



Statement of the Network of African National Human Rights Institutions on migrant auctioning in Libya

The Network of African National Human Rights Institutions (NANHRI) is a not-for-profit- regional umbrella organization that brings together 44 National Human Rights Institutions (NHRIs) in Africa.

The Network is appalled and deeply concerned by the reports of auctioning of migrants in Tripoli and other major towns in Libya, for alleged slavery.

The Network condemns this act which is not only demeaning and dehumanising, but also a violation of regional and international human rights law that amount to crimes against humanity.

According to the United Nations, there are between 700,000 and one million migrants in Libya. Their aim is to cross the Mediterranean Sea into Europe in search of jobs. The migrants face human rights abuse including beatings, kidnapping, enslavement, among others. According to the High Commissioner for Human Rights, “Many of those in detention have already been exposed to trafficking, kidnappings, torture, rape and other sexual violence, forced labour, exploitation, severe physical violence, starvation and other atrocities in the course of their journeys through Libya, often at the hands of traffickers or smugglers.”

Pursuant to the Universal Declaration of Human Rights in articles 4 and 5 providing that: “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms’ and that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”.

Pursuant to the African Charter on Human and People’s rights, article 5 reaffirms that “Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman of degrading punishment and treatment shall be prohibited”.

Further, the African Charter on Human and People’s Rights (The Charter) requires states to protect the right of individuals despite their legal status.

Libya, being a member of the African Union, is, therefore, obliged to promote and protect human rights within its territory as outlines in the Charter.

While condemning the auctioning of the migrants, the Network urges the government of Libya to:

- i) Quickly investigate and prosecute the perpetrators of the human rights atrocities for justice.
- ii) Identify the human trafficking hotspots, human and financial resources required and areas of partnership with the National Council of Civil Liberties and Human Rights (NCCLHR) and other human rights stakeholders.
- iii) Involve the National Council of Civil Liberties and Human Rights (NCCLHR) and other human rights stakeholders in monitoring and reporting on the migrant and human rights situation in the country. The NCCLHR should also be involved in unearthing hidden detention and auctioning points for action.
- iv) Cooperate with the various NHRIs in Africa which have been involved in monitoring of various migration activities to give more impetus to the efforts of taming and offering human rights based approach to the immigration problem. The Network would be glad to support such collaborations.
- v) Mobilise states through the African Union to supporting the efforts of combating human trafficking, smuggling, kidnapping and other forms of conscription so as to offer multi-faceted approaches in responding to the challenges along the channels of trafficking.
- vi) Use NCCLHR in supporting its views towards the remedy of the migrant situation in the international Compact on safe orderly and regular migration discourses. This will be an aside support away from other high-level intergovernmental discussion on the migration challenge.
- vii) Through the NCCLHR, commission a research that would generate data-backed recommendations for localized solutions.

The Network urges the Summit of Head of States of the African Union to call for Libyan Authorities to end immediately these practices of slave trade and to improve the conditions of African migrants on their territory accordingly to SDGs- 2030 Agenda and the AU Agenda 2063 providing that “No One is left behind”.

Finally, the Network wishes to call upon international, regional and local human rights defenders to monitor the unfolding human rights situation in Libya for the purposes of upholding due process of human rights mechanisms, as a way of ensuring accountability and that victims access available forms of remedies.



Ms. Nirere Madeleine

Chairperson

Network of African National Human Rights Institutions

20th November 2017