

## **In the Name of Allah (God) the Most Gracious and Compassionate**

### **Memorandum on Libya: Fabrications against the State, Leadership and its Army**

This memorandum aimed to pinpoint some of facts that the Libyan people were subjected to during the past six years where the most horrendous crimes were committed against its people. These crimes were committed under the name of human intervention, protection of civilians, introducing democracy and prosperity where the NATO forces, with the help of some Arab countries and a few Libyans, attacked Libya with all weapons under its disposal. The justifications put forward were as false as the invasion of Iraq in 2003, and in fact it was a systematic destruction of a sovereign country and a peaceful nation. Thus far, this memorandum is trying to present these crimes to the international community, human rights organisation and NGOs in order to stand by Libya and its people in its countless efforts to rebuild this small country.

#### **Libya on the Cross Roads: The Beginning**

Libya's agony began on 15<sup>th</sup> February 2011 when a number of protests gathered, in its routine, to demonstrate in support for the Abu Saleem prisons incident. The demonstration was soon hijacked by elements of Jihadist groups such the Libyan Islamic Fighting Group LIFG. They attacked police stations and army barracks in Derna, Benghazi, Misratah and Al-Zawayh aiming at collecting weapons to be used in their planned war against the Libyan people and its legitimate government. All these actions accompanied by a propaganda machine were launched by Aljazeera channel, Al-Arabiya, BBC, France 24 and others which were encouraging the Libyan people to confront the state police who try to protect governmental buildings and people's properties from attacks and lootings.

Horrific scenes unfolded in the streets, bridges, and security forces buildings where the demonstrators committed unspeakable crimes against humanity. Security forces, military personnel and policemen were slaughtered as their throats were cut, their hearts were taken out of their bodies and their bodies cut into pieces in a real show of brutality and savageness. For instance, in the first day of unrest 16-02-2011 and in the city of Misrata, the so called peaceful demonstrators have killed and burnt a man named Musa Al-Ahdab. On the same day and in Benghazi a police officer was killed and his limbs were cut in pieces.<sup>1</sup> Those barbaric actions were committed by the armed demonstrators as they were using tanks, machine guns and anti-aircrafts machine guns throughout the cities of Misrata, Benghazi and Al-Azawiyah<sup>2</sup>. These acts and scenes are well documented and can be seen on YouTube<sup>3</sup> and across social media.

Thus, the fallen victims were in their tens contrary to what was reported by the biased media. According to Aljazeera, Al-Arabiya and the Libyan oppositions groups, by the end of 2011 the number of people killed reached 50,000. However, in 2012 Abdulrahaim Alkeeb's government announced that the number of victims from 17<sup>th</sup> February 2011 to the end of the war in October 2011

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<sup>1</sup> <https://www.youtube.com/watch?v=POLbi9R9zdg> THE HANGING OF A LIBYAN SOLDIER IN THE STREETS OF BENGHAZI IN 2011

<sup>2</sup> <https://www.youtube.com/watch?v=4sRqj8GwtW0> CIVILIANS DRIVING TANKS IN THE STREETS OF BENGHAZI

<sup>3</sup> <https://www.youtube.com/watch?v=MxOEzgnqViE> BURNING AND EATING THE LIVER OF A SECURITY OFFICER IN 2011 IN THE CITY OF MISRATA

were 4,700 including the people who died via natural death<sup>4</sup>. The highly claimed number of victims remained statistics figures without releasing the victims' names or their identity as well as to claim for compensation from the governments.

