

Libya: A Hub of Human Smugglers and Traffickers

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ABSTRACT

In a world that boasts triumphs of virtual communication, space travel and now, more importantly, the most geographically expansive civil rights movements in history, the plight of modern-day slaves is not a blight but an embarrassment.- Zaid M. Belbagi. This paper focuses upon the barbaric social, economic and political conditions within Libya; exposing the refugees and migrants to human rights violations. Slave-Trade is flourishing in Libya since time immemorial. With Gaddafi's departure, control of Libya has fallen into the hands of human traffickers and smugglers who continued his legacy of miseries. Reported Interviews and incidents faced by detainees in the camps/asylums are used as prima facie evidence of the cruelty and bestiality against mankind. Meanwhile, lack of strict actions and instability on part of internal and external authorities are serving the un-ending distress of captives. It also covers the channel of Organ smuggling and trafficking consequently treasuring traffickers and human rights violators. Alongside, extensive roles played by Media channels as undercover investigators and International Organisations curbing out the humanitarian crisis instead exacerbating the rampant slave trade, are covered. This paper concludes with affirmative suggestions which can eradicate slavery and other human rights violations from Libya freeing it from dire straits.

KEYWORDS: *Libya, abuse, refugees and migrants, slave, rights and authorities*

INTRODUCTION

Deserted and Oil- rich Libya has been in news since the departure of Gaddafi alleging human rights violation and redundant acts of brutality against refugees and migrants. Every year there's a large number of migrations within the continent seeking better opportunities, fleeing war and ill-treatment. But little did they know what's waiting for them across the borders is unimaginable. Lack of information makes them walk right into it while some purposely take risk to flee from barbaric conditions of their region. Thousands of migrants yearly wend their way towards Europe via Mediterranean Sea aspiring for better livelihood but end up into vicious habitation. Libya once was a destination for foreign workers drawn by a strong economy, post-civil war; migrants have used the country as a transit point to set off for Europe, though as European borders have hardened

since the 2015-16 migration crisis, many have remained stranded¹.

The way the timeline has been bifurcated into before and after Gadaffi's death in various existing literature resembles a huge difference between the periods, while in reality the only difference is, earlier violations have been done under the safety curtain of political power instead of topical uncloaked abuses. Period of Gadaffi is no more than a travesty of justice against mankind. Annick Cojean in her book "Gaddafi's Harem: The story of a Young Women and the abuses of Power in Libya", narrates the story of a fifteen year old girl who was abducted by Gaddafi to become his sexual slave when he visited her school. Later she was raped, beaten and exposed to every

¹<https://www.migrationpolicy.org/article/once-destination-migrants-post-gaddafi-libya-has-gone-transit-route-containment> (Last accessed on 1 December,2020)

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perversion of a sex-obsessed tyrant. The book uncovers the hidden truth and various facts of Gaddafi's 42 years long bestiality against women. During his reign there were countless soul scarring incidents, against both men and women. He was a hypocrite talking about faith and humanity on-screen while abusing and tormenting his people in reality. Anarchy became the new norm in lieu of democracy, instead of protecting human rights, the country faced humanitarian crises.

The concept of 'slave trade' in North Africa particularly Libya arose insight of European Immigration policy. The policy was brainchild of Gaddafi who proposed EU to pay him at least 5bn euros per year to stop illegal immigration from Africa to Europe which could consequently turn it into "Black Europe"². Later Israel, Italy and other western countries did inhumane and inadequate acts on their part by omitting the required aid thence obliquely promoting the slavery. Over the years many people had tried to cross the sea but were en-routed back to Libya's coast while others ended up dead in the heavy waters of Mediterranean. There's been a constant proliferation of dead bodies in cemetery, roads and at coastal shores. People who were detained or provided asylum at refugee camps were forced to engage in sexual intimacy with each other, whipped and tortured by militias, women were raped/forced labor/beaten and tormented, slaves were considerate in exchange of money, some were forcefully traded to other countries in ships, they were marked with alphabets/letters or symbols on their skin, people were vulnerable to diseases due to lack of proper hygiene and animal like treatment. Nevertheless immigration policy turned out to be a satanic act against humanity. On 29 March, 2011 CNN published a video in which a Benghazi-Libyan women alleges before journalists how militias abducted her from government checkpoint, she accused Gaddafi and his 15 members for gang rape. She screams, "My honor was violated" and pleads with officials to intervene. "Despite regular promises by the Libyan authorities to take action against such crimes, most remain unsolved and unpunished", rightly stated by Markus Beeko.

