

# Major powers demand release of ICC lawyer from Libya

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Intense pressure is being applied by the major powers to secure the release from Libya of an International Criminal Court (ICC) lawyer and three colleagues. The four ICC staff were detained on June 7 while visiting former Libyan leader Moammar Gaddafi's son, Saif al Islam, in the Libyan town of Zintan where he has been held since last November by a local militia brigade.

The ICC delegation went to Zintan, about 140 kilometres southwest of the capital Tripoli, as part of the court's months-long bid to enforce its demand that Saif Gaddafi be placed on trial in The Hague for alleged crimes against humanity, rather than be dealt with by Libyan authorities. While the detention of the legal team, which has been appointed by the ICC to act as defence counsel for Saif, is a flagrant violation of legal and democratic rights, it also highlights the criminal character of the entire NATO-led operation in Libya.

By means of the ICC prosecution, the NATO powers are determined to get their hands on Saif Gaddafi, who possesses potentially embarrassing details of the relations established between his father's inner circle and the Western powers between 2004 and 2010.

Last Friday, the UN Security Council issued a statement expressing "serious concern" over the detention of the ICC staff and urging "Libyan authorities at all levels and all concerned to work towards" their immediate release. Earlier, NATO Secretary General Anders Fogh Rasmussen made a similar call. Australian Foreign Minister Bob Carr vowed to do everything in his government's power to secure the release of ICC lawyer Melinda Taylor, an Australian citizen.

The affair also demonstrates the violent, fratricidal and mercenary character of the factions and militias that were armed and backed by the US and European

powers to oust the Gaddafi regime and install an unelected National Transitional Council (NTC).

The Zintan-based militia leaders are evidently using the detention of Saif Gaddafi as a bargaining chip in the infighting between the NTC and the more than 500 "rebel" outfits spawned by NATO. Internecine battles are continuing over the spoils of the Western-backed victory against the Gaddafi regime, including control over land, property and oil reserves.

Last week alone, tribal clashes in western and southern Libya killed at least 15 people and wounded 89. An ICC delegation that sought to visit the detained staff was turned back at a checkpoint by Zintan militiamen, who told them that no one was allowed to enter the town because of nearby battles with a rival tribe, the El-Mashasha.

In an attempt to give a legal pretext for the detention of the ICC team, Libyan NTC authorities have alleged that Taylor was carrying documents for Saif Gaddafi that were judged to be a threat to national security. The NTC has defied previous ICC calls for Gaddafi to be removed to The Hague. It is anxious to retain control over any trial proceedings that Gaddafi could use to expose the character of the NTC itself, which consists of Western intelligence assets, Islamic fundamentalists and former Gaddafi henchmen.

At the same time, it seems that the NTC has been unable to assert its authority over the militia leaders occupying Zintan. According to an Al Jazeera report: "Zintan's leaders say their people sacrificed many lives for the revolution that ended Gaddafi's rule, and that Saif al Islam has information that could implicate Libya's interim leaders and foreign countries in wrong doing."

The Zintan "rebels" were the first to drive into Tripoli last August, dealing a critical blow to the

Gaddafi regime. They were the beneficiaries of significant quantities of arms from France. Originally from the outlying Nafusa Mountains, the Berber-based militia force secretly received airdrops of arms, including assault rifles, machine guns, rocket-propelled grenades and anti-tank missiles. The French government later confirmed that the airdrops started last June, under the cover of the NATO-imposed “no fly zone.”

Saif Gaddafi had been his father’s front man for increasingly intimate relations with the imperialist powers, particularly Britain, from 2004. During that period, the Libyan regime mended its fences with the West and allowed US and European oil companies back into the country. It also joined the so-called war on terror, collaborating with the CIA and British intelligence in the torture of alleged terrorists. Saif Gaddafi was feted as the most pro-Western and pro-market figure in Tripoli, forming personal ties with British leaders, such as Prime Minister Tony Blair.

After the revolutionary upheavals in Tunisia and Egypt in early 2011, however, the imperialist powers turned on the Gaddafis and mounted a military intervention, seeking to install an even more pliant regime and reestablish control over North Africa. In May last year, the ICC became a vital tool in that intervention, instigating arrest warrants against Moammar and Saif Gaddafi on charges relating to their attempted suppression of the NATO-backed militias.

Since the ouster of the Gaddafis, which culminated in the barbaric murder of Moammar Gaddafi, the ICC prosecution has become a vehicle for the assertion of the interests of the Western powers against the unstable and faction-ridden NTC regime and the competing militias vying for control over the country.

In an editorial last Friday, the *Australian* reminded Libya’s NTC that it “owes its existence to the US-led NATO intervention—strongly backed by Australia—that ended the Gaddafi tyranny.” Demanding the immediate release of Taylor and her ICC associates, the newspaper said it was in “Libya’s interests” to “pass the test presented by the incarceration of Ms Taylor and her colleagues” because the Libya “receives desperately needed aid from the international community.”

While claiming, of course, to be motivated by the desire to see that Saif Gaddafi obtained a “fair trial” via the ICC, the editorial reeked of the hypocrisy that has saturated the entire regime change operation conducted in Libya. The sole concern of the Western media, and their respective governments, is to ensure that Gaddafi’s fate is decided in a manner that prevents any evidence coming to light about the real geo-strategic calculations and machinations involved in the Libyan intervention.

The double standards at work are further exposed by contrasting the intensive campaign by the Australian government to free Taylor, the ICC representative, with its active collaboration in the concerted efforts of the Obama administration to jail WikiLeaks editor Julian Assange, another Australian citizen. Assange’s only “crime” has been to publish US and other government cables showing some of the war crimes and other criminal plots committed by the major powers throughout the Middle East and globally.



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