migration background is structurally higher than for other young people. However, when analysing the data from Amsterdam, Rotterdam and The Hague, the researchers do see that the differences in these cities are less pronounced than at national level. The more young people with a migrant background attend school, the more their performance starts to equal or in some cases surpass that of young people with a Dutch background.<sup>37</sup>

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<sup>33</sup> Kennedy Committee (2020).

<sup>34</sup> The Black Archives (2019). The poster was developed in collaboration with Social Innovation Works (at the time) / continued with Fawaka Global Citizenship education [*Fawaka WereldBurgerschap*] and with the World History Commission of the National Association of History Teachers in the Netherlands (VGN Kleio) and various historians. See also Black Manifesto Movement (2021). Black Manifesto. Manifesto against institutional anti-black racism and promoting black emancipation in the Netherlands. [zwartmanifest.nl](http://zwartmanifest.nl).

<sup>35</sup> Van der Kaap & Visser (2016).

<sup>36</sup> Initiative by Veronika Vygon, Sohna Sumbunu and Lakiescha Tol. Motion submitted by MPs Asscher and Heerma and motion submitted by MPs Asscher and Jetten (01/07/2020, see [www.tweedekamer.nl/kamerstukken/stemmingsuitslagen/detail?id=2020P11164](http://www.tweedekamer.nl/kamerstukken/stemmingsuitslagen/detail?id=2020P11164)) [in Dutch].

<sup>37</sup> De Winter-Koçak & Badou (2020).

Recent research by the Social and Economic Council (SER) shows that inequality still exists in education, and has even increased, partly as a result of COVID-19: 'Despite the widely shared ideal of equality in our society, where you come from still determines the opportunities you get in life. The coronavirus crisis has exacerbated this existing inequality of opportunity.'<sup>38</sup>

### 5.3.3 Sport

Racism occurs in many branches of sport. Incidents are numerous, and the mental health impact on players is considerable. Jungle noises, insults and other remarks are perceived as highly threatening. In 2014, the Public Prosecution Service opened an investigation into racist reactions to a selfie of footballer Leroy Fer with other black players from the national team.<sup>39</sup> Since racism is particularly prevalent in (professional) football (research by the Mulier Institute),<sup>40</sup> the Dutch government and the Royal Netherlands Football Association (KNVB) kicked off a campaign in 2019 with the slogan 'Football is for everyone, cross out discrimination'. The campaign was prompted by an incident during the match between FC Den Bosch and Excelsior in 2019, in which player Ahmad Mendes Moreira was subjected to racist chants from the stands. Over 14 million euros have been allocated for the campaign for the period 2020-2022. Using the three themes of 'prevention', 'signalling' and 'sanctioning', measures are being taken to combat discrimination.<sup>41</sup> As a result, the KNVB set up the Mijns Committee in 2019 to take action against racism and discrimination.<sup>42</sup> The Mijns Committee will provide solicited and unsolicited advice to the KNVB and central government.<sup>43</sup>

In other sports too, more attention is gradually being focused on the problem of racism. Hockey international Terrance Pieters, for example, shared his experiences in an interview in a national newspaper.<sup>44</sup> In a move to combat discrimination and racism, the Ministry of Health, Welfare and Sport (WVS), Dutch Olympic Committee NOC\*NSF and the Association of Sports and Municipalities signed the National Sports Agreement, 'Sport unites the Netherlands'<sup>45</sup> in 2018. The agreement's aim is to make sport enjoyable for everyone. Barriers of age, physical or mental health, ethnic background, sexual orientation or social position need to be removed. As recently as February 2021, RADAR's Factsheet on discrimination and sport noted that there were hardly any associations that explicitly addressed the need to tackle racism.<sup>46</sup>

### 5.3.4 Healthcare

In the healthcare sector there has long been talk of measures to achieve more diverse

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<sup>38</sup> SER (2021).

<sup>39</sup> NOS news (2015).

<sup>40</sup> Harmsen et al. (2019).

<sup>41</sup> Ministry of Health, Welfare and Sport, KNVB, Eredivisie, Keuken Kampioen Divisie (First Division) (2020).

<sup>42</sup> ANP/Het Parool (2019).

<sup>43</sup> The committee was named after Humphrey Mijns (1930-2019), the first footballer of Surinamese descent to play for the Dutch national team. He played for the team three times. After his playing career, he became the trainer for the Utrecht club Faja Lobi. In 2000, Mijns received the honorary title of Surinamese footballer of the century. In 2008 he was awarded the Sports Medal of the city of Utrecht. KNVB (2019).

<sup>44</sup> Misset (2020).

<sup>45</sup> Ministry of Health, Welfare and Sport (2018).

<sup>46</sup> RADAR (2021b).

representation among care staff and in care provision, as befits a diverse society. In 2003, for example, the Netherlands Institute for Health Services Research (Nivel) conducted research into opportunities and barriers for people of different ethnic backgrounds in the care and welfare sector. In 2021, the VU University Medical Center found that junior doctors experienced barriers in their training and progression due to their ethnicity. This is notable because increasing ethnic diversity has been seen among students in recent years, and society, with its more diverse patient population, also requires diversity in doctors. Similar studies have been conducted by RADAR, Nursing.nl and the 'Stop racism in the healthcare sector' working group.<sup>47</sup>

### **5.3.5 Media and culture**

Representation in the media is still a major concern. Research by the Global Media Monitoring Project (GMMP), which is the largest worldwide study and involves one-day surveys conducted in 145 countries every five years, showed only 9% of media presenters in the Netherlands in 2020 to be people of colour.<sup>48</sup> The Black Lives Matter movement has brought about some change in this respect, but it is still only a first step.

In 2011, the Diversity and Inclusion Code was introduced in the cultural sector, developed at the behest of then Minister of Education, Culture and Science Ronald Plasterk.<sup>49</sup> Today, ten years later, there is still insufficient diversity and inclusion in the creative and cultural sector.

In recent years, media productions have also focused increasingly on slavery and its history. Various television series and podcasts are addressing the theme, people are going back to their roots, visiting their ancestors' plantations (or what is left of them), or meeting the descendants of slave owners. For several years now, the celebration of the abolition of slavery on 1 July has been broadcast live by public broadcaster NOS with extensive coverage.

The way objects are presented in museums is also under discussion; the aim is to arrive at a different approach, interpretation and presentation.<sup>50</sup> The Rijksmuseum's slavery exhibition (2021) specifically addresses this. Other examples include the controversies about the Golden Coach, the term 'Golden Age' and language that proceeds from European standards and viewpoints. These too point to the increasing focus on a contentious past, and the awareness of the need for change.