The propaganda campaign and lies that accompanied the military insult did not stop at the aggregation of the victims but claimed that the regime used military aircrafts to attack the civilians, reported rapes by the army and security forces,<sup>5</sup> Viagra found in tanks,<sup>6</sup> African and Algerian mercenaries fighting along the Libyan army and the airmen defections to Malta.<sup>7</sup> None of these claims proven until today and in fact bears any truth what so ever. UN, Western investigations, Amnesty International and the Human Rights Watch<sup>8</sup> have not proven any case of rape from the total of 8000 reported cases by the Libyan opposition figures. In fact, all these cases were fabricated and lacked credibility. On the same ground, the use of Mirage aircraft from Al-Weathy airbase in the far West of Libya to attack the civilians in Benghazi also bears no weight as these aircrafts could not attack targets in Benghazi and return to its base in the West due to the distance and fuel consumption. It is impossible for this type of aircraft to attack targets in 1500 KM and return without refuelling as well as there were airbases around Benghazi accessible to the Libyan government to be used if needed. Also, the Viagra found in tanks story was fallen on the same trap as the Libyan army has a professional, moral young army that neither think to commit such crimes nor need Viagra to activate their sexual desires. These fabricated stories are merely a SEX IT UP on the same line with the Iraqi seven minutes MWDs attack. Now, the Iraqi and the Libyan cases became laughing matters by the Iraqi, Libyan people, the American and the European media. [\(AMNESTY REPORT\)](#)<sup>9</sup>

### **The International Court of Justice (ICC)**

The ICC<sup>10</sup> issued a warrant of arrest for Muammar Qaddafi, Saif Al-Islam Qaddafi<sup>11</sup> and Abdullah Al-Senussi in 2011, charged with crimes against humanity allegedly committed in Libya. Despite the seriousness of the crime, the ICC has not conducted any investigations on the ground (Libya) as well as it reached its conclusions and identified the perpetrators within two weeks from the UN resolution for the ICC to proceed its work. The timing given for the charge to be announced was not presented and was not enough to even issue and investigate traffic penalties. In this effect, Al-Jehani, the ICC-Libyan government coordinator, asserted that, "the ICC case against Libya was purely political because the NATO countries order the National Transitional Council (NTC) to prepare a list of officials for the ICC

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<sup>4</sup> <file:///C:/Users/Doaa/Downloads/2.%09https://www.theguardian.com/world/2013/jan/08/libyan-revolution-casualties-lower-expected-government> THE GUARDIAN REPORT ON THE ACTUAL NUMBER OF DEATHS IN THE 2011 WAR AMNESTY REPORT

<sup>5</sup> <https://humanrightsinvestigations.org/2012/11/14/amnesty-international-and-the-human-rights-industry/> RAPE CLAIMS

<sup>6</sup> <file:///C:/Users/Doaa/Desktop/Letters/5%20https://www.theguardian.com/world/2011/jun/09/libya-mass-rape-viagra-claim> RAPE CLAIMS IN 2011

<sup>7</sup> <https://www.youtube.com/watch?v=1dRBAKDnloo> THE LIBYAN PILOTS IN MALTA

<sup>8</sup> <https://www.hrw.org/ar/world-report/2012/country-chapters/259719> HUMAN RIGHTS WATCH REPORT

<sup>9</sup> <https://humanrightsinvestigations.org/2012/11/14/amnesty-international-and-the-human-rights-industry/> RAPE CLAIMS

<sup>10</sup> <file:///C:/Users/Doaa/Desktop/New%20folder/8%20https://www.hrw.org/news/2011/08/01/handing-gaddafi-get-out-jail-free-card> CRIMINAL JUSTICE COURT REPORT ON MUAMMAR QADDAFI, SAFI AL ISLAM AND ABDULLAH AL SANUSSI

<sup>11</sup> <https://www.icc-cpi.int/libya/gaddafi/Documents/GaddafiEng.pdf> CRIMINAL JUSTICE COURT REPORT ON SAIF AL ISLAM

to be charged for crimes against humanity". The NTC assigned Al-Jehani to prepare the list who produced and presented tens of names, however, the ICC selected only the above three names. In his statement Al-Jehani also added that all the accusation was fabricated. He also asserted his views when he met Saif Al-Islam and told him that it's impossible for the Libyan judiciary to find you guilty. Al-Jehani added that we (Al-Jehani and his team) fabricated this case against him because we simply knew in advance that the criminal part is a lost case but we brought it forward to implicate Saif Al-Islam in financial and corruption cases.

Al-Jehani has justified his fabrications and lies as these lies are permissible during wars but it's hard to be proven in the law of court, (Al-Jehani statement documented on 1/1/2012 and field in Al-Zintan court).

