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Libya, The UN and Netizen Journalism

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Introduction: Netizen Journalism and the Story of the Resistance to the NATO Aggression Against Libya

This issue of the *Amateur Computerist* is a collection of articles documenting what happened in Libya in 2011. It critiques the inaccurate reports that were used to justify the NATO war against Libya.

The focus in this collection is on the role played by the UN in making possible the aggression against Libya. The actions taken by the Security Council and other United Nations bodies like the Human Rights Council were contrary to the obligations of the UN charter and other principles of international law. The articles in this issue document the process by which the UN became an accomplice in a NATO war against a sovereign nation that is a member of the United Nations.

There was a media blitz supporting the NATO actions, largely based on unverifiable claims by the opposition against the government of Libya. The story that emerged is based on broadly circulated falsifications of what was happening on the ground. A rush to use force against the Libyan government, military, infrastructure and civilians under Article 7 of the UN Charter was initiated at the United Nations Security Council, combined with NATO support for an armed insurrection inside Libya. This armed insurrection was supported by a military campaign of bombing and other aggressive acts on the part of the U.S., France, the U.K. and several other NATO nations. The harm to civilians and civilian infrastructure was ignored by those supporting the NATO aggression.

There were a number of journalists, websites and independent news sources which provided an alternative account and critiqued the false narrative being presented to justify the NATO war. Such a form of journalism contributed to online by many netizens has been described as “netizen journalism.”¹ Netizen journalism is a form of journalism which takes as its mission to independently investigate situations, seek out the alternative story and challenge the fact that much of the

mainstream western media is but a media presenting the dominant viewpoint of those in power. Whereas the western mainstream media most often acts to reinforce this power, netizen journalism takes as its mission to challenge the abuse of power.

A group of independent journalists and also journalists working for alternative media like TeleSUR covered the struggle in Libya against the NATO aggression and the damage it inflicted on the civilian infrastructure and the civilian population. This issue includes not only articles documenting what happened in Libya but also contains references to some of the many other independent news reports and analyses that explore the long term goal of the NATO war and the injustice done by that mainstream media which used unverified reports by opposition sources to spread a phony rationale for the invasion of a sovereign nation.

There are a number of journalists who provided this alternative coverage. Such a list would include, among others, Mahdi Darius Nazemroaya, Thierry Meyssan, Lizzy Phalen, and Franklin Lamb.

Some of the web sites that have been part of this broader collaborative effort to understand what happened in Libya and to present it to the world include:

Center for Research on Globalization <http://www.globalresearch.ca/>

Voltaire Network <http://www.voltairenet.org/en>

Global Civilians for Peace in Libya <http://globalciviliansforpeace.com/>

Libya 360 <http://libya360.wordpress.com/>

Strategic Culture Foundation <http://www.strategic-culture.org/>

Mathaba – Independent News Agency <http://mathaba.net>

Investing' Action <http://www.michelcollon.info>

TeleSUR <http://www.telesurtv.net>

Concerned Africans <http://www.concernedafricans.co.za/>

April Media <http://en.m4.cn>

In his article in this issue, “From Munich to Tripoli,” Yoichi Shimatsu refers to the resistance offered by the fighters of the Spanish Civil War and the work to spread the story of their resistance by the writers and commentators who conveyed this story to the world. In this issue of the *Amateur Computerist* we want to pay tribute to both the resistance offered by those in Libya who fought against the foreign

intervention and to the journalists, websites, and other forms of netizen journalism around the world that have helped to spread the story of the destruction and of the resistance to the NATO war against Libya.

Note:

1. See for example, Ronda Hauben, “The Need for Netizen Journalism and the Ever Evolving Netizen – News – Net Symbiosis”

http://blogs.taz.de/netizenblog/2011/05/01/need_for_netizen_journalism/

[Editor’s Note: This article first appeared on March 11, 2011.]

International Media “the 16th Member of the Security Council”

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“You are the sixteenth member of the Security Council.”

Li Baodong, China’s UN Ambassador,
speaking to the international media.

In March, China took over the rotating presidency of the Security Council for the month. As is the practice at the United Nations Headquarters in New York, on March 2, the second day of his presidency, Li Baodong, China’s Ambassador to the UN, held a press conference for journalists at the UN.¹ At the beginning of the press conference, he welcomed the media, saying that the media is the “sixteenth member of the Security Council.” (There are 15 member nations on the UN Security Council.)

Thinking of the international media in such a way recognizes its influence on the actions of the UN Security Council. This presents an interesting phenomenon which it is important to understand. The international media does indeed play a role in how the Security Council

deals with issues. What is the nature of this role?

At times, the role is a negative role, supporting big power dominance of Security Council affairs. Occasionally, the media helps to prevent the worst possible actions the Security Council might otherwise take. Looking at some examples can be helpful.