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<sup>47</sup> RADAR (2021a). Nursing.nl is a trade journal and website for nurses; see Nursing.nl (2015, 2020).

<sup>48</sup> Gorter et al. (2020).

<sup>49</sup> Culture and Creative Inclusive Action Plan (2011, 2019).

<sup>50</sup> Rijksmuseum & Slavery ([www.rijksmuseum.nl](http://www.rijksmuseum.nl)).

### 5.3.6 Justice and security

Ethnic profiling, discrimination and racism both by and within the police have been coming under increasing scrutiny. As the study on institutional racism by Platform Inclusion & Community shows<sup>51</sup> the methods and approach used by the police apply elements of selection, prejudice and stereotyping based on ethnicity. Both the police and the Public Prosecution Service need to be alert to this and need tools to take the necessary action.

On 1 July, during a debate on institutional racism, the House of Representatives adopted three motions calling for the establishment of a National Coordinator against Discrimination and Racism and a National Commission against Discrimination and Racism. On 15 October 2020, the House also adopted a motion calling for a periodic study on the issues of racism, antisemitism and discrimination. On 27 October 2020, the Senate adopted a motion in which it was noted that, according to various reports and publications, discrimination in the Netherlands continued to occur not only between members of the public, but also in government services and within highly government-regulated sectors and more broadly in society, and that this discrimination was in some cases systemic. A request was made to explore whether a parliamentary investigation should be set up to address the causes of the difference between the law as written and how it is applied in practice, and to discover why anti-discriminatory provisions in legislation are not sufficiently effective.

On 10 March 2021, the Minister of the Interior and Kingdom Relations undertook to explore the possibility of appointing a National Coordinator against Discrimination and Racism. Further reporting on the progress of the other motions would follow before the 2021 summer recess. In the elaboration of its motion regarding discrimination and legislation, the Senate installed a parliamentary committee of inquiry to look into the effectiveness of anti-discrimination legislation, as proposed by the temporary committee.<sup>52</sup>

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<sup>51</sup> Platform Inclusion & Community (2021).

<sup>52</sup> Heij et al. (2021). See also: <https://www.tweedekamer.nl/kamerstukken/moties/detail?id=2021Z04414&did=2021D09697>



# 6 RESULTS

## 6.1 OUTCOME OF THE DIALOGUES

### 6.1.1 Broad-based social dialogues

The Advisory Board organised three broad-based social dialogues in collaboration with Pakhuis de Zwijger. These dialogues, which were broadcast live, included breakout sessions, which allowed participants to discuss various issues in smaller groups. A session on the issue of colonial heritage brought together some of the key themes that emerged in all the organised dialogues.

The Advisory Board looks at this session in more detail below.

The conversation began with a reference to the debate surrounding the statue of Peerke Donders in Tilburg (see picture).

Peerke Donders (1809-1887) was a missionary in Suriname during and shortly after the era of slavery. Donders is also known as the 'Apostle of the Indians and Lepers' because he was one of the few people to take care of people with leprosy in Suriname, at great risk to his own health. His actions were motivated by his belief in radical equality. In Suriname, he is honoured to this day because of his selfless commitment. In 1982 he was beatified by Pope John Paul II.



Statue of Peerke Donders in Tilburg

In 1926, a statue of Donders was erected in Tilburg, and in recent years it has been the cause of much debate. The statue of Peerke Donders was the starting point for the breakout session. After the statue had been mentioned, a woman took the floor.

‘I come from Tilburg. I’m one of those people who said in 2018: “When I walk past that statue, it hurts.” It was at a lecture about the great man Peerke Donders. I was listening because I knew that statue. And then they asked whether anyone wanted to say anything. And I said: “Yes, I do, but I’ll come to the front.” Because I was right at the back. “And I’m not going to shout.” And then I just said this: “We’re all here together this evening, all white people, and we all know the name of the white man holding the cross, with his hand on the black man’s head. But who is that black man?” And that’s all I said. And the audience was silent. But afterwards, people said gosh, your question was intriguing, because it’s true, we know the white man’s name but we don’t know who the black man is. I said: “That’s history. You see, that’s history! And look how that man is portrayed. He’s looking beseechingly at the cleric, who just represents power.” And then there was a whole discussion about the statue and what it evokes.’

This ethnographic case study reveals some of the main issues that also came up in all the other dialogues, be it with young people, the various sectors, or people in the Caribbean part of the Kingdom. First, this is a question of perception. Contrary to his own belief in equality, Peerke Donders is depicted here in an unequal situation: he is standing, fully clothed, in an active role, looking down on the black man who is kneeling, half-naked, portrayed as passive. This statue, as well as many others, depicts a power relationship in which whiteness is associated with authority, competence and goodness, and blackness with subordination and neediness, and seen as a problem to be solved. The statue shows that perceptions can be divorced from the intentions of individuals and can take on a life of their own.

Secondly, this is a question of normalisation. Statues normalise power relationships: most people, even people of colour, walk past without noticing. We think it is normal to see white and black people depicted in this way. What if the statue projected equality?

Thirdly, it is a matter of the pain people feel. The woman in this example clearly makes the point that the pain caused by the statue is only a symptom of a deeper problem. In other words, although this pain needs to be healed, the issue is not our sensitivities as individuals, but the position in society to which people of colour are routinely consigned as a result of negative and normalised perceptions.

In all the dialogues, both white people and people of colour said they struggled with these perceptions about black and white people.

Although the debate often seems to focus on statues or figures from Dutch folklore (Zwarte Piet, for example), all participants in the dialogues said that these prominent examples were just the tip of a society- and sector-wide iceberg of perceptions which have real adverse consequences for the everyday lives of people of colour in the Netherlands. For example, one woman explained that she had to prepare for racist comments every time she left the house. What would it be today: being spat on or being called 'Zwarte Pete'? In another breakout session, a mother shared a story about her son's swimming lessons. The swimming instructor maintained that black children should be watched more closely, claiming that they were 'less able to float because they have a lower centre of gravity'. In other words, even in everyday situations like swimming lessons, blackness was seen, even by trained staff, as an additional problem. Even young children are confronted with this issue.

The dialogues showed that a majority of the participants regarded this kind of perception as one of the main repercussions of slavery and colonialism. At the same time, it also became clear that such perceptions are extremely persistent and complex because they in fact affect all layers and sectors of society, and because the forming of perceptions, as a complex cultural phenomenon, does not have a single clearly identifiable source. From racial profiling in the police and (growing) segregation in education, to a lack of representation in and access to media, culture and business, perceptions, in the participants' experience, play a role in many areas in perpetuating racial stereotypes and notions, both consciously and unconsciously. Given the widespread and entrenched nature of these perceptions, there was something approaching despair in the dialogues in terms of the likelihood of successfully addressing this problem.