The ICC adopted a double standard on Libya's civil war and the NATO intervention, implicating the Libyan political figures in fabricated crimes where ignored and failed to condemn the barbaric killing of Qaddafi<sup>12</sup> and his son Al-Motassem by the NATO backed militias.<sup>13</sup> The only action the ICC made was to drop the case against Qaddafi after his death. However, the ICC had a strong case as the killing was well documented by the media and needs no evidence to bring those responsible to justice. The ICC could also easily reach and arrest these perpetrators as they assumed political positions and diplomatic posts in various European capitals. A similar position was taken by the ICC against Abdullah Al-Senussi who was kidnapped from Mauritania by the Libyan government,<sup>14</sup> it stopped calling for his extradition to stand trial at the ICC. It did not even follow his human rights violation and inhuman treatment in the militia's prison even though he has been imprisoned by the well-known notorious jihadists, the Libyan Fighting Islamic Group. The head of the prison is the leader of LIFG, Abdul Hakiem Belhadj.

Belhaj is well-known to the CIA and Western governments. The CIA arrested him after his escape from Kandahar, interrogated and extradited to Libya in 2002 charging with terrorism.<sup>15</sup> In 2009, he and the LIFG members were released from prison under the General Amnesty Law.<sup>16</sup> Belhadj terrorist record speaks for itself. In 1994-97, he ordered a slaughter of 225 people and ordered the killing of the German tourists, Steven Baker and his wife Manuela Spiatzier in 1997. Nevertheless, he assumed a high-ranking position in Libya. He was a minister of Defence, and is responsible of Tripoli security, General Manager of Libyan prisons and responsible directly of Al-Senussi cell. Bearing in mind Belhadj's criminal record, the ICC expressed its reassurance that Al-Senussi is in the safe hands and supported his trial in Libya.

The NATO and small Gulf countries ignored Belhadj terrorist activities and recognised him as a political and military leader and above all a businessman. He owned the biggest TV station in North Africa, biggest airline company in Libya, cement factory, properties in Spain and Turkey and a private airport in Tripoli. This airport, however, has been used to channel and transport the terrorists from Libya to Syria. These terrorists were financed which was estimated to be 160 billion worth of dollars in 2010.

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<sup>12</sup> <https://www.youtube.com/watch?v=TpBjcD8Mac8&bpctr=1472059121> MUAMMAR AL QADDAFI'S DEAD BODY

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[https://www.youtube.com/watch?v=4pknYImQSks&oref=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3D4pknYImQSks&has\\_verified=1](https://www.youtube.com/watch?v=4pknYImQSks&oref=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3D4pknYImQSks&has_verified=1) MUTTASIM MUAMMAR AL QADDAFI'S BEFORE-AFTER DEATH FOOTAGE

<sup>14</sup> [https://www.youtube.com/watch?v=Kqg\\_W4NhlFo](https://www.youtube.com/watch?v=Kqg_W4NhlFo) ABDULLAH AL SANNUSI'S IMPRISONMENT IN MILITIA'S PRISONS

<sup>15</sup> <http://www.bbc.co.uk/news/world-africa-14786753> BBC REPORT ON ABDULHAKIM BELHADJ LIBYA

<sup>16</sup> <https://www.youtube.com/watch?v=ReQ2MGUmXWA> GENERAL AMNESTY LAW

Belhaj and others are responsible of the misuse of Libya's assets and putting an end to Libya's development plan worth 200 billion of dollars according to the World Bank. Belhaj is one example to the warlords' lavish life where the ordinary Libyan citizens were plunged into severe poverty.

### **The Militias Human Rights Abuses**

The militias' leaders and war lords has committed heinous crimes against humanity, destroyed cities and vital infrastructures throughout the past six years. The following are few of the listed crimes - People were burned, cooked alive and subjected to the ugliest forms of torture. Political prisoners, security personals and soldiers were thrown in the Iron and Steel smelting furnaces plant of Misratah. Above all, the militias traded in the prisons' human organs. With the Libyan political scene growing more complicated, IS has also added more atrocities by slaughtering, crucifying people and cutting their organs in dramatic senses.

Unprecedented racial and ethnic cleansing, genocide was committed against five Libyan cities and its people. 55% of Libyan people were forced to flee their country to the neighbouring countries. In addition, hundreds of houses were burnt in Bani Walid<sup>17</sup> and five other cities in Warshafana.<sup>18</sup> Furthermore, the destruction and flattening of the city of Sirte<sup>19</sup> and bombardment of residential populated areas in Benghazi<sup>20</sup> and Derna. Even the cosmopolitan Tripoli faced the same faith of ethnic and racial cleansing especially in the areas loyal to Qaddafi.

