1. For decades, faced with the impossibility of leaving the colonial structures, the peoples, victims of the ideology of domination, question the forces that allowed such a mortiferous ideology to continue to fight them and the reasons why colonialism, which should largely be a question of the past, continues to impose its dictates, even if it is draped in clothes that look more human.

2. These people are trying to identify elements that can change the paradigm of domination as globalization continue to hurl its domineering and suffocating tentacles over the whole of the world. It strangles the people while maintaining them in an increasingly greater precariousness, it deepens inequalities between those who dominate and those who are dominated, it reduces private and public liberties in order to better satisfy its liberal objectives.

3. Globalization controls minds, summoning them to refer to a single thought, which is refined by most of the media. The capitalist organization is based on the belief that there is a prioritization of “races” and cultures, and with the strong idea that the European civilization is superior to any other, promotes the
permanence of coloniality in social relations, international relations, institutions and minds. Ultimately, almost 50 years after the independence, one can say that if colonialism no longer exists under its brutal forms (and saying that, I’m almost sure I’m wrong), coloniality has never disappeared from the minds of the people and particularly of those who dominate and organize the world with regard to their own interests.

4. Colonialism was illustrated mainly by a continuous series of massacres, village fires, hostage-taking, organized famines, theft of land and other crimes against humanity.

5. Pure violence, cynically justified by the obligation to bring peace to a country, by the obligation of industrialized countries to help, via their transnational firms, to exploit natural resources not belonging to them, by the so-called lack of democracy to which Western countries are particularly attached. Colonialism is endowed with unstoppable means to force its allies and partisans to struggle against their inclinations to care more about their people than the market.

6. To achieve this, it imposes a binary vision of the world: to adhere to the liberal values of the perception of the human and to apply the principles enacted by Eurocentrism reinforced by the ideology of Modernity or to declare oneself an enemy of this conception and to become the object of attacks in rule of the supporters of the liberal capitalist order. Toussaint Louverture, Lumumba, Sankara and how many others have paid the price. The crimes committed in the name of colonialism are immeasurable
7. In the nineteenth century, the European colonies, wherever they settled, by theft and crime, were the theater of experimentation of total wars of extermination that will become the norm in the twentieth and are still in the twenty-first century.

8. To understand how a civilization that claims to be enlightened and affirming to be concerned with human, in his part of humanity, was able to produce such a monstrosity as the massacre of Hereros committed by Germany in Namibia (1904), the massacres of Madagascar (1947) and Setif (1945) by France, that of the 2nd war committed by Europe and how many more, including Iraq and its millions of deaths, intervention justified by a lie, as it was the case in Libya, and that taking place more than 6 years in Syria ...

9. Not forgetting Palestine, a victim of the colonial policy assumed since 1948 by the international community and its multilateral system which functions only in its unilaterality: namely in the dominant / dominated relationship; thus to understand well how this perception of the world has been organized, we must face what has been put in place so that millions of men, women and children are torn from their own continent, exported as furniture and sold as such goods in lands allegedly discovered by the first settlers from the 14th century and which has taken off between the sixteenth and nineteenth centuries.

10. We are forced to return to that metaphysical and demographic catastrophe that were, what are known as, the Great Discoveries/les grandes découvertes :1492 that decided that indigeneity and blackness were declared as non-human values.

11. Indigeneity and "darkness" are its intrinsic elements of coloniality, although there are other forms
of human differentiation that also play a role in its formation, including sexuality and gender. Anibal Quijano points out that coloniality is "a naked ideological construct, which literally has nothing to do with the biological structure of the human race and everything to do with the history of power relations in capitalist, colonial / modern and Eurocentric" world, to use Anibal Qujano’s terms.

12. A metaphysical catastrophe because the "revolution" that were les "découvertes" of the Americas involved a collapse of the edifice of intersubjectivity, of the sense of alterity and a distortion of the meaning of humanity. In this order, the masters do not only seek to exploit the enslaved, but, as Frantz Fanon remarks, the masters consider them as "inessential" and their objective is to eliminate them, to humiliate them and if they can not succeed, to violate them. It was justified the greatest genocide that was the systematic extermination of indigenous peoples and the greatest crime against humanity committed the millions of people exported and reduced to enslavement.

13. Demographic disaster as these discoveries have served as a foundation for other forms of catastrophes. As a result, in contexts marked by racial violence and colonial dispossession, humanity is still not a common and shared condition; it's a privilege.