Post Gaddafi's Era – Thugs/Gangs/Militias Phase

Death of Gaddafi was no more than a celebrating moment for his victims, especially females who were his continuous target. His death caused a major impact on the social, political and economic conditions of Libya. His fall prompted the wake of two rival governments, Government of National

²<https://www.bbc.com/news/world-europe-11139345> (Last accessed on 1 December,2020)

Accord and Libyan National Army, hankering for power in the eastern and western region, and several armed groups as well. Meanwhile coastguard/thugs/gangs/militias at Mediterranean Sea keep an eye on refugees and migrants. Inhabitants face extortion, abduction, slave-work with negligible pay, violence and prostitution. A survivor named Dawit quoted his journey to hell, "For 15 days, they beat us with iron rods, they beat us with hoses, they beat us with anything they have. They ask us to pay 6,000 Libyan dinars [around \$4400 at the official rate or around \$940 at the market rate] for each, whether an adult or a baby"³. Those restrained in asylum and detention centers are treated beastly, whipped on naked skin, electric burns, drizzling hot molten plastic on bare skin, raped, tormented, starved till death, harvesting hostages organs, lack of drinkable water and medical supplies, overcrowding and slave trade. There is hardly any crime left against humanity which those people haven't suffered. An Article in 2017 by TIME, mentioned how CNN did an undercover investigation in the region and came with the evidence of harsh reality in Libya, where a man was appeared to be sold at \$400 in an auction, while dozens of others were also smuggled off. This grabbed the attention of the leaders across globe and international organizations. Even after continuous media investigations and newspaper articles narrating the grim reality of the region over the years caused by fractured government, things are turning from bad to worse. Incidents such as coastguard whipping asylum seekers⁴ and firing gunshots⁵ on refugee ships carrying hundreds/thousands of people are reported now and then. Every week dozens of bodies are found buried unaccounted in Tarhuna and Libya's coast. According to IOM's Missing Migrants project⁶, at least 497 refugees and migrants are known to have perished on the Mediterrean sea route by August 2020, actual figures are still unknown and are expected to be much higher than acknowledged.

Economic facet of Libya is very much evident across the globe. Foreign interventions, social chaos and political uncertainty are the reasons for economic

³<https://www.aljazeera.com/news/2020/9/24/amnesty-urges-eu-to-rethink-libya-cooperation-over-migrant-abuse> (Last accessed on 4 December,2020)

⁴<https://psmag.com/social-justice/understanding-libyas-slave-trade> (Last accessed on 3 December,2020)

⁵<https://www.amnesty.org/en/latest/news/2020/09/libya-new-evidence-shows-refugees-and-migrants-trapped-in-horrific-cycle-of-abuses/> (last accessed on 4 December,2020)

⁶<https://www.aljazeera.com/news/2020/8/24/bodies-of-22-migrants-and-refugees-retrieved-off-libyas-coast> (Last accessed on 4 December,2020)

breakdown. 60 percent⁷ of Libya's total GDP is dependent upon the oil and gas sector, which crashed after Gaddafi's death. According to IMF - World Economic Outlook Database 2020⁸, Incidents in year 2019 inclined the percentage of budget deficit to 28.9% of GDP, Inflation rate dropped to 4.6% but is expected to make at 22.3% in 2020 (due to global pandemic) meanwhile current account surplus is expected to reach -6.6% in 2020.