Besides the systematic human rights abuses, the militias and their leaders destroyed the Libyan essential infrastructures.<sup>21</sup> In July 2014, they set Tripoli airport and the aviation fleet on fire as well burning number 24 & 25 oil reservoirs.<sup>22 23 24 25</sup>

Despite the militias destructive actions and brutal torture, the international community and the UN legal bodies ignored all these crimes and failed to bring these warlords to justice<sup>26</sup>.

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<sup>17</sup> <https://www.youtube.com/watch?v=FUHodoC24Uk> SHELLING BANI WALID IN 2012 BY THE NEW GOVERNMENT'S MILITIAS IN 2012

<sup>18</sup> <https://www.youtube.com/watch?v=yG-SJoFJn3o> BURNING OF HOUSES AND PROPERTIES IN THE CITY OF WERSHIFANA IN 2014

<sup>19</sup> <https://www.youtube.com/watch?v=fla5LPiIldw> A WIPEOUT OF THE CITY OF SIRTE BY THE SO CALLED "REBELS" IN 2011

<sup>20</sup> <https://www.youtube.com/watch?v=ZW96lt1qok> THE DESTRUCTION OF THE CITY OF BENGHAZI

<sup>21</sup> [https://www.youtube.com/watch?v=abVGdkdWgj0&oref=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DabVGdkdWgj0&has\\_verified=1](https://www.youtube.com/watch?v=abVGdkdWgj0&oref=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DabVGdkdWgj0&has_verified=1) MUAMMAR QADDAFI'S CONVOY AFTER GETTING STRIKED BY NATO IN 2011

<sup>22</sup> <https://www.youtube.com/watch?v=WrfSrvseOCg> BURNING OF TRIPOLI INTERNATIONAL AIRPORT

<sup>23</sup> <https://www.youtube.com/watch?v=mgWdxQM-7Y> BURNING OF LIBYA'S AIERIAL CONVOY AND AIRPLANES IN TRIPOLI INTERNATIONAL AIRPORT

<sup>24</sup> <https://www.youtube.com/watch?v=NBE3yFCSYio> SATELLITE IMAGES OF THE BURNING OIL TANKS IN TRIPOLI

<sup>25</sup> <https://www.youtube.com/watch?v=P8tpk0TRbTo> OIL TANKS BURNING FOOTAGE LINK

<sup>26</sup> <http://gate.ahram.org.eg/News/323668.aspx> YOUSEF AL-GHERIANI'S COURT DECISION

## NATO and Libyan Militias' Atrocities against Civilian and Public Figures

The NATO military aircrafts targeted civilians across various Libyan cities, namely Zlitan, Sirte, Surman, Tripoli and Bani Walid. In the south of Zlitan and precisely in Majeer,<sup>27</sup> 84 families mainly women and children were killed in cold blood while they were sleeping by NATO airstrikes.<sup>28</sup> Media showed children's bodies pulled out of rubble and a lady named Minsyah Khleifa Heblow was halved in two and others lay dead in a very disturbing scene. In another case, the Khawildi Al-Ahmadi family was killed as NATO airstrikes hit their house and consequently killed two of their children.<sup>29</sup> Also, Al-Jafarh family were killed in Bani Walid<sup>30</sup> as NATO targeted their house during the Holy month of Ramadan. Not to mention, the well documented and deliberate NATO Arial bombardment of Qaddafi and his convoy in Sirte and the killing of Qaddafi's youngest son, Saif Al-Arab in his house in Tripoli.<sup>31</sup>

The human rights abuse and systematic killing and torture of Libyan civilians continued after the militias assumed control of Libya. These people were civilians that did not participate in the civil war and the majority were old and cannot carry weapons. The popular comedian Youssef Al-Gharyani was detained and tortured by Al-Zawiyah militias.