14. This means that exceptional actions and modes of behavior that were exposed in colonial wartime become part of the natural way of behaving towards newly discovered and enslaved peoples; this has been applied to other peoples who have been classified under the same paradigm and that is still what is in action today. What the white European world has imposed as a civilization to the Americas, made
possible, without any legal justification, the worst actions against non-Christian peoples living outside the European realms.

15. But moreover, these modes of behavior, used in time of war, led to the naturalization of the war. Since extreme violence and constant low-level violence coexist and are directed against colonized populations and their descendants (Maldonado-Torres 2008), thus women and men are treated at once like an exploitable resource that one can select, evaluate, eliminate and like a commodity that one can throw away or replace, just as it was done during the time of the transatlantique enslaved trade, enslavement and colonialism.

16. This compels us to look at and to understand the nature of the social structure in which people live. At the time of the disappearance of the socialist bloc and still more after the imperial war waged in Iraq and Afghanistan, substantive changes concerning international legal and political regulation occurred: international law, constructed after World War Two, has seen a widespread degradation that has a direct impact over the domestic law of States, especially over that which concerns the exercise of the powers of government.

17. If in the 70s-80s, the role of the State, as regulator of social relations, was openly claimed, nowadays the social role of the State finds itself profoundly eroded by the ideological and political offensive of global capitalism. This offensive has, as a consequence, a true decline of the functions of the State in terms of the traditional exercise of its powers. The authorities are content to legally regulate privatization as well as the sale of public assets to transnational corporations.
in order to achieve “redevelopments” which involve their share of layoffs and outsourcing.

18. As a political and social factor of regulation, the State has lost both its role as redistributor of wealth by fiscal policy as well as in the establishment of policies on employment, education, health, culture… In short, the State is reduced to the role of guardian of private interests. Political power, pressed into a deep crisis of credibility and legitimacy, becomes the factor that conveys “the values” of capitalism and the slogans accompanying it: competitiveness, merit-based reward, individual responsibility, equal opportunity and good governance.

19. The multilateral system thinks of the human but without ever taking into account the experience of the inhuman, that is to say the unworthy conditions in which are held to live most of the people of the Global South and the racialized populations of the North but also the obligation of the inhuman conditions in which certain states oblige certain citizens to live.

20. To fully understand this point, we must go back to the ideology of human rights that are the reflection of a Christian conception of the person. This aspect is present in the Declaration of Independence of the United States (1777) which marks the triumph of liberal ideas but also in the French Declaration of the human and citizen Rights (1789) which aims at the search of the happiness of the citizens and is inscribed with respect for divine transcendence. These two declarations reveal their increasingly white hegemonic idea of the human.

21. If the principle of equality to which, it is constantly referring, is part of the Christian heritage, it should be noted that at this time it concerns neither
women nor enslaved people still governed by the Code noir edicted by Colbert and applied, with some variation, in the United States; it may be added that the census suffrage was reserved for the richest.

22. Despite these flagrant inequalities, the grip of the Declaration of the human and citizen Rights was such that it served as the basis for the drafting of the first French constitution but also as a model for many formerly colonized countries (Still today State of Senegal, in its preamble, mentions the Declaration of the human and citizen Rights) and to others at the end of the Second World War and especially to the Universal Declaration of Human Rights, which marked the irruption of the individual and his rights in the interstate sphere.

23. This universal declaration, too, is limited by Christianity and adopted in the aftermath of the genocide of 6 million people, which has paralyzed the Western world rocked by the Enlightenment.

24. How then, to think that this declaration aims at the emancipation of human, since it has been produced from a place where it has been possible to commit, for the second time, a catastrophe against the human that continued the crime started with enslavement without ever repairing the grave violation done to humanity?

25. Do not repair the crime against humanity of enslavement, do not repair the genocide committed against the peoples living on the so-called uninhabited land, allowed to guarantee nascent capitalism the political and legal framework it needed, by organizing impunity after certain crimes committed by states.
26. For the second world war, it was necessary to repair because it was a crime committed against the white people and thus to recognize that the victim was white.

27. With regard to enslavement, if the enslaved was recognized by the master as a tool of production, then by the former master as precarious worker, he never got to be recognized. That's what a reparation process has to look for because it's, as Frantz Fanon points out, to break the infernal circle which refers the other to oneself and to restore to the other, through mediation and recognition, his human reality, different from his natural reality.