In report "Between Life and death': Refugees and migrants trapped in Libya's cycle of abuse"⁹ Amnesty documented horrific condition of refugees and migrants along with the kinds of abuses they had faced in detention centres and the involvement of state and non-state actors making the subject matter worse than anyone could ever foresee. Anti-Immigrant groups are raising billions of dollars with the assistance of western countries to keep migrants and refugees entrap on shores. An estimation of 60,000 people¹⁰ are trapped at sea by Libyan coast guard, data intel 8,435 among them were captured between Jan- september 2020, while thousand others were outnumbered after illegally transferred to tobacco factory by militia. Humans are incarcerated in different camps and asylums, government prisons, sex slave dungeons, ship decks, sold to brothels, unofficial detention camps and other secret chambers making it impossible for authorities to account exact number of captives. There were several shipwrecks and incidents reporting the death of hundreds by drowning into the Mediterrean waters time and again make it suspicious yet dangerous.

Organ Smuggling and Human Trafficking, Violating several Human Rights in Libya

Trafficking in Persons Protocol define human trafficking as an act constituting recruitment, transportation, transfer, harbouring or receipt of persons by the means of threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim for the purpose of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced

labor, slavery or similar practices and the removal of organs. Human Trafficking in Libya isn't just about selling them to mafias or rich citizens of other countries as slaves, it's an organized crime with many players backing each other. In a recent report the United Nations expressed concern over the increasing interconnectivity between terrorism, militia, smuggling and human trafficking groups.¹¹ European Union, police workers, internal and external politicians, coastguards, International organizations, mafias, terrorists, ISIS, UNHCR and armed militants have a pivotal role in the trade business of human beings. European Union and other channels provide financial aid to the goons/traffickers/smugglers; Coastguards and militias keep their sights on detainees to stay them put from escaping; international organizations get huge amount of funds in the name of refugees and migrants welfare; while the politicians and smugglers make money either by trading those humans or asking for ransom in return. Since bank accounts dried up due to the economic crisis, both the power hungry rivalries kept their pockets treasured by backing those anti-immigrant groups. Escaped refugees imply their concern that ISIS organization also plays a role in African situation.

Million dollar business of 'human trafficking' encouraged the violators to establish another business empire on the lives of innocent people. 'Organ Smuggling' has become another major issue in Libya among refugees. According to The World Health Organization 'the red market' of organ smuggling/trafficking is worth \$1 billion each year. Meanwhile, Global Financial Integrity reported the annual trade figures of organ harvesting to vary among \$600 million to \$1.2billion.

The miserable conditions and vulnerability of refugees and migrants force them to take chance on the not-so-true-terms when provided, some agree to sell their organs on the condition of 'freedom' and 'safe journey to their destination' while different tactics are used against others such as coercion, torture, threat and other bodily violating means. In the hope of returning back to their dear ones many innocent refugees become the prey of organ trafficking. This not only breaches their bodily integrity but also impact their right to health, since no proper-hygiene operations were conducted leading to

⁷https://www.opec.org/opec_web/en/about_us/166.htm (Last accessed on 8 December,2020)

⁸<https://www.nordeatrade.com/en/explore-new-market/libya/economical-context> (Last accessed on 8 Dec,2020)

⁹<https://www.amnesty.org/en/documents/mde19/3084/2020/en/> (Last accessed on 4 December,2020)

¹⁰<https://www.amnesty.org/en/latest/news/2020/09/libya-new-evidence-shows-refugees-and-migrants-trapped-in-horrific-cycle-of-abuses/> (Last accessed on 10 December,2020)

¹¹Human Trafficking Connecting to Terrorism and Organ Trafficking :Libya and Egypt, Mirjam Van Reisen and MeronEstefanos; https://www.researchgate.net/publication/316991680_Human_Trafficking_Connecting_to_Terrorism_and_Organ_Trafficking_Libya_and_Egypt (Last accessed on 17 December,2020)

