

# The War on Libya: Revelations of Former French Foreign Minister. Crimes against Humanity Committed by Sarkozy & French Military

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At first glance at the 2011 events in Libya it looks like the decision to attack the country was taken only somewhere in February or March. A number of facts and official documents seem to prove it. In January 2011 the UN was preparing to discuss the human rights in Libya. Not a single state expressed concern, and praises were sung to commend the leadership of the country for outstanding achievements in this field. What was it the main enemies of Libya were saying those days, the same ones in the vanguard to attack it in just a few weeks after?

Qatar, for instance, not only didn't say anything critical but highly praised the legislative basis of human rights defense in Libya... the guarantees of bringing them into practice. Qatar then came out with just one recommendation to continue to improve life and material well being of population once the 1990s imposed sanctions were in effect no more (1). The USA suggested that Libya should join the 1967 Protocol to the United Nations Convention Relating to the Status of Refugees. (2) A rather strange proposal! No one can demand a state join this or that international agreement, especially coming from the country keeping away from a large number of international pacts, including the ones related to human rights (until now the USA is not a member of the United Nations Convention on the Rights of the Child). All in all the very wording of the major part of recommendations gave its due to the Libyan government for its merits in making progress in the field of human rights, they started with "to continue efforts", "to make further progress" etc. Sudan went even further with a proposal to ask the Libyan Arab Jamahiriya ...to share with other countries its experience in the field of providing adequate living standards for low income families especially on the basis of providing them with investment opportunities package. (3) A few weeks before the military intervention President of France N. Sarkozy had received Gaddafi in Paris with all due honors.

But there are facts of completely different nature that give enough ground to say that there was a thoroughly played game aimed at lulling the vigilance of Libyan leadership. And Sudan was part of it.

The book called *Sarkozy Sous BHL* (4) that has just seen light is written by former Foreign minister Roland Dumas.(5) and well known lawyer Jacques Verges.(6). It offers detailed insight into the responsibility of the French President for crimes against humanity committed in Libya by the French military. In particular it sheds light on the possibility of bringing to court the incumbent President (having in mind French membership in the

International Crime Court Statute and the adoption of the special legislation incorporating the Statute into the French law). R. Dumas and J. Verges blame N. Sarkozy for bombing Libyan cities, including public and residential buildings, facilities providing for everyday life needs of people, cultural treasures. They adduce documents refuting the official Nato claims there was no damage to civilians.(7). One of the book's chapters final words say that Monsieur Sarkozy is not an heir neither to general De Gaulle, nor to Giscard d'Estaing or Francois Mitterrand. It's a very important historic confirmation. I could understand it after meeting Roland Dumas and Jacques Verges a few weeks ago at a rather extraordinary conference in Paris.

December 9 French lawyers, scholars and media men got together to discuss international legal aspects of the attack against Libya in the very heart of the country that was the chief initiator of the war. (8) There were four round table speakers: H. Kirchler, Austrian, R. Merkel (Germany), both international law professors, Russia was presented by the author of this article and France - by former minister of foreign affairs R. Dumas. The last one came out with an extraordinary and unexpectedly open and above board speech, the one worth special attention.

R.Dumas (10) said it all started in 1983. A member of parliament he was assigned a secret mission from President F. Mitterrand to establish good ties with Libya. For this purpose he managed to visit the country a few times so that even the French ambassador in Tripoli was not aware of it. But after he became minister of foreign affairs the USA started intensive efforts to make France change the course. A Pentagon delegation came to France in 1985 to make him believe Gaddafi was in possession of chemical weapons. They tried to convince him (and, correspondingly, President Mitterrand) that France had to bomb Libya because Gaddafi became a threat to the West. R. Dumas got angry and asked if this was the case why the US citizens enjoyed visa free entrance to Libya and engaged in oil business there. ... In 1988 French prime minister J.Chirac received a request from the USA to give permission for a hundred aircraft to fly over French airspace to attack Libya. Dumas stood for refusal. He thought it was exactly what the President expected from him and he was right, the President refused. No matter Chirac was in disagreement, he complied with the President's decision. The French refusal to give permission to cross its airspace didn't prevent the strikes against Libya but the operation was delayed by 20 hours... All these years France resisted the US pressure to commit an aggression against Libya and now it gave in. Moreover it led the operation.

