

# France's Resolution to Refer Syria to the International Criminal Court Rejected by the UN

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The Chinese Ambassador, taken aback, observes his French counterpart advocating for Bashar el-Assad to be tried by the ICC. France and the United Kingdom have been waging a secret war against Syria since 2011. It has caused more than 160 000 deaths.

Laurent Fabius' proposal to the International Criminal Court for crimes committed in Syria was rejected by the UN. Indeed, hidden behind the appearance of justice, the ICC is a tool of Western imperialism. Its procedure is grotesque, it does not hesitate to invent imaginary crimes to convict defendants and it participates in NATO propaganda operations. Yes, we want justice, and it must begin by judging Mr Fabius for his crimes in Syria.

Thursday evening at the Security Council, at the initiative of the French Foreign Minister, Laurent Fabius, France filed a draft resolution referring Syria to the International Criminal Court ( ICC) for crimes committed in Syria. Fabius explained his move, supported by 64 allied countries, in an open article published in Le Monde. [1] He stresses that his proposed resolution is not aimed at the government, but "covers all crimes committed in Syria, whoever the authors."

We should all support him then. Yet Russia and China are strongly opposed, even to the point of using their veto for the fourth time on this issue. Is that because these two states, which are not members of the ICC, know that Laurent Fabius' guarantees are pure propaganda? ICC produces victors' justice which serves the interests of imperialism.

One-way Justice



Image right: In August 2011, the ICC prosecutor, Luis Moreno Ocampo, assured that he had Saif al-Islam Gaddafi in custody and that he was organizing his transfer to The Hague. In reality, Gaddafi

was commanding the resistance to the NATO attack. He would not be arrested until Libya had fallen three months later.

Since its inception in 2002, the Court – whose competence is universal – has opened twenty cases, but has passed sentences only against nationals of eight African countries (Uganda, Democratic Republic of the Congo, Central African Republic, Sudan, the Republic of Kenya, Libya, Côte d' Ivoire). And in these eight cases, the Court has condemned only the opponents of Western powers. Therefore, it is clear that this body does not do justice, but uses it as a tool.

That is why in October 2013, the Summit of the African Union decided not to honor its commitments vis-à-vis the ICC when it prosecutes the Heads of State in office.

### The Libyan Experience

For my part, my experience of the Court is limited to the case of Libya. At the request of the Security Council, the Prosecutor decided to prosecute Muammar al-Gaddafi, his son Saif al-Islam and his brother Abdullah Senussi, accusing them of having massacred tens of thousands of opponents in Benghazi and elsewhere. With considerable means, the prosecutor declared he had evidence. In reality, he based his accusations on Western press reviews. However, anyone in good faith present in Libya could see that the alleged crimes had never existed. So, I searched a long time in the Tripoli neighborhood for the ruins allegedly caused by bombing by “the regime’s aviation” without finding any trace of destruction; imaginary bombings which had been strongly condemned by the Council of Human Rights of the UN and had justified the mandate given by the Security Council to NATO.

Then, the prosecutor launched the accusation that Muammar el-Qaddafi had distributed viagra pills to his soldiers so they could rape the women of his opponents. The prosecutor gave figures on the volume of these tablets without heeding the fact that these exceeded the global production of viagra. Thereafter, in the absence of identified victims, the charge of mass rape was simply dropped. [2]

The most ridiculous part came when NATO took Tripoli. The prosecutor confirmed to the international press, on August 21, that Saif al-Islam Gaddafi had been arrested and that his transfer to The Hague was being organised. But as I listened to his statement on television, Saif al-Islam was at the Rixos hotel in a room adjoining mine. The prosecutor had invented this story in order to demoralize the Libyan people and help NATO conquer the country. Ultimately, Saif al-Islam was arrested three months later, on November 19.

How can we take this court seriously when its prosecutor decides on the sole basis of a review of the Western press, does not hesitate to invent charges to influence public opinion, or to lie to influence the outcome of an invasion?