certain organ failures/infections and vulnerable to other diseases. Neighboring countries such as Yemen, Egypt, Sub-Saharan, Syria, Turkey and Lebanon are the most exploited countries, making it a huge market for the rich-recipient countries, namely¹² East Asia (Japan and Taiwan), Middle East (e.g., Saudi Arabia and Israel), as well as the United States and Western Europe. “An organ buyer spends on average \$150,000 for vital organs like kidney, liver or heart, meanwhile a willing donor will usually get \$5,000 with the middleman equally getting their share.”¹³ These prices vary with a huge margin depending upon the organ, market rate and the need of the recipient. Due to lack of legal norms, poverty and illiteracy the illegal-organ industry is flourishing rapidly in Libya. Loophole in procedure of admitting migrants and refugees in detention centers, lack of proper screening and medical check-ups of the whole human body implies ambiguity in exact figures of victims. The other factor promoting brutal organ harvesting is the superficial belief of African natives that some body parts can be used to protect them and their village from evil spirits, be used to cure ancestral diseases and can strengthen their business. These rituals increase the criminal activities consequently pacing the crime rate in the region. Money originated from organ trafficking and human trafficking are often used to buy ‘weapons’, ‘ammunition’ and ‘explosives’, spread terrorism and to finance other illegal activities within the region. These illegal activities, brutality against human beings and criminal activities not only violate human rights but also harm the environment and the resources of the region.

Human Rights of refugees and migrants are exploited every now and then. Smugglers and Traffickers violated their basic rights such as (a) Right to live, as they continue to live under fear of getting caught by those violators, lack of proper food and water, lack of hygienic conditions, lack of medical treatment, right to shelter and proper sunlight; (b) Right to movement and personal liberty, as they were detained in camps, asylums and dungeons; (c) Free from torture; (d) Right to be treated with dignity, they were ‘abused’ ‘raped’ ‘treated as animals’ ‘beaten’ ‘traded’; (e) Right to privacy, they were not given private space and their body were exploited without consent; (f) Right to security

¹²<https://www.washingtonpost.com/news/monkey-cage/wp/2016/12/07/organ-traffickers-lock-up-people-to-harvest-their-kidneys-here-are-the-politics-behind-the-organ-trade/> (Last accessed on 18 December,2020)

¹³<https://www.fairplanet.org/story/a-penny-for-a-kidney-illegal-organ-trafficking-in-africa/> (Last accessed on 17 December,2020)

Dubious Role of International Organization - Hypocrite or Saviour?

International Organizations have always proved themselves as a guardian angel by contributing their resources to the poor countries, soldiers to intervene in warfare to maintain peace and prevent human abuse but it seems Libya is an exception. Human rights are inherent and inalienable rights available to all irrespective of any possible discrimination among the beings. It is no secret that International organizations have repeatedly been accused of being a channel to transfer huge chunks of money from beneficiaries (Israel, Italy and other European countries) to those Mafias operating on Mediterranean sea shores and detention camps in Libya. Objective behind formation of European Union was to promote peace and well-being among nations internally and externally. Instead, it is conspicuously playing an active role in supporting illicit industry and criminal networks across the whole territory of Libya. Media units such as CNN, Irish Times, BBC, The Times, Aljazeera and Reuters have played a significant role in ripping the fake portrayal of peace and tranquility into pieces and bearing out the hidden reality. ‘Forced-labor’, ‘Harassment’, ‘Slave trade’, ‘Rape’ and ‘Violence’ are the brutal acts against humanity to which migrants and refugees are constantly exposed. It has been a decade since European Union is feeding the business of suffering. In order to ensure its active role in Libya’s decision the EU had recently removed a travel ban on Aguila Saleh, rival parliamentarian of eastern region.¹⁴ Till now EU and other member states are continuously implementing policies confining thousands of migrants in the ferocious cycle of abuse. Even the highly active and resourceful authority, the United Nations, seems to have failed in providing required aid to the vulnerable migrants and even deferred the human rights investigation due to lack of funds quoting “the mandates was meant to last for one year but it has been extended to September 2021 due to the current liquidity crisis affecting the UN secretariat and restrictions imposed due to COVID-19.” The UN audit report of 2019¹⁵ removed the clouds of illusions by revealing the clear picture of the system, mismanagement of funds and incorrect evaluation of vital aid by UNHCR. On the other hand, International Organization for Migration known for its advice and services in the migration sector to refugees, migrants and other authorities are keenly observing and

¹⁴<https://www.aljazeera.com/news/2020/10/2/eu-removes-libyas-powerbroker-saleh-from-sanctions-blacklist> (Last accessed on 10 December, 2020)