28. If the Western concept of the human being has always been contested, and especially after independence, we must question the analysis of human rights from the point of view of the coloniality of power, knowledge and Being in order to redefine the meaning of human in which the themes «liberation and disalienation» occupy a central political place and a non-distal and moral place as in the euro-centric perception.

29. It is also one of the objectives of a legal process on reparations. At first, while there may be much to be gained by discussing human rights and the dominant Western idea of the human to understand colonization, we must not forget the decolonial turning point. In the process of reparations, there is an urgent need for the colonized person to appear not only as a questioner but also as an embodied being who seeks to become an agent.

30. The legal process of reparations must therefore support two fundamental dimensions of the decolonial turn: the identification of colonialism as a fundamental
problem, never questioned by the dominant but also by the dominated, and the idea of decolonization as a continuous and unfinished project.

31. It is a position that implies not only a radical questioning of the superiority, of Europe, but also introduces a radical doubt about the lack of full humanity of the colonized.

32. This is what the reparations process must allow to challenge the Western hegemonic concept of human and calls for a new definition of humanity based on the practices of the colonized to revise and rethink fundamentally the premises of Christian understanding of humanity.

33. Through the process of reparations the damned will emerge as subject of speech, writing and creation but it is not an individual project, it is a collective project aspiring to build the "world of you". This is what Frantz Fanon was heading in Black Skin, White Masks, where he invited to walk "towards a new humanism"; he continued to carry this requirement in the Wretched of the earth, where he calls the peoples of the South, to "set up a new man".

34. Reparation are the time to consider the become-human as a struggle against the "night-body of democracy" that Achille Mbembe speaks about in Politics of Enmity, namely its imperialist, racist and colonial side, which follows it as a shadow. This approach must open the way for the human, in short, to be collectively extracted from this zone of non-being. The reparations are also a re-founding moment to understand that the world can only change if the wretched begin to question. It is also a moment to deconstruct the belief that racialized people are
incapable of love and understanding and above all to give.

35. The reparations process must restore the claim of dignity and the militant charge that so often is missing. This process must be one of the aspects of the decolonial, socialist, pan-African project, to which will be added a new humanism that will be able to think of the de-alienated and liberated human. The context of reparations makes it necessary to return to the question of the human, which has been left out of existence for too long.

36. The reparations process must enable the consequences of the ideology of colonialism to be analyzed and identified, for them to be politically questioned. One of them is therewriting and a mystification of history, and by the expression of a racism that strikes with full force those who are its victims.

37. Race “as a mode and result of modern colonial domination,”[1] has continued to invest every field of capitalist power, and racism, as Frantz Fanon highlights, has become “the most visible, most everyday item, to be honest, at times, the coarsest element of a given structure”[2] and weighs heavily on the identity construction of individuals.

38. Reparations process must allow to move away from the racial assignment which, in contemporary societies, is already real, such that the category no longer leads to stigmatization, nor domination, nor the perpetuation of social, economic and political inequalities, at a time when ontological hierarchies aim to irreparably differentiate individuals in order to better exploit them, and particularly within a climate of rising xenophobia and social fragmentation?
39. In this respect, the notion of domination is useful, it insists upon power relations and not on identity relations in the treatment of contemporary ethnic and cultural conflicts. It does not make reference to essentialized identities but to historically and politically assigned social conditions, together with the strategies of emancipation associated with these conditions. We must therefore tackle the structures of domination to which these conditions refer.

40. It is in this context that *racism as an element of a given structure* is built, with the ideological superstructures of the State nurturing exclusion through essentialist stigmatization, [and] anything that can divide, destroy the social fabric, assign people to a single community, is then surreptitiously refined in official discourses.

41. Add to this the construction of the representation of the diversity of organized groups, as Etienne Balibar made clear, in a relation of masters and slaves, or, more simply, between civilizations declared “incompatible.” Previously, there were civilizations that were superior to others, now, there are incompatible civilizations and particularly targeted are the African continent, people of African descent, but also the religion of Islam; in the name of that incompatibility, one part of the world is subject to widespread poverty and to the plundering of its natural resources.

42. The only way to achieve an human society is not to turn a blind eye to these constructions but to dare to seize them in order to deconstruct them, reveal their arbitrariness and their hidden discriminating effects, with a view to their transformation. There will be no recognition of the tragedies of the
transatlantique slave trade, of enslavement, and of colonization, except under the condition that all those who have died of this tragic history are restored in the whole of their fundamental rights as human.

2) Frantz Fanon, *Peaux noires et masques blancs*