This despair was evident, for example, in the panel organised by Motivaction. Participants noted that discussions about discrimination and racism were becoming more frequent in the Netherlands, as were discussions about the history of slavery, including the controversy surrounding Zwarte Piet. Some participants said they felt these ever more numerous discussions were placing society under extreme stress; every word we say must be weighed these days, and conversations very quickly turn into arguments. Nevertheless, one group of participants felt that these discussions were important because ethnic profiling is still going on in contemporary society, and not in one specific sector, but in society as a whole. People have preconceptions about people of colour. People with darker skin colour are still regularly subjected to racial abuse and inequality of opportunity still persists. A large majority of participants on this panel felt that the media, education and the labour market should be prioritised when it comes to removing negative perceptions and opportunity inequality. Sixty-nine per cent of participants felt that a large or very large share of responsibility for this lies with the government; only 12 per cent felt that the government has limited or very limited responsibility.

### **6.1.2 Sectoral dialogues**

The struggle of how to deal with perceptions was also much in evidence in the sectoral

dialogues. In the dialogue on the legacy of slavery for the labour market, the participants agreed that the history of slavery also impacted on the current labour market, albeit subtly in many cases. Here again, perceptions play a role, leading in this case to underrepresentation of people of colour in senior positions, or to unconscious bias in human resources policy. It was also noted that diversity is not a priority in the corporate world because there is too little awareness of the positive impact of diversity on productivity, internationalism and ultimately on earnings. There is therefore a need for leaders who understand and are able to implement the added value of diversity. Some participants spoke explicitly in favour of a quota.

In the justice and security sector dialogue, the participants were unanimous in calling for acknowledgement and an apology, and they agreed that greater historical awareness was needed. But on the question of what to do with colonial statues, there was less consensus. While participants agreed that 'statues of controversial historical figures were completely out of the question', they were not convinced that these statues should simply be removed. The group recognised how deeply rooted such statues were and that their removal would also have an effect on the Netherlands' self-image: 'Some people say you can't do anything anymore. No more Zwarte Piet, that statue has to go. Getting rid of everything from one day to the next leads to frustration. There is a growing understanding of one another, but it won't happen overnight. Things that people were once proud of now seem to be worthless, and that cuts deep.'

Unsurprisingly, the culture and media sector dialogue also focused on perceptions. Participants noted that the normalisation of whiteness has been shifting slightly since the Black Lives Matter movement, but in a broader context, things are still generally seen from a white perspective. In particular, there was some discussion about what the purpose of a statue is. 'A statue is always a symbol of honour' and 'a statue always honours or commemorates someone or something' were two of the statements upon which everyone agreed. But opinions differed greatly on the issue of how to deal with them. Some felt that statues of controversial historical figures should be removed; others did not want to replace statues but wanted to erect new ones; yet another opinion was that statues should be placed in context, not just with an explanatory sign, but also with a background story. One participant believed that statues could also be educational provided they were placed in their full context'. The argument here was that statues do not have to remain in place to tell a story or to remind us of history.

In the sport sector dialogue, the moderator gave her own example. She recounted how she was regularly taken off the tennis court by her mother at major tennis tournaments, because of shouted insults such as the n-word and 'monkey' and being told that this sport was not for people like her. While individuals may experience racism in many different ways, everyone agreed that it was a problem that needed to be addressed. There was much discussion about the 'how'. Some participants argued for harsher punishments, for example, while others were in favour of more dialogue and anti-racism training. Again, it emerged that racism was seen as a systemic problem, and not just the actions of individuals. The problem, according to participants, was that unequal relations had become the norm, 'so we don't

really notice them anymore’.

In the government sector dialogue, the discussion centred on topics including participation and fundamental values. Participants felt that racism needed to be tackled from a multidimensional perspective and the task could not be left to one particular group. It was also noted that the Netherlands held fundamental values in high regard, but that this did not yet apply to everyone. In this dialogue too, acknowledging and apologising for the Netherlands’ role in the history of slavery were also mentioned as an important first step.

Stricter legislation on racism was seen as an option in this dialogue, but awareness-raising and education were considered more important.

In the healthcare sector dialogue, the conversation focused on the physical consequences of racism. People actually become ill as a result of microaggressions and a healthcare system with too little cultural knowledge or sensitivity. The problem here is that the average patient is often presented as a white male, so there is less consideration for the care needs of people who do not match this image. Again, according to participants, whiteness and maleness are thus the norm, which creates blind spots. Participants in this dialogue were mindful of the complexities of perception and stressed that there was no easy solution.

In the education sector dialogue, everyone was aware of the special role that education should play in relation to the history of slavery. At the same time, it was also clear that this is no easy task. *More* knowledge of the history of slavery does not necessarily equate to *better* knowledge. Participants stressed that what mattered was the type of knowledge. That history should not be taught from a single dominant perspective. To achieve a different perspective, participants said, substantial and structural investment in education and teacher training is needed. Participants felt that segregation in education also needs to be vigorously addressed, even if this has implications for article 23 of the Constitution (freedom of education).

### **6.1.3 Discussions with young people**

The discussions with young people also highlighted the crucial yet complex role of education in respect of slavery. There was broad consensus among participants that education is one of the most important tools to counter negative perceptions, which they believed could be redressed by greater knowledge about the history of slavery. The added value of more in-depth knowledge about slavery emerged clearly from the youth panels: ‘If you can put yourself in someone else’s shoes and understand what they or their ancestors have been through, you are better placed to talk about it. If you listen to different sides of the story, you’re more likely to find a good solution.’ Students also recognised the challenges of conversations between white and black students: ‘I think a lot of white Dutch people still don’t feel the need to learn about ‘black’ history. We need to create that need now.’ Some participants felt it was difficult for white people to empathise with black people: ‘I can never relive the experiences of people from a different era, or of a different age, and I don’t think white people can speak for black people or feel what they feel. It’s important





Education was also an important theme in the social dialogues. Increasing segregation in education was identified as a particularly serious problem. Both black and white parents want to send their children to a better-performing school if possible, creating an ethnic as well as a class divide. Parents with more resources 'compensate for the failings of the education system' by helping their children themselves or by arranging tutoring for them. As a result, schools with children of affluent, often white parents perform better, despite similar teacher quality. Participants felt that this was one of the main tasks for the government to address.