### The Genesis of the ICC

The International Criminal Court finds its genesis in Article 227 of the Treaty of Versailles (1919), which intended to create an international tribunal to try the defeated German Emperor Wilhelm II, and the London Agreement (1945), which instituted the Nuremberg Tribunal to try Nazi leaders. At the time, German Chancellor Ludwig Erhard was one of the few politicians to criticize the Nuremberg tribunal. He argued that a judgment rendered by

the victors against the defendants, all Germans, had no credibility. He advocated that the Nazis be tried by judges of neutral countries (Switzerland and Sweden), which would certainly have profoundly changed the verdict, and by some German judges.

Casamayor, the French jurist, denounced what he saw as a justice of the victors : Nazi crimes could be punished, but not those of the Allies. "As from now, there are two types of international law, one for the Germans, the other for the rest of the world," he wrote. "If the indiscriminate bombing of London and the use of weapons of retaliation, such as V1 and V2 rockets, were not to be included among the accusations, it is doubtlessly to avoid including the indiscriminate bombing of civilians by the RAF, of which the phosphorus bombing of Dresden was the paroxysm.

In the case of crimes committed in the Great Lakes region, there certainly were some by African leaders, but most of these crimes were sponsored by major Western powers : the United Kingdom, Israel, the United States or France.

In the case of Libya, Muammar Gaddafi had certainly used political assassination during his 42 years in power, including that of Imam Moussa Sadr, but he never committed the crimes for which the Court wanted to judge him. These were pure inventions of Western propaganda to justify the conquest of Libya. Everyone can also see that, two years after his lynching by Western agents, nobody mentions these imaginary crimes.



The Laurent Fabius Case

Image left: Laurent Fabius should be prosecuted for war crimes and crimes against humanity in Syria.

In 1999, Laurent Fabius was tried by the Court of Justice of the French Republic for manslaughter. He was accused, when he was Prime Minister, of having favored the industrial interests of a pharmaceutical company by delaying the removal from market of blood contaminated with HIV. The Court procedure, having been imagined for his case, doubts persist regarding the acquittal which he won. [3] Fabius admitted being responsible for a political mistake, but not guilty of the criminal offense. That is to say, he admitted to not doing his job as Prime Minister and allowing his advisers to make bad decisions. In the past, this confession would have marked his definitive retirement from political life, but it was to be otherwise. Considering he was not guilty, but irresponsible, he was elected President of the National Assembly and remained so during and after his trial ( 1988-1992 ), although the judges are parliamentarians. [4] He served again in this capacity. under Jacques Chirac (1997-2000), then Minister of Economics (2000-2002) and Foreign Affairs Minister (since 2012).

In his capacity as Foreign Minister, Laurent Fabius revived the war in Syria on behalf of Israel and a U.S. group including Hillary Clinton (Secretary of State), general David Petraeus (CIA) and Patrick O O'Reilly (missile shield), and Admiral James Stavridis (NATO). He organized the Paris Conference of Friends of Syria and placed the war criminal Abu Saleh on the podium alongside President François Hollande during his speech. Then Mr. Fabius approved the organization of the attack on July 18, 2012 that decapitated the Syrian National Security Council; an attack that killed General Daoud Rajha (Minister of Defence, Orthodox Christian), Assef Shawkat (Deputy Minister, Alawi) and Hassan Turkmani (National Security Adviser, Sunni ). On August 17, 2012, in Turkey, he said: "I am aware of the force of what I am saying : Bashar al-Assad does not deserve to be on Earth," openly encouraging his assassination. All these facts and many others are theoretically subject to the ICC, which would surely condemn him if it were just.

The War in Syria Caused at Least 160,000 Deaths.

We Want Justice !

Yes, we must try perpetrators of crimes in Syria, but this cannot be accomplished by a court in the service of those who attack the country and torment its people. War financiers must be judged as a priority, and they are to be found in Washington, London and Paris, Ankara, Doha and Riyadh. Some of them are even bankrolling the ICC.

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