Misratah militias has also detained and tortured the eighty-year-old and the Libyan Mufti in the 1970s, Al-Shaiek Al-Madani Al-Shwearief,<sup>32</sup> because he did not approve and support the NATO intervention in Libya.<sup>33</sup> The famous Libyan singer, Mohammed Hassan, was abused and put under house arrest.<sup>34</sup> Others like the economist expert in the Ministry of Finance, Dr Abdul Hafied Al-Zalatni, was tried and sentenced to years of imprisonment. Likewise, the Head of Islamic Call Society, Dr Mohammed Al-Shareef was sentenced for long term imprisonment. The Head of Customs Department and the Head of Training at the Ministry of Interior were also sentenced to long term imprisonment along with others who were sentenced to the death penalty and various terms of imprisonments. It's rather absurd that these public figures were tried for drugs trafficking, human trafficking and rape in addition to 17 other charges.<sup>35</sup> The question that presents itself is how all these old professional figures met and conspire together to commit crimes throughout a period of nine months?

After NATO helped those militias to rule Libya, more horrific terrorist crimes were committed against Libyan and foreign nationals. A Coptic man was killed at the Misratah's battalion,<sup>36</sup> murdering number

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<sup>27</sup> <https://www.youtube.com/watch?v=5uE6eXHuWcU> AL-JFAARA FAMILY MASSACRE IN BANI WALID 2011

<sup>28</sup> <https://www.rt.com/news/bani-walid-siege-source-211/> RT REPORT ON THE SIEGE OF BANI WALID AND CHILDREEN DEATHS IN THE CITY BY MILITIA SHELLINGS

<sup>29</sup> <https://www.youtube.com/watch?v=YTUdWFjnmHI> AL-KHWAILDI'S FAMILY MASSACRE BY NATO IN 2011

<sup>30</sup> <https://www.youtube.com/watch?v=5uE6eXHuWcU> MAJER MASSACRE BY NATO IN THE CITY OF ZLITIN 2011

<sup>31</sup> <https://www.youtube.com/watch?v=6t0ubOqaQk4> MURDER OF SAIF AL ARAB MUAMMAR AL QADDAFI BY NATO IN 2011

<sup>32</sup> <https://www.youtube.com/watch?v=Uopl8o27TRc> KIDNAPPING AND TORTURING THE ISLAMIC SCHOLAR AL MADANI AL SHWEERIF BY "THE REBELS"

<sup>33</sup> <https://www.youtube.com/watch?v=7wrxLM7xgpg> HUSSAIN AL KARAMI'S (ISIS TERRORIST) FRIDAY PRAYER SPEECH IN THE CITY OF SIRTE

<sup>34</sup> <https://www.youtube.com/watch?v=FYupUv6v9GM> THE FORCE-ENTRY OF MUHAMMED HASSAN'S HOME BY THE SO-CALLED REBELS IN 2011

<sup>35</sup> <https://www.hrw.org/news/2015/12/03/interview-dark-inside-libyas-prisons> HUMAN RIGHTS WATCH REPORT ON THE DARK PRISONS OF LIBYA

<sup>36</sup> <http://www.masress.com/tahrirnews/311658> THE KILLING OF THE EGYPTIAN POPE IN THE CITY OF MISRATA IN 2012

of Coptic men in Sirte,<sup>37</sup> murdering a number of Christian Ethiopian workers,<sup>38</sup> murdering the American English teacher, Roni Smith, in Benghazi,<sup>39</sup> killing the Red Cross staff in Misratah in 2014<sup>40</sup> and the French Embassy bombing in Tripoli,<sup>41</sup> above all, the murder of the American Ambassador in Benghazi, who helped and armed the militias throughout 2011.<sup>42</sup>

All the above victims were reported by the Human Rights Watch and in some cases NATO admitted responsibility of their death. However, the ICC turned a blind eye and failed to investigate such crimes despite various national and international bodies which demanded to initiate an open and transparent investigation as well as bringing perpetrators to justice. The ICC record showed failure in its responsibility regarding Libya's civil war. It was evident as it has not produced a single warrant of arrest against these militia leaders and NATO forces. It seemed that it has been a deliberate policy of ICC to ignore these authentic crimes and only focuses on Saif Al-Islam indictment and trial.