#### **6.1.4 Dialogues in the Caribbean part of the Kingdom**

In addition to discussions in the Netherlands, the Advisory Board organised dialogues in the Caribbean part of the Kingdom. Residents on all the islands felt that the issue needed to be discussed and that it should be addressed in the Council of Ministers for the Kingdom. It was pointed out that naming, discussing and acknowledging the history of slavery would be an essential part of coming to terms with it, which in turn would form the basis for the emancipation of the people of the islands. The great importance of this was endorsed by the participants. On several islands, the competent authorities said that the focus on the colonial past in education was currently too limited and the lack of sufficient knowledge was seen as an impediment to effective dialogues. The knowledge about the history of slavery provided in museums is of a general nature and does not relate specifically to slavery on the island in question. Museum facilities also came up in all conversations. As in the dialogues held in the Netherlands, participants here also struggled with negative perceptions, which in their view constitute a hindrance to emancipation on a personal and political level.

Perceptions in the Caribbean part of the Kingdom differed somewhat from those in the Netherlands, however. There was, for instance, more emphasis on administrative relations within the Kingdom, which dialogue participants perceived as 'colonial' or 'neo-colonial'. On the Aruban side, participants argued not only that the national (Dutch) dialogue should be extended to the various Caribbean countries and special municipalities, but that above all every effort should be made to establish a common Kingdom dialogue in which participants could reflect from many different angles on the Kingdom's shared *as well as divided* history of slavery. According to participants in the Curaçao dialogues, for example, the long-term influence of the Dutch state had had a highly pervasive impact on almost all aspects of Curaçaoan society. Participants in this dialogue believed that the foundation of today's Curaçaoan society was a direct legacy of the Dutch transatlantic slave trade.

During this dialogue the emphasis was on the demand for the rehabilitation of Tula, not least by the Dutch parliament. The participants felt that Tula's image as a criminal needed to be transformed. During the dialogue in Aruba, participants expressed pride in the emergence of a unique African-Bonairean culture. Yet there was also fierce criticism of the relationship with the Netherlands. It became clear from the reactions at the dialogue group meetings that Bonaire's new status was seen as a continuation of its role in the history of slavery. The echoes of that past are becoming ever louder. It is time, the participants felt, to

work towards better cooperation to avoid a repeat of the slavery period and to work towards a new history based on mutual respect. It serves no purpose to point the finger at each other when certain things go wrong or when progress is too slow.

Participants in the dialogue in St Maarten noted significant gaps in knowledge about the history of slavery. They said that the subject was not taught in schools. This dialogue also linked the country's current relationship with the Netherlands to the slavery of the past, although participants also noted that there was not necessarily a direct link: 'Kingdom relations may be at their all-time worst'. On St Eustatius, efforts are being made to keep the memory of slavery alive, partly by means of social media. Because of its limited size, Saba never had a large plantation economy. Nevertheless, slavery also existed on Saba, and this led to racial inequality, which dialogue participants said was still evident today. The discussions revealed that few participants knew about slavery on Saba, although some believed there was racism on the island, and that it stemmed from slavery in the past. One suggested solution to this problem was to increase investment in education about and research into the history of slavery. Participants also felt that an apology by the Dutch government was in order.

### **6.1.5 Closing remarks**

In all the dialogues, with both young people and adults, the participants expressed a profound disgust for slavery. Young people called slavery 'anti-social' and 'selfish', and in the general dialogues there was no doubt among participants that slavery was inhuman, degrading and a crime against humanity. The need to acknowledge and confront this was a given for most participants.

A majority also felt that the Dutch government should apologise for the suffering caused. Participants believed that it would be an important gesture in the healing process, both for the descendants of enslaved people and for the descendants of slave owners and traders.

Some participants did express reservations, however. Most were of the opinion that an apology would be meaningful only if it was sincere; in other words, they felt that it should be accompanied by action. A gesture alone would be insufficient for most people. 'Apologising by just saying sorry is not enough. It's too easy. It would be better to give money, vaccinations, other kinds of support to countries harmed by the history of slavery.'

In the culture and media sector dialogue, one participant summed it up perfectly with a Surinamese saying: "Sorry" won't get Mama to Paris.'



## 6.2 EXPERT RECOMMENDATIONS

### 6.2.1 Contribution by academic researchers

It is generally recognised in the research community that slavery was an inhuman system that caused enormous pain and suffering for 250 years. The physical, mental and economic harm suffered by enslaved people and their descendants was incalculable in all parts of the Atlantic world. The researchers consulted by the Advisory Board also agree that the repercussions of this system are still being felt and are still impacting negatively on people to this day.

The abolition of slavery is commemorated in descendant communities and, in the past 30 years, increasingly outside those circles as well. Those commemorations take different forms. For instance, there are various remembrance days: in Suriname, 1 July is a national remembrance day; for the Surinamese Maroons, 10 October is significant because it marks the signing of the peace treaty between the Ndyuka and the Suriname Company in 1760; in Curaçao, Tula's uprising in 1795 is commemorated on 17 August. In the Netherlands, 1 July is the main remembrance day, although 17 August and 10 October are also commemorated in smaller circles.

The researchers we consulted agree that the Dutch government needs to acknowledge this past and that it could be an important step towards 'healing' the wounds of a violent and degrading history. Legally, there are no objections in terms of higher statute law or general legal principles. Nor are there any objections to such acknowledgement in terms of civil or criminal law.

The academic experts noted, however, that acknowledgement alone is not enough: 'Any acknowledgement that is confined to sticking a general label of criminality on a slave trade and slavery practice that took place more than 150 years ago is in essence an abstract and non-committal statement.'<sup>53</sup>

Acknowledgement must be accompanied by the acceptance of responsibility, and this means making an official apology. At our request, the experts also considered whether a current government could apologise for the actions of its predecessors. They noted that this has happened on more than one occasion in the past, for instance in connection with the Dutch government's role in the Holocaust (Prime Minister Mark Rutte in 2020), the excessive violence in Indonesia after the declaration of independence (King Willem-Alexander in 2020) and more recently for the serious failings in the childcare benefit system.<sup>54</sup> The number of apologies made by the government in fact seems to have increased in recent years. The experts conclude that 'there are no constitutional objections to a *meaningful* apology for the role of the Netherlands in the history of slavery.

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<sup>53</sup> Contribution by Van Rijn, Rijpkema & Thodé, see Appendix 4.

<sup>54</sup> Ibid.

