Rights group: Libya fails to hold war criminals accountable

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A leading rights group on Thursday accused Libyan authorities of failing to bring suspected war criminals to justice for their alleged role in crimes against humanity since 2011.

Libya has not brought any suspects before the International Criminal Court in the 10 years since the North African nation was referred to the ICC by the U.N. Security Council. The allegations center on suspected crimes committed either during the 2011 uprising that ousted and killed longtime dictator Moammar Gadhafi, or the civil war that followed.

“After a decade of impunity for serious crimes, the wheels of justice ... seem to have come to a grinding halt,” said Hanan Salah of Human Rights Watch, which released the report.

“Council members need to ensure that the court has sufficient means and political backing to do its vital work on behalf of victims of grave abuses in Libya,” Salah added.

In 2017, the ICC issued three arrest warrants against Seif al-Islam Gadhafi, the late dictator’s son, as well as Al-Tuhamy Mohamed Khaled, former head of Libya’s Internal Security Agency, and Mahmoud al-Werfalli, a Libyan military officer.

Seif al-Islam Gadhafi, who is charged with murder for his alleged role in the violent suppression of the 2011 protests, is believed to be hiding in the Libyan town of Zintan. He was released from custody in June 2017 after more than five years in detention as part of a pardon issued by the Libya’s eastern-based parliament.

The oil-rich country has been divided between two rival governments, one in the east and another in the west, for the last six years.

Khaled is wanted for alleged war crimes against prisoners held by Libyan security forces during the 2011 protests. ICC prosecutor Fatou Bensouda had previously said that he was in Cairo.

Al-Werfalli is sought for his alleged role in, or ordering the execution of, 33 captives in the eastern city of Benghazi in 2016 and 2017. The ICC holds that the executions were filmed and posted on social media. Al-Werfalli has been serving as a commander in Libya’s eastern army, which is based in Benghazi and led by Gen. Khalifa Hifter.

The ICC prosecutor has demanded the Egyptian government surrender Khaled, and that Hifter hand over al-Werfalli.

“The ICC faces steep challenges in carrying out its mandate in Libya. Without a police force, it relies on governments of countries where suspects can be found for cooperation in arrests, and that cooperation has been inadequate,” HRW’s statement said.

Since 2011, Libya has descended into chaos and has become a haven for Islamic militants and armed groups. The country’s rival governments are each backed by a vast array of militias and foreign governments.

In October, the U.N. mediated a ceasefire between the warring parties and initiated a political dialogue that culminated in the election of interim authorities earlier this month. The new transitional government is expected to lead the country into general elections in December 2021.