

NGO coalition requests African Commission on Human Rights to probe atrocities against migrants in Libya

Tunisi/Rome, 22 July 2019

Today, the Cairo Institute for Human Rights Studies, ASGI and ARCI submitted a joint request to the African Commission on Human and Peoples' Rights, demanding an investigation into the gross human rights violations against refugees and migrants in Libyan detention centers. The three NGOs also requested the Commission, pending a detailed probe, to provisionally order the Libyan Government of National Accord (GNA) to stop immediately abuses against refugees and migrants detained in centers throughout Libya, including in Tajoura, Zawiya and Zintan.

The request, which is the result of close cooperation and joint commitment among African and European organizations, is part of a broader effort to challenge illegal policies aimed at curbing migration flows, undertaken by **the Cairo Institute for Human Rights Studies** in cooperation with the **Libyan Platform Coalition**, by **ASGI** through the *Sciabaca* project, and by **ARCI** through the **#externalisationpolicieswatch** project. Cases brought before domestic and international courts so far also challenge actions by the EU and its member States, especially Italy such as delegating pushbacks to the Libyan Coastguard and contributing to the system of illegal detentions in Libya.

The allegations contained in today's request are based on documentation publicly available and on field research and testimonies collected from a number of persons currently detained in Tajoura, Zawiya and Zintan, who claim to have been tortured, kept in inhumane conditions, starved, denied access to sanitation, food and legal aid. The three detention centers are officially run by the Ministry of Interior of the internationally-recognized Government of National Accord (GNA) based in Tripoli. In addition to a network of over 20 such official centers, there is an unknown number of unofficial detention facilities throughout Libya directly operated by armed militias, where migrants and refugees are systematically abused, including through torture.

The egregious violations perpetrated by Libyan GNA authorities and armed groups against foreigners in Libya have been widely documented and condemned by all major international agencies, including the United Nations High Commissioner for Human Rights (OHCHR) and High Commissioner for Refugees (UNHCR), and non-governmental organizations including Amnesty International, *Medecins Sans Frontieres* and Human Rights Watch.



Associazione
per gli Studi Giuridici
sull'Immigrazione



The request submitted today alleges multiple violations of fundamental rights guaranteed by the African Charter of Human and Peoples' rights, including Prohibition of Torture and Cruel, Inhuman and Degrading Treatment (Article 5), Right to Personal Liberty and Protection from Arbitrary Arrest (Article 6) and Right to Fair Trial (Article 7). The three NGOs claim that these violations entail Libyan GNA's responsibility both for its actions in official detention centers and for its failure to prevent or punish abuses committed by armed militias in unofficial detention centers.

The African Commission is presently holding its 26th extraordinary session in Banjul, Gambia, and may decide to open a formal inquiry into the claims and subsequently bring the situation before the African Court for Human and Peoples' Rights.

For more information about the request

The Cairo Institute for Human Rights Studies: Karim Salem (+21.69568410)
ASGI: Ulrich Stege (+ 39. 329.405.4882); Alberto Pasquero (+39. 347.045.9056); sciabaca@asgi.it
ARCI: Sara Prestianni (+ 39. 349521.6123); prestianni@arci.it

For more information about advocacy and strategic litigation against externalization policies
Giulia Crescini + 39. 348.8993508; crescini.g@gmail.com
Sara Prestianni + 39. 349521.6123; prestianni@arci.it

The Cairo Institute for Human Rights Studies (CIHRS) is an independent regional non-governmental organization founded in 1994. It aims at promoting respect for principles of human rights and democracy, analyzing the difficulties facing the application of International Human Rights Law and disseminating Human Rights Culture in the Arab Region. CIHRS enjoys consultative status in the United Nations ECOSOC, and observer status in the African Commission on Human and Peoples' Rights. Libya Platform (LP) is a coalition of local human rights associations working together to ensure civil society organisations' involvement in the transitional phase, and in promoting a culture of peaceful coexistence and respect for the Rule of Law. LP is also working towards ending impunity and fighting against hate speech and violence, and ensuring freedom of expression, association, and peaceful assembly. Protecting activists and the media from attacks, ensuring their safety, and guaranteeing a safe space for them to work freely.

Associazione Ricreativa Culturale Italiana (ARCI), is an Italian association committed to promoting and developing civil society as a factor of social cohesion. It calls for a civil and democratic commitment to defend peace, uphold citizens' rights and fight against all forms of exclusion and discrimination. In the framework of the **#externalisationpolicieswatch** project, ARCI aims to analyse the policies aimed at externalizing asylum and migration in its various geopolitical components – regional context, link between migration/security /development, use of funds and private sector's gains, impact on the lives of migrants and local populations - through field missions and monitoring of policies and their effect in terms of systematic violations of fundamental rights. The material produced (video-photographic and text) focuses on specific countries, both country of origin and transit route - such as Libya, Niger, Sudan, Egypt and Tunisia - and is distributed through international activities of advocacy, communication and support to strategic litigation.

Association for Juridical Studies on Immigration (ASGI) is an Italian association made of lawyers, academics and civil society representatives, focusing on all legal aspects of migration and migrants' rights, including asylum, statelessness, citizenship, unaccompanied children, xenophobia and discrimination. In



Associazione
per gli Studi Giuridici
sull'Immigrazione



particular, ASGI's project *Sciabaca* aims to challenge domestic and EU policies designed to restrain non-European citizens' right to seek asylum and move freely through strategic litigation before domestic, European and international courts. To this end, the project established operational partnerships with counterparts in North African countries such as Morocco, Libya, Tunisia, and Egypt. *Sciabaca*'s twin project *Oruka* focuses on five Sub-Saharan African countries, namely Nigeria, Niger, Chad, Sudan, and Ethiopia.