On the basis of a view defended in the doctrine of constitutional law and supported by the practice of constitutional law, it is safe to say that ministerial responsibility does not necessarily preclude such an apology. A government in office may, therefore, as a successor, take responsibility, by means of an apology, for the actions of the State of the Netherlands since its inception in 1814.<sup>55</sup> Historically speaking, apologising in both a moral and a historical sense is a matter of consistency: 'It is difficult to maintain, on the one hand, that the 1581 Act of Abjuration was the explicit beginning of the present-day Netherlands while arguing, on the other, that the slave trade and slavery of the 17th and 18th centuries had nothing to do with the Netherlands. It is even simpler when it comes to slavery that was legally permitted between 1814 and 1863: few would deny that there is a strong continuity between the Dutch State of the 1814 Constitution and the present-day State of the Netherlands.'<sup>56</sup>

However, the experts' recommendations also show that the issue of acknowledgement and apology is 'complex and not generally without risk or controversy' because it involves 'historical and modern-day power relations between national entities and (parts of) the population'.<sup>57</sup> In particular, they point to the role of the Kingdom. Should an apology come from the State of the Netherlands alone (under Dutch legislation), or from the Dutch State as part of the Kingdom of the Netherlands (under Kingdom legislation agreed by common consent between the constituent parts of the Kingdom)?<sup>58</sup> Either way, an apology needs to be 'sincere'; in other words it should 'at least provide some sense of justice or satisfaction among the victims and survivors, regardless of whether it concerns a moral, psychological, symbolic, cultural, material or other form of redress.'<sup>59</sup>

The experts felt that acknowledgement and an apology should be accompanied by redress. Although they noted that much has happened in the Netherlands over the past 30 years in terms of commemorating the history of slavery and incorporating it into the national canon, they also pointed out that general knowledge about the role of the Netherlands in the history of slavery remains limited. This applies to the Netherlands as a whole, but also to descendant communities, where knowledge is superficial, acquired through popular culture (films, social media). However, there is a form of knowledge in the descendant communities that is passed on through cultural expression (religion, music, literature). As a particular point of concern, the experts mentioned that the subject of history was completely absent in teacher training, so no attention is given to the history of slavery either.

'All in all, it would be fair to conclude that despite all that has been done in recent decades in terms of generating and disseminating knowledge about the role of the Netherlands in the history of slavery, there is in fact still too little (collective) memory of this past to keep it alive or safeguard it for the future. As a first step, therefore, far greater knowledge and collective awareness about that past needs to be generated. At the same time, this should be presented in such a way that the country can identify with it, in the sense that this is our shared, national history.'

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<sup>55</sup> Contribution by Van Rijn, Rijkema & Thodé, see Appendix 4.

<sup>56</sup> Ibid.

<sup>57</sup> Contribution by Essed, see Appendix 4.

<sup>58</sup> Contribution by Van Rijn, Rijkema & Thodé, see Appendix 4.

<sup>59</sup> Contribution by Essed, see Appendix 4.

If the revolt against Spain is part of national history, then so is Tula's revolt; if the French occupation is part of national history, then so is the occupation of the colonies; if the Soldier of Orange is part of the nation's history, then so are the Maroons; if the emancipation of women is part of our history, then so is Black emancipation. The safeguarding of that historical awareness and identification with the past should run in parallel.<sup>60</sup>

## 6.2.2 Legal aspects

The Advisory Board's task specifically included advising on the motion submitted by Senator Peter Nicolaï. This motion involved a request to examine whether there were grounds – as in France – for designating by statute the practice of slavery and the slave trade in the past as crimes against humanity, and therefore the Advisory Board also requested a legal assessment from the Asser Institute (Centre for International & European Law), and from a group of legal scholars from the Netherlands and the [former] Netherlands Antilles. This section discusses the legal aspects of a bill in more detail.

In its advisory report, the Asser Institute focuses particularly on examples of similar legislation, namely that of France and Poland. For the sake of clarity, the Advisory Board specifically singles out the French Taubira Law of 2021, which defined transatlantic slavery and slavery in the Indian Ocean as crimes against humanity, and which is a self-inculpatory rather than a criminalising law. Similarly, the denial of the criminal nature of slavery and the slave trade is not a crime under the Taubira Law.

According to Van Rijn, Rijpkema and Thodé, the Dutch State cannot be liable under criminal law, and civil-law consequences are also highly unlikely. They recommend that liability be clearly and specifically regulated in law.

The Asser Institute believes that the absence of liability will raise the question of what this law would actually achieve, given that in the civil- and criminal-law contexts both France and the Netherlands already have laws that criminalise, for example, the denial of crimes against humanity and group insult: 'Hence, technically there is no need for further legislation on this specific aspect.' On the other hand, legislation such as the Taubira Law could be declaratory in nature, whereby historical injustice and wrongdoing could be acknowledged, and responsibility could actually be accepted. Such acknowledgement would be greatly significant in resolving conflicts between ethnic groups caused by suppressed historical traumas and lack of mutual understanding. This view is echoed by Van Rijn, Rijpkema and Thodé, who argue in their contribution that the added value of such a law is that this form of acknowledgement, apology and redress, through the involvement of parliament, can claim more convincingly to enjoy broad public support. The report by the Asser Institute challenges a normative approach to historiography, however. In France, a series of memory laws prompted great resistance among historians, who felt that their academic freedom was being restricted.

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<sup>60</sup> Contribution by Van Stipriaan, see Appendix 4.

Those laws included the Mekachera law, which required historiography to highlight the ‘positive sides’ of colonialism too. Declaratory legislation dealing with history, even if non-punitive, must take account of the balance between freedom of expression (including freedom of research) and other fundamental rights.

‘It is up to the Board to conclude, based on this report and parallel studies, on whether a law mimicking the Taubira Law in France best meets this purpose. Other legal means, e.g., solemn declarations on behalf of the Netherlands, acknowledging the Dutch colonial slave trade as a crime against humanity, may be a valid alternative.’<sup>61</sup>

Van Rijn, Rijpkema and Thodé dispute this view. They feel that the state cannot remain detached from historiography and ethical issues. States and governments by definition take positions on ethical and historical issues, and by definition cannot do otherwise. They quote Eric Heinze (2017) in this connection: ‘Every authorised grade-school history curriculum stamps an official imprimatur upon particular readings of history.’<sup>62</sup> They also believe that a statutory framing of acknowledgement, apology and redress would have a higher value than a government statement. Through the involvement of parliament, such apology, acknowledgement and redress can claim greater support.

The Asser Institute also points out that a bill needs to have a clear reference framework. To what historical period and geographical area would this legislation refer? Specific attention also needs to be paid to non-polarising language, which avoids polarising terms such as ‘perpetrator nation’ or ‘victim nation’.

