

**- PRESS STATEMENT -**

**GUERNICA 37 IJC FILES INVESTIGATIVE REPORT  
WITH THE ICC PROSECUTOR ON THE SITUATION IN LIBYA AND  
REQUESTS THE OPENING OF A FORMAL INVESTIGATION INTO THE  
CONDUCT OF FIELD MARSHAL KHALIFA BELQASIM HAFTAR AND  
THOSE MILITARY FORCES UNDER HIS COMMAND**

**THE HAGUE, 14 November 2017 – Investigative Report filed with the Office of the Prosecutor of the International Criminal Court by Guernica 37 IJC and its international partners, concerning allegations of War Crimes and Crimes Against Humanity committed by forces under the command of Field Marshal Khalifa Belqasim Haftar (Haftar) of Libya.**

*Allegations include, but are not limited to, offences of Murder, Torture or Inhuman Treatment, Wilfully Causing Suffering, Extensive Destruction and Appropriation of Property, and Persecution. Those responsible, including Field Marshal Haftar, must be brought to justice and held accountable; impunity cannot be allowed to prosper.*

In February 2011, the United Nations International Commission of Inquiry on Libya, established pursuant to United Nations Human Rights Council Resolution S-15/1 of 25 February 2011, concluded that the Regime of **Colonel Muammar Mohammed Abu Minyar al-Qadhafi** and its military and paramilitary forces had committed “*international crimes, specifically Crimes Against Humanity and War Crimes*”.

The Commission of Inquiry also examined the conduct of the opposition and indicated that:

*“It has established that some acts of torture and cruel treatment and some outrages upon personal dignity in particular humiliating and degrading treatment have been committed by opposition armed forces”*

**The Guernica Group**

Guernica 37 International Justice Chambers – G37 Despacho Internacional – The Guernica Centre for International Justice  
London – Madrid – California

**W** <http://www.guernica37.org> **E** [clerks@guernica37.org](mailto:clerks@guernica37.org)

By the end of August 2011, armed groups in opposition to the al-Qadhafi regime controlled most of the country, including Tripoli, and many regime officials had fled abroad or gone into hiding.

On 23 October 2011, the National Transitional Council (NTC) declared that Libya had been liberated.

In 2014, without any warning, Haftar released a video announcing a military coup, railing against the inability of the then-central government to confront armed Islamist groups that had emerged after the revolution.

The issue was commented upon by a former US State Department official who suggested “[Haftar] is not interested in democracy. I don’t even think he’s particularly interested in peace”<sup>1</sup>, the suggestion being that Haftar was only interested in taking full control of the Libyan State.

Field Marshal Khalifa Haftar is using his own troops and those of other armed groups to consolidate his grip on power, regardless of the effect that it may have on the country, and regardless of the effect that such actions are having on those many innocent civilians caught up in the fighting.

There are credible reports, underpinned by first-hand evidence that individuals within the chain of command have, and continue to commit War Crimes and/or Crimes Against Humanity in their pursuit of power.

Hundreds, if not thousands of civilians have been murdered, tortured, and been forced out of their homes.

Witnesses recount how their properties have been the subject of indiscriminate attacks by armed groups, including air attacks; how they have been deliberately targeted and individuals murdered by armed groups, simply for trying to leave the area and get to safety.

Further witnesses describe how having been attacked and watched family members murdered, they have been imprisoned, taken to places of detention, and tortured, resulting in life changing injuries.

All of these attacks are alleged to have been committed by forces under, and/or loyal to Field Marshal Khalifa Haftar; a position that appears to be supported by video footage of individuals circulated on various social media outlets.

Further, video footage corroborates public statements by Field Marshal Khalifa Haftar and those forces loyal, confirming the operational plan to place strategic areas of Benghazi under siege, to starve its inhabitants, to indiscriminately bombard civilian neighbourhoods, arbitrarily arrest, detain, torture and execute non-combatants.

---

<sup>1</sup> [https://www.washingtonpost.com/world/national-security/a-former-cia-asset-has-become-a-us-headache-in-libya/2016/08/17/a766e392-54c6-11e6-bbf5-957ad17b4385\\_story.html?utm\\_term=.c27d72c7d837](https://www.washingtonpost.com/world/national-security/a-former-cia-asset-has-become-a-us-headache-in-libya/2016/08/17/a766e392-54c6-11e6-bbf5-957ad17b4385_story.html?utm_term=.c27d72c7d837)

The pursuit of peace in any country, including Libya, is essential, and must be pursued with all vigour; however, this aim must not be pursued at the expense of innocent people, nor can a situation be allowed to arise where individuals become immune from prosecution and a process of accountability.

Haftar may be seen by some in the international community as being pivotal in bringing about peace to Libya, however, it is critical to note that a degree of the ongoing conflict has been directly caused by the actions of Haftar's forces, and the unrest already present, exacerbated.

It is also important to note that Haftar has thus far refused to cooperate with the ICC in the ongoing investigation into Mahmoud Mustafa Busayf Al-Werfalli who is allegedly responsible for murder as a war crime in the context of the non-international armed conflict in Libya.

Guernica 37 has today filed a detailed confidential investigation report with the ICC Office of the Prosecutor, and will continue to investigate those allegations of offences committed in Benghazi and the wider area under the command of **Field Marshal Khalifa Belqasim Haftar**. Where there is credible evidence, this will be forwarded to the Office of the Prosecutor at the International Criminal Court with a view to those responsible being brought to justice.

\* \* \* \* \*

*Guernica37 International Justice Chambers in London, the non-profit organization Guernica Centre for International Justice in the United States and G37 Despacho Internacional in Madrid, form the Guernica Group. Our international team of lawyers specialize in International Criminal Law and strategic transnational litigation to obtain accountability for international crimes and human rights violations. The Guernica Group seeks to contribute to national processes of accountability by designing legal strategies in partnership with key actors in countries experiencing transitional processes after conflict or post-conflict situations.*

## -CONTACT-



Enquiries: +44 20 3457 0169  
Toby Cadman: +44 7904 593 446



<http://www.guernica37.org>  
<http://www.g37internacional.com>  
<http://gcij.org>



[clerks@guernica37.org](mailto:clerks@guernica37.org)  
[tobyc@guernica37.org](mailto:tobyc@guernica37.org)



Guernica 37 International Justice Chambers  
The Bloomsbury Building  
10 Bloomsbury Way  
London WC1A 2SL

### The Guernica Group

Guernica 37 International Justice Chambers – G37 Despacho Internacional – The Guernica Centre for International Justice  
London – Madrid – California

W <http://www.guernica37.org> E [clerks@guernica37.org](mailto:clerks@guernica37.org)