¹⁵<https://www.borgenmagazine.com/slavery-and-human-trafficking-in-libya/> (Last accessed on 12 Dec,2020)

making statements against the human right violations faced by detainees. In the year 2014 IOM initiated the 'Missing Migrant Project' to keep track of migrants who lost their lives or went missing in the process of migration worldwide. They are repeatedly contributing since then by intimating the authorities to intervene and take rightful action. Simultaneously, IOM is providing assistance like, psychological support, non- food items, hygiene kits and proper medical treatment to the rescued migrants. But it's not enough, when worldwide organizations are in question of being trustworthy. "An Associated Press investigation revealed the European Union sent more than 327.9 million euros to Libya, largely channeled through UN agencies. Whereas more than \$100m were spent on funding and training of LCG to stop immigrants from crossings."¹⁶

How could ratified countries and the organizations established upon the objective of 'anti-racism' and 'equality', smuggle weapons to the people destroying the very essence of humanity. While dealing with Libya's humanitarian crisis authorities are trying to beat around the bush rather than confronting the real horrors and tragedies. Even at the regional level African Union failed miserably to extend its helping hand in facilitating the migrants and refugees a safe journey to their hometown. A decade has passed and still there is neither proper solution nor strict actions instead conferences and accusations. Even after continuous poking by media channels and organizations like IOM & Amnesty International, It's abnormal on part of the developed countries and other powerful organizations to not take strict action against Libya or the source exploiting human rights while turning the oil dynasty into a slave industry. Every day, every hour and every minute is like a time bomb wrapping around the very soul of victims and their family with pain and suffering. As rightly quoted by Maurice Cranston that human rights are matters of "paramount importance" and their violation "a grave affront to justice"¹⁷, but the question remains stagnant as to how long will it take for the authorities to realize the universal fact worth the lives of thousands?

CONCLUSION

"Those who deny freedom to others, deserve it not for themselves"- Abraham Lincoln. Slavery shattered Libya's civilisation and is the reason behind it's setback. It is a country full of secrets and a trading platform where life is worth \$400, there was the time when Libya was known for its oil refineries and

resources but now it is called, "hell on the Earth". Whole extortion machinery operates with financial aid from European Union. But now In 21st century where bonded labour and slave trade is of no relevance, migrants in Libya are treated as cattels, sexually abused, burnt with molten plastic and raped. The networks of thugs and traffickers have prospered amid the lawless country. The on-going turmoil in Libya calls for cooperative actions from international, regional and state-level bodies to concentrate on such a deeply rooted issue, as successfully called during the Yemen conflict. As long as Libya is spellbound in conflicts, slave trade and inhumane acts will sway.

The answer to the question, "what can be done to turn the course of event" and break the chain, pointers have been proposed :

- A. Political stability, until and unless internal disputes are resolved slavery can't be eradicated from Libya. "Good Governance is the cornerstone of Democracy."
- B. Layout a proper legal framework in order to maintain law and order in the country.
- C. Travel Ban can be sanctioned against African countries to emigrate within or outside the state boundaries.
- D. Evacuation of detainees/ migrants illegally held in detention camps and asylums needs to be processed rapidly.
- E. The UN may refer the matter to ICC for Investigation and strict adherence to jus cogens.
- F. UN intervention with the help of peace- keeping army can keep check on mafias and militias operations.
- G. It's high time that the main source of financial aid and demand be tracked down to trace the whereabouts of ultimate culprits working in the name of reputed organizations.
- H. In the name of human rights, ICJ/ICC can take suo-motto cognizance, and later justify it in the UN.
- I. Spread awareness, 'Humanitarian crisis' needs to be officially declared and telecast in order to break the cycle.
- J. Strict action must be taken against the EU for adopting dubious strategies for procurement of funds and channelizing them to anti-immigrants.

Authors hereby conclude the paper with their proposed measures that can pave a way towards eradication of the humanitarian crisis. As quoted in Talmud: "Do not be daunted by the enormity of the

¹⁶Supra Note 6

¹⁷<https://plato.stanford.edu/entries/rights-human/> (Last accessed on 14 December,2020)

world's grief. Do justly, now. Love mercy, now. Walk humbly, now. You are not obligated to complete the work, but neither are you free to abandon it." It's obligatory on the authorities to take

proper and required action in order to promote peace, security, protect human rights and to maintain a habitable environment in Libya.