Based on these reservations, the Asser Institute concludes that:

‘... it appears that a “declaratory law” (i.e. without a punitive effect) guaranteeing the establishment of a national monument, knowledge center, and/or museum of slavery is less problematic than adoption of the law prescribing slavery as a crime against humanity in the Netherlands.’<sup>63</sup>

By contrast, Van Rijn, Rijpkema and Thodé take the view that a statutory acknowledgement of the Netherlands’ role in the history of slavery should go beyond merely issuing a declaration of acknowledgement. The government itself should also explicitly accept responsibility.

An earlier version of the Taubira law referred to the ‘European powers’ as perpetrators, but this did not make the final version. A provision on investigating possible reparations was also dropped. What remained was a law entirely focused on ‘remembrance’ as a form of redress, in which the guilt of the French Republic was merely implied. It is questionable whether such an abstract acknowledgement can actually play a role in a process of ‘redress’ through

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<sup>61</sup> Contribution by Asser Institute, see Appendix 4.

<sup>62</sup> Heinze (2017).

<sup>63</sup> Contribution by Asser Institute, see Appendix 4.

'remembrance': '(...), memory can only accomplish so much when the criminal remains unnamed and will not confess.'<sup>64</sup>

They propose a law that encompasses acknowledgement and an apology (possibly combined with forms of redress) to be worded as follows:

'It is acknowledged that the slave trade and slavery that took place directly or indirectly under Dutch rule between the early 17th century and 1 July 1863 constituted crimes against humanity.'

'Also acknowledged is the suffering of all those who were victims of these crimes, as well as the suffering of their descendants. The State of the Netherlands, partly as the legal successor to previous Dutch governments which directly or indirectly permitted, enabled, promoted or practised slave trading and slavery, apologises for this.'

Although there are differences of opinion, the Asser Institute and Van Rijn, Rijpkema and Thodé have reached similar conclusions regarding investment in commemoration, education and research.

### **6.2.3 Proposals by researchers**

All the researchers the Board asked for advice proposed investing in research, education and the cultural sector, to safeguard the memory of and knowledge about the history of slavery. Such investment should be structural and will require 'many interrelated interventions, from educational materials and museums to media and political discourse. The importance of redressing the ongoing humiliation of people of African descent in European and Dutch representation is often underestimated and deserves a special place in the pursuit of a racism-free society.'<sup>65</sup> The experts felt that there should be a particular focus on researchers from descendant communities, especially those from the Caribbean region and from Suriname.

Specifically, the experts proposed the establishment of a national research programme (Dutch Research Council; NWO/Royal Netherlands Academy of Arts and Sciences; KNAW), a museum and research centre on the theme of slavery and its modern-day legacies and effects, the creators and implementers of which will be drawn both from the descendants of enslaved people as well as from circles of non-descendants. The perspective should be non-Eurocentric and future-oriented; in other words, the focus should not be on victimhood, but on strength and emancipation.

Academics and grassroots researchers will work together in the research programme in order to integrate the widest possible range of material, knowledge and perspectives. The research will not be confined to history, but will cover all past and present socioeconomic, medico-psychological, spiritual-religious and cultural-political aspects relating to the issue of slavery. The museums and research centre will serve as the hub of activities throughout the country, both in regard to other museums, heritage and cultural institutions, the education sector and the media,

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<sup>64</sup> Garraway (2008) cited in contribution by Van Rijn, Rijpkema & Thodé, see Appendix 4.

<sup>65</sup> Contribution by Essed, see Appendix 4.

and in terms of dialogue and discussion. In its role as network hub, the museum and research centre should be a highly visible, national symbol, based in the capital and ideally in a cluster or campus with not only the museum and research facilities, but also a theatre for all expressions of intangible cultural heritage, an art workshop and an audiovisual studio for the recording and broadcasting of oral history.

# 7. CONCLUSIONS AND RECOMMENDATIONS

The Advisory Board is building on the work of many predecessors. It regards its work as a new and significant step on a long road, which began with the struggle against slavery by enslaved people themselves, by abolitionists and by the descendants of enslaved people – a struggle which continues to this day. Much has been achieved, but there is still a long way to go.

The Advisory Board has taken note of expert opinions, and the outcomes of the dialogues and the panel survey. It has observed a number of key findings.

Despite the many initiatives to commemorate the history of slavery, the reframing of national history and growing awareness in the political sphere, there is still a lack of knowledge about the history of slavery. In all sectors of education, from primary and secondary education through to university education, as well as in teacher training and in secondary education, there is too little focus on the colonial past and slavery. The same applies to academic research. Despite the sharp rise in awareness of the history of slavery, there are still large areas where research is needed, in historical and political terms as well as in the field of social science.

The repercussions of slavery are not limited to a few sectors, but extend throughout society as a whole.

Perceptions play a crucial role in the perpetuation of race-based thinking and are deeply rooted in societies with a history of slavery, as in the case of the Netherlands. Perception is a complex cultural phenomenon that has no single source and is therefore difficult to address. Yet perceptions are not immutable; the challenge is therefore to learn more about how change can be brought about.

This can only be done by means of a comprehensive, systemic approach.

## 7.1 ACKNOWLEDGEMENT

It is the Advisory Board's firm belief that acknowledgement of the history of slavery is a necessary first step. In that context, the Advisory Board believes not only that the existence of slavery and its horrors should be acknowledged and condemned, but also that slavery should be unequivocally designated as a crime against humanity. In addition, the Dutch governing authorities' role in slavery should also be recognised. The Advisory Board does not believe that this means condemning particular groups (for example, 'white people'), which would amount to embracing a racial logic. On the contrary, the designation 'Dutch governing authorities' (*Nederlands gezag*) indicates the particular responsibility of the State. Without these qualifications, any acknowledgement would be gratuitous.

Acknowledgement can take different forms. Both the government and the legislature can acknowledge the Netherlands' role in the history of slavery. In our view, such acknowledgement

should be regulated by statute. At the very least, this should be a Dutch Act of Parliament, but it should ideally be a Kingdom Act, although the latter preference should not obstruct the legislative process.

This act should also acknowledge the work done by many generations of descendants of enslaved people in relation to historiography, emancipation and getting the impact of the history of slavery on the agenda. The act should put an end to their marginal position in the collective memory.

Acknowledgement is an important step for the Netherlands as a whole. On the one hand, it provides a form of redress to those who suffered under slavery, and on the other, it encourages a critical view of Dutch history in a broader sense. History does not have to be glorious for people to identify with it. It is also possible to identify with Dutch history – and thus with Dutch citizenship – by taking a critical approach to one’s own past. Other countries, such as Germany and South Africa, have shown that this is possible, but it cannot be enforced by law alone. A change is needed in the wider culture of remembrance. Nonetheless, legislation creates a clear position and frame of reference and makes explicit the need for change.

