



Written by [Alex Newman](#) on November 3, 2011

NATO, Rebels Investigated by ICC for War Crimes in Libya

NATO forces and Libyan rebels associated with the National Transitional Council are being investigated for alleged war crimes committed during the Western-backed overthrow of strongman Col. Muammar Gadhafi, the chief prosecutor for the International Criminal Court told the United Nations. A probe of crimes attributed to forces loyal to the late despot is also ongoing.

“There are allegations of crimes committed by NATO forces, allegations of crimes committed by NTC-related forces, including the alleged detention of civilians suspected to be mercenaries and the alleged killing of detained combatants, as well as allegations of additional crimes committed by pro-Gadhafi forces,” ICC chief prosecutor Luis Moreno-Ocampo (left)



told the UN Security Council in New York on November 2. “These allegations will be examined impartially and independently by the Office [sic].”

The self-styled world prosecutor did not offer details about what war crimes Western forces may have committed, but the [well-documented](#) slaughter of dozens of civilians in the town of Zlitan is thought to be on the list. Alliance [targeting](#) of crucial non-military infrastructure including a television station accused of spreading propaganda and key water facilities will also likely be among the accusations being investigated.

According to the U.K. [Telegraph](#), one of Gadhafi’s generals filed a lawsuit against NATO in a European court for killing his wife and three children in an air strike. At least three of Gadhafi’s infant grandchildren were also reportedly killed, but it remains unclear how many innocent civilians were killed by Western bombs. The military alliance said it had no plans to find out.

In August, international law expert Franklin Lamb [accused](#) NATO of committing a “massacre” of civilians after visiting a town decimated by air strikes. Citing international lawyers, U.S. congressional staffers and human rights activists visiting the war-torn nation, he charged in a piece for the *Foreign Policy Journal* that NATO had “committed war crimes and crimes against humanity.”

ICC prosecutor Moreno-Ocampo did say NTC-affiliated forces had been accused of illegally arresting civilians, executing prisoners, and other war crimes. And as *The New American* has [documented](#), the list of rebel war crimes also includes beheadings, lynchings, torture, executions, and more.

Some analysts have accused the revolutionaries of “genocide” and “ethnic cleansing” directed against blacks thought to have supported Gadhafi. The entire coastal town of Tawergha, largely populated by dark-skinned Libyans, was [literally wiped off the map](#) by rebel forces as they overran the nation with



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Western air support.

Surviving residents of the decimated town fled for their lives. But they are still being [hunted down](#) and murdered by Libyan militias, according to human rights groups.

Even in the early weeks of the Western-backed rebellion, footage of rebel atrocities — much of it too graphic to describe — was being posted online. Revolutionaries could be seen cheering and shouting “Allahu Akbar” as captured military and police officers were hanged or had their heads sliced off with machetes.

“The evidence provided by these videos makes clear that the rebels’ conception of warfare has more in common with that of Al-Qaeda than that of the Geneva Conventions,” [explained](#) John Rosenthal in a piece for the U.S.-based Hudson Institute. “The abuses documented in the videos could serve as textbook examples of precisely the sort of savagery that the Geneva Conventions were supposed to prevent.”

Of course, former regime officials who did not defect and become part of the NTC are being investigated for war crimes as well. The ICC is supposedly checking into ex-Libyan “intelligence” boss Abdullah al-Senussi — still at large — for allegations of brutality including rapes while targeting insurgents. An international warrant for Gadhafi’s remaining son, Saif al-Islam, is also pending.

News reports and the prosecutor indicated that Saif’s representatives had recently been in contact with the ICC. But he is thought to have fled the country already — possibly with help from desert nomads loyal to his late father’s toppled regime.

The court was viciously ridiculed by critics after it “[confirmed](#)” Saif’s capture by rebels in August, saying it was in the process of bringing him to the Hague for trial. He appeared in Tripoli — supposedly under rebel control — later that day to lead a crowd of cheering supporters and foreign journalists on a tour of the city.

It actually took two more months of relentless NATO bombing for the late despot to finally fall after putting up [fierce resistance](#) in several strongholds in Western Libya. But as Gadhafi’s convoy was leaving his hometown of Sirte, it was hit by an air strike. Revolutionaries on the ground [brutally finished the job](#), executing Gadhafi with a bullet to the head after a merciless beating.

On October 21, the UN “Human Rights Council” [called for an investigation](#) into the brutal execution at the hands of Western-backed revolutionaries. The NTC has promised to investigate and prosecute those responsible, though it remains unclear what, if anything, is happening in that regard.

A lawyer for the Gadhafi family also said last week that it would be filing war-crimes charges against NATO with the ICC. “All of the events that have taken place since February 2011 and the murder of Gadhafi, all of this means we are totally in our right to call upon the International Criminal Court,” the family’s French attorney was quoted as saying by CNN.

NATO has denied that it committed war crimes, claiming it specifically attacked military and regime targets to enforce a UN resolution. But analysts have highlighted countless examples of strikes that served no apparent purpose if the goal was only to “protect civilians.” The NTC has said it would hold war criminals in its ranks responsible.

Some critics have accused the ICC of merely trying to gain legitimacy for itself by purporting to “investigate” NATO and rebel war crimes. Opponents have called the so-called “court” — which purports to have the authority to prosecute any individual on earth for vague crimes like “aggression”



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— an illegitimate “fraud” that should be abolished.

As senior editor William Jasper [noted](#) in an article for *The New American* as the ICC was coming into existence, “if the ICC architects have their way, the entire planet will soon become a global insane asylum — with the inmates in charge.” Among other opponents of the court Jasper cited Dr. Charles Rice, professor of law at Notre Dame University. Rice called the court “a monster” that essentially “repudiates the Constitution, the Bill of Rights, and the Declaration of Independence and cancels the 4th of July.”

The court acknowledges no boundaries to its supposed authority, either. “In our system law is supposed to be a rule of reason which, in a sense, controls the state and compels the state to operate under the law,” Rice explained. “What are the limits on the ICC? There are none. It’s insane!”

Though the U.S. is not a member of the ICC, the supposed “court” claims to have the authority to prosecute Americans. It remains unclear how the Obama would respond if the ICC attempted to prosecute U.S. servicemen for their role in the [unconstitutional](#) “regime change” mission in Libya ordered by the administration.

The ICC prosecutor said his “Office” would prepare a “comprehensive report on the crimes allegedly committed by the different parties in Libya” by May of next year. However, the ability to carry out the investigations will depend on the available budget, he added.

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Photo: International Criminal Court Prosecutor Luis Moreno-Ocampo speaks during a press conference at the ICC in The Hague, Netherlands, Tuesday June 28, 2011.: AP Images



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