



The Network of African National Human Rights Institutions (NANHRI)'s Statement on the ongoing Attacks against Foreign Nationals in South Africa

September 11, 2019

Nairobi, Kenya

The Network of African National Human Rights Institutions (NANHRI) is a membership organisation bringing together 44 National Human Rights Institutions (NHRIs) in Africa. Our work is to support the establishment and strengthening the capacity of the African NHRIs to effectively deliver on their human rights mandate of promotion, protection and advocacy as per the United Nations Paris Principles¹.

We strongly condemn the violent attacks against foreign nationals in South Africa, which have led to the loss of more than 10 lives and property in the past one week.

These latest attacks have caused panic across the continent and beyond with questions lingering over the government's slow action to ending the violence despite recurring for more than two decades. It is regrettable that even after the loss of more than 60 lives at the peak of the violence in the year 2008, nothing was structurally done to avert a repeat.

It is also greatly concerning that some government officials in South Africa have termed the looting, vandalism and physical violence as "acts of criminality"² as opposed to xenophobic attacks.

While we commend the government of South Africa for the reported arrest of 289 suspects and regularly condemning and issuing stern warnings to the perpetrators and masterminds, more concrete actions need to be taken to urgently address the underlying issues and ensure

¹ <https://www.nanhri.org/our-work/paris-principles/>

² <https://bit.ly/2ku2E5C>

justice is served to the victims of the waves of violence, which have been reported since 1994³.

The violence - majorly targeted at economic migrants - not only puts at risk the lives of the more than 3.6 million foreign nationals living in South Africa, but also to the lives of over 900,000 South Africans living in the other parts of the world.

These episodes are working against the continent, which is aspiring for unity, as one of the pillars spurring economic prosperity of Africa.

While we encourage the government of South Africa to closely monitor the irregular immigration, it is important to note that the Universal Declaration of Human Rights, which South Africa is party to, calls for equal protection of all individuals despite their origin, based on being human “born equal in dignity and rights⁴”.

Based on the above, **WE**, the members of the Network of African NHRIs call for the following actions:

1. The security agents to investigate and prosecute the suspects and key masterminds of the killings.
2. The Judiciary to prioritise and expedite cases related to the recent and past xenophobic attacks and pass punitive judgements to avert a repeat in future.
3. Parliament and the Executive arm of government to establish a national task force to jointly work with the South African Human Rights Commission (SAHRC) in further probing the causes of the xenophobic attacks. The timeframe-bound taskforce will be required to deliver comprehensive and all-inclusive recommendations on short-term and long-term sustainable solutions to the matter.
In the meantime, the government must work to compensate the victims of the attacks, as a way of supporting them to rebuild their lives.
4. The SAHRC to invoke its investigating and monitoring mandates to:
 - a) Separately investigate the recent attacks with a view of collecting more evidence to support justice through an open and transparent process,
 - b) Carry out impromptu inspections of borders and detention camps of irregular migrants to ensure their rights are upheld by security agents.
5. Establish a national early warning system to help in detecting possibilities of eruption of similar attacks.
6. The government, SAHRC and partners to collaborate in crafting and progressively implementing intentional programmatic interventions of ending joblessness and inequalities.

³ <https://www.bbc.com/news/world-africa-47800718>

⁴ https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf

Meanwhile, we pass our deepest condolences to the families affected by these unfortunate incidences.



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