## **7.2 APOLOGY**

The Advisory Board shares the view of all the researchers involved, as well as those who participated in the dialogues, that acknowledgement should be accompanied by an apology. An apology will help to heal historical suffering, but above all, will be aimed at building a common future. The point is not to blame individuals, but to acknowledge the suffering caused by slavery and accept responsibility with a view to a future relationship. Such an apology is thus not expected from individuals, but from the State.

It is crucial in this connection that such an apology be sincere and stem from a genuine awareness of the significance and impact of the history of slavery in the present, both for descendants of enslaved people and for descendants of slave owners. Making an apology (expressing remorse) would demonstrate a deep awareness of the harm that has been and is still being done, an awareness of the repercussions right up to the present day, and the moral obligation of redress and compensation or just satisfaction.<sup>66</sup> Specifically, such awareness means that any apology must be offered by the highest body; in other words, the prime minister, the King and parliament.

The occasions on which the King spoke about the past (in relation to Indonesia and Queen Wilhelmina (Second World War) had great symbolic significance for the communities concerned.

Apologies are above all a reciprocal process and must not only be made but also accepted. On the one hand, the recipient must actually feel a sense of satisfaction; on the other, the party offering the apology must feel confident that it will be accepted. After the apology, the process of reconciliation can begin.

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<sup>66</sup> In her contribution, Essed refers to Marrus 2007:87, see Appendix 4.



Apologies should have another quality besides sincerity. An apology by the Netherlands could also be the first step towards healing open wounds. This means that while it is necessary to apologise, doing so is still insufficient in itself. An apology should therefore be a contribution to the process of redress.

## **7.3 REDRESS**

It is obviously impossible to reverse the course of history. However, the government can express a willingness to redress as far as possible this historical injustice, which is still to this day experienced as an injustice and whose adverse effects are still being felt, and to make this commitment a point of departure for policy. It is a matter of accepting responsibility for the adverse impact of that past. The Advisory Board shares the belief of researchers and dialogue participants that slavery caused great social, cultural, economic and psychological damage. It is important in this regard to devote specific attention to the various repercussions experienced by the descendants of enslaved people. To this day, institutional racism exists that cannot be viewed separately from centuries of slavery and colonialism and the perceptions that arose against that background. The process of redress, in our view, means addressing these repercussions by means of a comprehensive and systemic approach.

In the Advisory Board's view, redress follows an apology and gives it meaning. This should be regulated by statute.

The relevant issue is therefore not financial compensation for all the damage of the past, but appropriate structural funding to offset the harmful legacy of that past in the present.

Countless proposals were made by the research advisers as well as by dialogue participants. Broadly speaking, they focus on education, research and the cultural sector. Research, education and artistic projects can raise awareness of transatlantic slavery and its repercussions. Initiatives aimed at the citizenship of Afro-Antilleans and Afro-Surinamese in the Netherlands can be continued, intensified and strengthened. A Kingdom fund can be established to which civil society in the Netherlands and the Caribbean part of the Kingdom can submit projects to strengthen the position of Afro-Antilleans and Afro-Surinamese. The relevant ministries of the Dutch State can cooperate officially and on an equal footing with their counterparts in Curaçao, Aruba and St Maarten to improve education, social services, employment, good governance and environmental protection on the islands. Scholarships have also been proposed. Another proposal aims to rehabilitate historical figures such as Tula. A further possibility is to designate 1 July as a national holiday.

The founding of a Dutch slavery museum is currently in the exploratory phase. The Advisory Board agrees with the conclusion of researchers, dialogue partners and civil society organisations: that this should be expanded into an international centre for research, education and art to explore and address the complexities of perception and structural racism.

The museum and research centre should be a visible, national symbol, functioning as a network hub. It should be based in the capital, possibly as a campus, with – in addition to the museum and research centre – a theatre for expressions of intangible cultural heritage, an art workshop and an audiovisual studio for the recording and broadcasting of oral history, for example. Ideally, this campus would house related organisations, such as NiNsee, Black Archives, *Nederland Wordt Beter* (The Netherlands is getting better), Control-Alt-Delete, Black Achievement Month, *Musea Bekennen Kleur* (Museums acknowledge colour). The campus should liaise actively with similar initiatives in the rest of the world so that the wheel does not have to be reinvented over and over again.

If the history of slavery and its contemporary legacies and effects are to be given a place in the Netherlands in a meaningful and lasting way, a visible and permanent place must be given to a set of complementary and mutually stimulating initiatives.<sup>67</sup>

## **7.4 CONCLUSION REGARDING NICOLAÏ MOTION**

The motion submitted by Senator Peter Nicolaï included a request for the government to consider whether there were grounds – as in France – for designating by statute the practice of slavery and the slave trade in the past as crimes against humanity. It also included a request to explore the viability of establishing and maintaining a national monument to the history of slavery, a knowledge centre and a slavery museum. As mentioned above, the Advisory Board concludes that acknowledgement, apology and redress should be regulated by statute, designating slavery in the Dutch colonies between the 17th and 19th centuries as a crime against humanity and specifically naming the Dutch State.

Citing the findings of the experts consulted, the Advisory Board concluded that there were no objections to implementing the proposals that were the subject of investigation in the Nicolaï motion. Even in this specific and binding form, the legal reports suggest that no civil or criminal consequences are to be expected. To leave no room for doubt on this issue, the Advisory Board takes the view that the text of the act should explicitly exclude civil or criminal liability.

An exclusion of liability does not detract from the legislature's authority to create a system of financial compensation on a voluntary basis.<sup>68</sup>

The dialogues also revealed a need for acknowledgement, apology and redress. This need would be met with the creation of legislation and the establishment of a monument, knowledge centre and museum, as explored in response to the Nicolaï motion.

## **7.5 RECOMMENDATIONS**

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<sup>67</sup> Contribution by Van Stipriaan, see Appendix 4.

<sup>68</sup> Contribution by Van Rijn, Rijkema & Thodé, see Appendix 4.

1. Acknowledge by statute that the slave trade and slavery that took place directly or indirectly under Dutch rule between the 17th century and 1 July 1863 were crimes against humanity.

Also acknowledge the suffering of all those who were victims of those crimes, and the suffering of their descendants.

Acknowledge too the struggles, successes and influence of those who have fought against slavery, racism and discrimination over the course of centuries, right up to the present day.