When it comes to Qaddafi's family, the ICC are seen not to be serious as in the case of Al-Saadi Qaddafi torture that the ICC prosecutor claimed that she is still investigating the case. However, he was shown in a video being interrogated and beaten in front of the camera. The same standard applied to the Abdullah Al-Senussi case where the ICC prosecutor claimed that she is still in deliberation of his death penalty. A similar claim was made by her predecessor regarding the bombing and killing of Qaddafi and hundreds in his convoy. The ICC never showed any seriousness in other crimes committed by the militias against thousands of Libyan people, except Saif Al-Islam in order to silent his voice and eliminate potential leadership.

The NATO countries and the Gulf mini-states should be held responsible for the chaos that has been created in Libya since 2011. They intervened in Libya in the pretext of Qaddafi killing his own people. The scenario of a leader killing his own people reminds us of Tony Blair during the Iraq inquiry in 2016. He said it was "the right thing to do and if Saddam had remained in power during the Arab Spring he would have crushed the rebels".<sup>43</sup> By this kind of speculation, countries were destroyed, thousands of people were displaced and national assets were stolen. As a result of the NATO military intervention in Libya, Qaddafi, his sons and thousands of Libyan people were killed and millions more were displaced.

Six years on and the political settlement in Libya is far distant from being realised soon. With a glance, Libyan militias are fighting each other as well as Western countries military forces who are siding with different militias. France remains involved militarily and lost three soldiers in Benghazi in July 2016

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<sup>37</sup> <https://www.theguardian.com/world/2015/feb/15/isis-21-egyptian-coptic-christians-beheading-libya> THE MURDER OF 21 EGYPTIAN CHRISTIANS BY ISIS TERRORISTS IN THE CITY OF SIRTE

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[file:///C:/Users/Lahwej/Downloads/37http://www.telegraph.co.uk/news/worldnews/africaandindian\\_ocean/libya/11548360/Islamic-State-murders-30-Ethiopian-Christians-in-Libya.html](file:///C:/Users/Lahwej/Downloads/37http://www.telegraph.co.uk/news/worldnews/africaandindian_ocean/libya/11548360/Islamic-State-murders-30-Ethiopian-Christians-in-Libya.html) THE MURDER OF 30 ETHIOPIAN CHRISTIANS IN LIBYA

<sup>39</sup> <https://www.theguardian.com/world/2013/dec/05/american-teacher-ronnie-smith-shot-dead-jogging-benghazi> MURDERING OF THE AMERICAN TEACHER IN THE CITY OF BENGHAZI

<sup>40</sup> <https://www.theguardian.com/world/2014/jun/05/red-cross-staff-member-killed-libya-sirte> THE MURDER OF THE RED CROSS CREW IN THE CITY OF MISRATA

<sup>41</sup> <http://www.bbc.co.uk/news/world-africa-22260856> THE FRENCH EMBASSY'S BOMBING IN TRIPOLI

<sup>42</sup> <https://www.youtube.com/watch?v=1ArI2mY01I8> US EMBASSY ATTACKS IN BENGHAZI 2012

<sup>43</sup> <https://www.youtube.com/watch?v=uMJVAMD7axg> TONY BLAIR ADMITTING THE "MISTAKE" OF THE INVASION OF IRAQ

by groups that were supporting the 2011 uprising. France then called the uprising a revolution that France ought to support and if its belief was true why is the war continuing today? And why 700 people mainly army officers assassinated? Why were the American Consulate Staff killed in Benghazi? Why the West ignoring is IS barbaric acts of cutting people's throats in Sirte, Misratah and Derna?

The answer to the later question is clear, those criminals were supported by the West in 2011 because they were fighting the apostate Libyan government as they claimed. Why was IS wearing the same Libyan soldiers uniform that was imported to the Libyan army in 2012, and who gives it to them? Why did IS' members receive a salary from the Libyan Defence Ministry? The answer to the above question is that search for the effective ruler of Libya namely Belhadj, Al-Shareef, the Libyan Islamic Fighting Group and their co-ruler, the National Congress members. Who governs Libya today is well known by Libyan people and by some international NGOs groups. Thus far, Libya today is under the rule of the Islamic Jihadist groups and the West is supporting them despite these groups' crimes against Libya and its people.