Of course the preparation of war against Libya before February 2011 had been evident but, I think, it was the first time somebody, who took direct part in it, told about it so candidly and in an open manner. The revelations of Roland Dumas not only gave clue to all ins and outs of the NATO policy making process, but left no doubt all disturbances in Arab countries were a well planned special operation...

The considerations for ongoing efforts to liquidate the Syrian state shouldn't be limited by the "Arab spring" but be seen in much broader context of the last few decades, including the establishment of the International Criminal Court which put in dependence over a hundred and forty countries.<sup>10</sup> . Though a few states had enough courage to refuse to join this "voluntary" re-colonization. Libya, for instance, never joined the Statute. So the UN instruments had to be activated (to delegate the Libyan situation to the ICC). Syria was more flexible. It signed the Statute in 2000 but hasn't ratified it as yet. Probably the West understood that the Syrian signature was a deviating maneuver, so they initiated the use of

other additional instruments. Now one can say with high probability the assassination of R. Hariri, the Lebanese prime minister, was committed exclusively for the purpose to set an “international” instrument to make short work of Syria. At first an “international” investigative committee was set up, then the Special tribunal for Lebanon. (11) But the main goal of the tribunal is not the Lebanese people as such but rather the pro Syrian forces in Lebanon. One can strike Syria by attacking them.

There should be no illusions – Syria is the primary target today. How many decades are to pass before we know from witnesses what kind of dirty tricks are used while making preparations to destruct the country?



F. Mezyaev and R.Dumas at the round table in Paris. December 9 2011.



R.Dumas and J. Verges , the authors of the book Sarkozy sous BHL and lawyers who filed a lawsuit against the President of France for committing war crimes

#### Notes

(1) “Report of the Working Group on the Universal Periodic Review; Libyan Arab Jamahiria”. United Nations Human Rights Council, United Nations Document: A/HRC/16/15 от 4 января 2011 года. С.7,21.

(2) Ibid p.25.

(3) Ibid. P..21.

(4) Abbr. Bernard-Henri Lévy – French provocateur (formally a journalist and philosopher). BHL played an active part spurring The French government to start military intervention in Libya. In August 2008 he reported from South Ossetia. At present he is calling for military intervention in Syria.

(5) Rolan Dumas. A lawyer. MP (member of the French National Assembly, Socialist party) 1956 – 1995. 1983 – Minister of European Affairs. 1984 -1993 – Foreign Minister in the François Mitterrand government. President of the Constitutional Council in 1995 – 2000. He was convicted for criticising a public prosecutor in his book. The conviction was found unlawful by the European Court of Human Rights in May 2010. In May 2011, along with attorney Jacques Vergès, he went to ICC to sue French President Nicholas Sarkozy for crimes against humanity in relation to the Nato bombing campaign against Libya.

(6) Jacques Vergès At present he is defending former head of Campuchia (Cambodia) Khieu Samphan before the International Tribunal for Cambodia. As a lawyer he defended Moussa Traore, former Mali' president, Laurent Gbagbo, former president of Côte d'Ivoire, Tarik Aziz, former Iraqi Foreign minister, Carlos Ilich Ramirez, Klaus Barbie and others.

(7) Dumas R., Verges J., Sarkozy sous BHL, Pierre-Guillaume de Roux, Paris. 2011.

(8) The round table was organized under the aegis of the Institute for Democracy and Cooperation. (Institute's official website and the conference information: <http://www.idc-europe.org/fr/Table-ronde-sur-Le-conflit-libyen-et-le-droit-international.->) . The text of the presentation of the author:: <http://www.idc-europe.org/fr/-Les-violations-du-droit-international-dans-la—campagne-libyenne->

(9) I use the notes I made personally while R.Dumas's presentation (the text of the presentation has not been published) .

(10) As of December 2011 139 states joined the ICC Statute, it's ratified by 120. South Sudan was the last to join.

(11) The Special Tribunal for Libya was established beyond the standing international law procedures by the UN Security Council resolution. Russia abstained saying the use of article VII of the UN Charter for the so called establishing of the tribunal is not applicable under the given circumstances

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