2. The State of the Netherlands, partly as the legal successor of previous Dutch governing authorities that directly or indirectly allowed, enabled, promoted or practised slavery and the slave trade should issue a statutory apology for these actions.
3. In offering this apology, express a willingness by statute to redress as far as possible the historical injustice experienced in many forms to this very day, such as discrimination and institutional racism.

In this connection the Advisory Board recommends that the following actions be taken.

4. Raise awareness about transatlantic slavery through research, education and artistic projects by, for example:
  - initiating a national research programme on the history of slavery, its present-day legacy and its ongoing impact, including institutional racism. Both descendants of enslaved people and non-descendants should be involved in setting up and conducting this research. Further research, including at grassroots level, will provide a broader range of perspectives. This research should encompass not only the history of slavery, but also its socioeconomic, medico-psychological, spiritual-religious and cultural-political aspects. In this regard, examine how existing institutions such as NiNsee can play a comprehensive role, both to prevent duplication and to enhance the programme's sustainability;
  - exploring how existing initiatives and institutions geared to enhancing the substantive citizenship of Afro-Antillean and Afro-Surinamese people can be continued, intensified and strengthened;
  - taking measures to enhance education in this area by ensuring that the history of slavery and its present-day impact are made a standard part of the curriculum at all educational levels, and especially in teacher training.
5. Strengthen knowledge about the meaning of discrimination in everyday life and take legal measures to combat racism and xenophobia. Ensure systematic enforcement by:
  - implementing a structural intersectional programme to combat discrimination and racism, including institutional racism and ethnic profiling;
  - devoting specific and urgent attention to combating institutional racism in the

labour market, the housing market, education and the police. For effective measures, the Advisory Board refers to the KIS report and the Black Manifesto.

6. Make the history of slavery visible so that it can become a shared history:

- Slavery museum

Establish a national museum or national facility in which multiple aspects of the history of slavery and its legacy are widely and accessibly displayed. Ensure that this history is more widely known and better exhibited in the Caribbean countries and in Suriname.

- Monuments

In consultation with descendant organisations, develop policy on the basis of which more new, common symbols for a shared future can be created in public spaces. Include existing slavery-related statues, monuments, buildings and street names in order, on the one hand, to recount history and, on the other, to ease the pain caused by confronting that history in public spaces.

- Remembrance days

Designate 1 July as a national remembrance day, supported and attended by the King and the government (prime minister) to acknowledge that the history of slavery concerns the country as a whole. Each of the former colonies is of course free to choose its own day of remembrance. Use public media to reflect as a nation on the horrors of slavery and the suffering of enslaved people throughout the former colonies.

- Tula

The Advisory Board's brief requested that Tula's rehabilitation also be included in the scope of its task. Considering the opinions provided by the experts and findings from the dialogues, the Advisory Board finds favourably with regard to Tula's rehabilitation.

- Other resistance heroes

The Advisory Board notes that although this part of its task was confined to Tula, there are other resistance heroes who should be included in national research on the history of slavery.

7. Ensure sufficient and structural funding for reparative measures that will allow for sustainable investment in mitigating the ongoing impact of the history of slavery. The Advisory Board recommends the following:

- Enshrine in law the aforementioned acknowledgement, apology and redress, to ensure the necessary level of commitment. The Advisory Board suggests opting for a Kingdom Act, although this must not delay the expeditious implementation of vital reparative measures. A Kingdom Act would offer the Caribbean countries the opportunity to help to decide how the Netherlands will proceed with acknowledgement, apology and redress. The more readily these are accepted by the countries in which slavery took place, the more meaningful the gestures will be for the society of the

future. A Kingdom Act would also need to stipulate explicitly that responsibility for the Kingdom's role in the history of slavery rests squarely with, and is accepted by, the European part of the Kingdom.

- Establish a Kingdom fund of appropriate, respectful size to finance reparations on a structural and sustainable basis. The commemoration of the abolition of slavery in the Kingdom on 1 July 2023 would be an ideal time for its entry into force.
- Enter into consultations with the countries within the Kingdom – Curaçao, Aruba and St Maarten – as well as the public bodies of Bonaire, St Eustatius and Saba and, where applicable, Suriname, on how reparative policy should be developed, including the aforementioned Kingdom Fund. This policy should produce results by 1 July 2023. Only jointly supported policy can lead to outcomes that are satisfactory to all parties. Given the significant differences between the stakeholders, there will have to be scope for individual views and tailored approaches, so as to avoid any neo-colonial reflexes. Furthermore, cooperation between these current and former parts of the Kingdom should also be promoted in an operational sense where necessary.

#### Nicolai motion

8. Given the above-mentioned considerations and recommendations, the Advisory Board recommends the implementation of the proposals that were the subject of investigation in the motion submitted by Senator Peter Nicolai.

#### Suriname

9. The Advisory Board regrets that the scope of its task did not extend to the dialogue on the history of slavery in Suriname and its present-day legacy, as that task was confined to the Kingdom in its present form. Given the significant role played by Dutch transatlantic slavery in the former colony of Suriname and the active part played by the diaspora in the Netherlands both in commemorating and coming to terms with the past, the Board advises that Suriname be involved in the implementation of this report's recommendations and the creation of the necessary policy.

#### Dutch East Indies

10. The role of the Netherlands in the history of slavery concerns both the East and West Indies. The Advisory Board's task was limited to the history of transatlantic slavery. To build a full picture of Dutch involvement in slavery, further research is required on slavery in the Dutch East Indies. The Advisory Board therefore recommends that further research on this issue and its continuing effects be conducted via an appropriate process.

#### International

11. The Advisory Board notes the UN General Assembly resolution of 22 December 2018 in which a decision was made to establish a permanent forum for the benefit of people of African descent. The forum will serve as a consultative body for people

of African descent and other stakeholders, as a platform for improving the quality of life and livelihoods of people of African descent, and to contribute to the resolution's elaboration in a declaration. That declaration will be a first step towards a legally binding instrument, for the promotion and full respect of the human rights of people of African descent. The Advisory Board recommends that the government actively participate in this forum and promote the establishment of the legally binding instrument.

# PUBLICATION DETAILS

This report was produced by the Slavery History Dialogue Group Advisory Board at the request of the Minister of the Interior and Kingdom Affairs. With the release of the report, the Advisory Board has completed its work and is therefore discharged. For more information about the report or the Advisory Board please contact the Ministry of the Interior and Kingdom Affairs ([www.rijksoverheid.nl](http://www.rijksoverheid.nl)).

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- all the expert advisers
- all the interest groups involved
- all other stakeholders

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