At this moment of time, is it strange that the Western countries as far north as Norway and Canada and to the south, Malta and Italy, not to mention the Qatari forces, the United Arab Emirates, Jordan, Sudan and Morocco all assembled to launch a military aggression against civilians who were not being hostile against these countries, such as, Saif al-Arab Muammar Qaddafi and Khuwaylidi family and 84 of innocent victims of Madjer? While these countries are patient and tolerant towards the supports of IS in Sirte, Misrata and Benghazi, they were also celebrating the IS bombings of the French and Belgium cities. Yet, the NATO countries and their allies should attack and bomb them as they did in Libya in 2011.

Finally, in complement of its series of crimes against the Libyans, the Western countries have appointed a war criminal who was responsible for the destruction of Bani Walid and killing of its children, "Abdul-Rahman Al-Swehli" as a head of Libya's highest authority, the State Council and appointed his nephew, "Ahmed Maiteeq"<sup>44</sup> Vice President, his niece "Nihad Meitiq"<sup>45</sup> General Director of the Foreign and his brother in law, Faiez Al-Saraj, head of the presidential Council. In addition, Al-Swehli struck a deal with Belhadj, commander of the Islamic Fighting Group, to take the Islamist share of the presidential election. However, it is well known in Libya that if elections were to be held today, the above-mentioned persons will not guarantee and secure even their family members' vote. Belhadj popularity was demonstrated in the parliamentary elections where he got only 50 votes in the Sauaq Al-Joumah district, which has a population of 250 thousand people.

Meanwhile and during writing these lines, the cities of Libya and its population including the capital city Tripoli where a third of Libyan population are inhabited, are suffering water shortages, living in darkness because of power cuts, lacking medical facilities and basic human needs. Per the UN, 65% of hospitals stopped working.<sup>46</sup> Whereas the Libyan Dinar lost 300% of its value and oil production fell from 1.9 million barrels a day into 250.000 barrels.<sup>47</sup> To add to the suffering of Libyan people, main roads were cut due to the military operations and act of banditry by the criminal gangs, in addition to

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<sup>44</sup> <http://www.ahmedmaiteeq.com/%D8%B9%D9%86-%D8%A7%D9%84%D8%B3%D9%8A%D8%AF-%D8%A3%D8%AD%D9%85%D8%AF-%D8%B9%D9%85%D8%B1-%D9%85%D8%B9%D9%8A%D8%AA%D9%8A%D9%82/> AHMED MAETIEG'S WEBPAGE

<sup>45</sup> <http://www.unmultimedia.org/arabic/radio/archives/195390/#.V74RTvkrKUK> NIHAD MAETIEG SPEECH ON UN WEBPAGE

<sup>46</sup> [http://www.who.int/countryfocus/cooperation\\_strategy/ccsbrief\\_lby\\_en.pdf](http://www.who.int/countryfocus/cooperation_strategy/ccsbrief_lby_en.pdf) WORLD HEALTH ORGANISATION REPORT ON HEALTH-CARE IN LIBYA

<sup>47</sup> [http://www.opec.org/opec\\_web/en/about\\_us/166.htm](http://www.opec.org/opec_web/en/about_us/166.htm) LIBYAN OIL EXPORT REPORT IN 2015

the military operations and bombing campaign that stretches from Derna in the east to Sirte to the West through Benghazi and Ajdabiya. The most dominant in the daily news are kidnapping for ransom and booming arms trade to the extent that it is sold through the Internet and advertised on Facebook.

In conclusion, we ought to thank our brothers in Qatar and the UAE, Sudan, Tunisia, the Arab League, the NATO countries, the European Union and the people who helped Libya become a failed state. After the release of Islamist political prisoners and others, Libya became a home for the largest private prisons run by families and militias. Also, a country attracted investors from around the world to a state exporting migrants including its own citizens, 55% of its population migrated and took refugee worldwide. A state that combined the finest legal and constitution experts in the world, that were able to forge a new and modern constitution, now transformed to a state governed by 1500 militias. And finally, a state where a crime of theft was considered strange and unusual, to a state where human mutilated bodies and decomposed bodies were dumped on the streets and road sides, which became a routine and normal across the country every morning.

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### **The Herland Report comments:**

#### **Saif Al-Islam Qaddafi and the ICC case**

Before the uprising, Saif Al-Islam was the architect of the new Libya. He presented his new vision of Libya free of political prisons, committed to human rights charter, distribution of wealth, prosperity and democracy.<sup>48</sup> He embarked on political and economic reforms in Libya whereby the radical Islamic prisoners gained their freedom, rehabilitated and engaged in the Libyan society. Once the violent uprising erupted in some Libyan cities, local sources confirm that he offered his help by engaging in human relief efforts to help the displaced people around the country, released the uprising prisoners, securing the Misratah people who caught on the cross fire and sheltered the Benghazi people who fled the fighting areas.

He also called and supported the peace efforts to solve the Libyan civil war. According to sources on the ground, he asked the University of Sirte's administration to print 5000 leaflets and distributed to the peaceful convoy to Benghazi contained observing human rights, calling for the army to uphold the rule of engagement and prohibiting the use of force against the protesters. The later was stated by the Head of the Joint Operation Chamber in the 2011 Libyan war, Marchal Al-Hadi Embarrish, who was taken as a prisoner of war by the Al-Zintan militias, badly treated and deprived from medical treatment until he died of cancer in prison in 2014.<sup>49</sup>

Despite Saif Al-Islam Qaddafi's tireless peace efforts, NATO aircrafts targeted him in an attempt to assassinate him that resulted in a permanent disability and killing of 29 of his comrades.<sup>50</sup> Also, he lost his fingers and suffered multiple injuries. Yet, the ICC did not investigate the airstrike, nor oversee his

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<sup>48</sup> <https://www.youtube.com/watch?v=ReQ2MGUmXWA> RELEASING ISLAMIC FIGHTING GROUPS FROM LIBYAN PRISONS

<sup>49</sup> <https://www.youtube.com/watch?v=dklztPn6ETU> AL HADI EMBEERISH'S KIDNAPPING IN 2011

<sup>50</sup> [https://www.youtube.com/watch?v=yJ87DR1j\\_lc](https://www.youtube.com/watch?v=yJ87DR1j_lc) SAIF AL ISLAM'S ARRIVAL IN THE CITY OF ZINTAN

five years of solitary confinement condition and his human rights generally.<sup>51</sup> Furthermore, the ICC persisted demanding his arrest and trial despite he was sentenced to death by a Libyan court that set-in Al-Hadbah prison under Khaled Al-Shareef, the right man of Belhaj.

For these reasons, the unfair trail and dismissal of the case is the only outcome that should be endorsed. Indeed, it could be argued that the case should be completely dropped especially after the Attorney General assassination in Benghazi and fleeing most Public Prosecution team as they faced an immense pressure from the militias. With all these circumstances, the ICC arguments were that his death sentence has not been implemented and therefore he should be arrested and jailed in Al-Hadhaba prison.

However, his death sentence was appealed by the Libyan Ministry of Justice on the ground of unfair trial since the court was set in a prison controlled by the Al-Shareef who has power over the court and the judges. Nevertheless, the ICC continued calling for his retrial and turned a blind eye on the fact that Saif Al-Islam was in the Al-Zintan prison and the Tripoli court had tried him via close circuit TV. Therefore, the ICC should respect the Libyan law and be aware that a person should not be tried twice for one alleged crime. But the end game for the West and ICC is to get rid of Saif Al-Islam Qaddafi as they did with his father Qaddafi and his brothers.

It is time for the ICC to drop its double standards and side with the Libyan people in their ultimate aim that to salvage their country from these militias and build a new Libya where human rights, prosperity, development and rule of law prevails. We also call upon the ICC to drop its call for Saif Al-Islam to be extradited and tried by the ICC.

Instead, the ICC should recognise and respect the Libyan Ministry of Justice General Amnesty Law by which Saif Al-Islam Qaddafi should assume his role in the struggle for a new democratic Libya. In this respect and after the Western countries began to see their mistake, they should work with the sincere Libyans and NGOs to bring these militias and their leaders to justice for the sake of peace and reconciliation.

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<sup>51</sup> <https://www.youtube.com/watch?v=YVa53FCoxn8> AFP REPORT ON TOURTURING PRISONERS IN NEW LIBYA

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