Recently, for example, reporters for news media like Aljazeera and BBC were quick to broadcast condemnations of the Libyan government for attacking protesters. But if one listened carefully to broadcasts about Libya by these news organizations, one would notice that there was little verifiable evidence to back up the claims by the news organizations.

Some of the problem was the sources used by the media. For example, at the UN, the Deputy Ambassador for Libya told the media that what was happening in Libya was “genocide.” A few words later, he said “I hope the information I get is not accurate.”²

Another example is a statement by the UN Under Secretary General for Humanitarian Affairs and International Relief Coordinator, Valerie Amos to journalists on Monday, February 28, that there were 1000 – 2000 dead in Tripoli.³ A few words later she admitted that this was not based on any actual reports, but an estimate.

Instead of the media questioning these numbers and encouraging an impartial investigation of what is happening in Libya, many reporters fixed on whether Security Council member nations would support setting up a No Fly Zone in Libya.

The obligation under the UN charter is to promote the peaceful resolution of conflict situations that threaten international peace and security. Setting up a no-fly zone, however, is essentially a declaration of war. The UN charter upholds the sovereignty of nations to settle affairs that “are within the domestic jurisdiction.” Much of the media, however, was urging Security Council members to intervene in Libya without determining whether the conflict in Libya was an internal matter or one justifying international intervention.

But what happens when the media spreads misconceptions and a false framing of a conflict situation? Consider the period leading up to the invasion of Iraq.

In that situation, a high level government official of one of the nations that is a permanent member of the Security Council, made

allegations that Iraq possessed Weapons of Mass Destruction (WMD). Those allegations were proven to be false, but not until the damage intended by those instigating this misrepresentation had been achieved. The false framing of the Iraq story by much of the English language mainstream media was used to provide the pretext for the U.S., Great Britain and others to invade the country in a campaign of “shock and awe.”

It is worth noting, however, that the Security Council did not authorize the invasion of Iraq. One Ambassador explained that Security Council members were able to resist the pressure from the U.S. and the U.K. for a resolution authorizing the invasion, because some of the international media provided needed coverage of those on the Security Council challenging such a resolution, and of the protesters in European countries opposed to such Security Council action.

In the situation which led to the 2003 invasion of Iraq, much of the English language press had played a role that was a harmful role, a role that failed to expose the rush to military action based on a false narrative about Iraq. Some international media, however, by covering opposition by some Security Council members and of protesters opposed to such an invasion, helped to prevent the Security Council from adding to the harm.

U.S. political theorist Joseph S. Nye, Jr. in an article in the November/December 2010 issue of *Foreign Affairs*, defines power as the ability to attain what one wants. He argues that “conventional wisdom holds that the state with the largest army prevails, but in the information age, the state (or non-state actor) with the best story may sometimes win.”⁴ If one accepts Nye’s argument of the importance of the media, how the conflict is framed in the media can be as important or even more important for military strategy than a military campaign.

In a statement to the UN General Assembly on Tuesday, March 1, the Venezuelan Ambassador to the UN, Jorge Valero, stressed the need for an objective and credible investigation in Libya to confirm the veracity of the facts that media like Aljazeera and BBC had been broadcasting around the world. “No country can be condemned a priori,” said Ambassador Valero. He was stating his nation’s reservations regarding the decision of the UN General Assembly to suspend Libya

from the right of membership in the Human Rights Council before the conclusions of such an investigation.⁵

Sometimes the Security Council acts in a way that promotes the peaceful settlement of disputes. Often such action, however, receives little or no public attention. For example, in June 2010, the Security Council took up the dispute over the sinking of the South Korean ship, the Cheonan. North Korea and South Korea were given a chance to present their views concerning the sinking of the ship.

The UN Security Council scheduled a procedure to hear from both of the parties to the dispute. In this situation there had been a vigorous debate in the online media and many netizens expressed their criticism of the South Korean government investigation.⁶ Scientists, activists in non-governmental organizations and others wrote letters to the Security Council expressing their questions and criticisms of South Korea's inquiry into the sinking of the Cheonan.⁷ Also the Russian Federation sent a team to South Korea to examine the evidence used in the South Korean government investigation. The Russian team disagreed with the conclusions of the South Korean government investigation.⁸

Subsequently the Security Council issued a Presidential Statement which recognized there were different views on the issue and encouraged a process for peacefully settling the dispute.⁹ There was little recognition in much of the media, however, of this effort to defuse the conflict. A notable exception were articles from the Mexican press service Notimex.¹⁰ Still in the U.S. media, however, and even in the testimony of government officials to the U.S. Congress, there are descriptions of the Security Council's statement on the Cheonan which inaccurately claim that the statement condemned North Korea. This is a false representation of the Security Council action.¹¹ Had the media covered the balanced approach better, there would be less chance of such inaccurate characterizations of the Security Council's Presidential Statement about the Cheonan.

Since the media can indeed play a role in the affairs of the UN Security Council, it is all the more essential that Ambassadors of UN member nations, journalists covering the UN, and netizens discussing UN related issues online, recognize the purpose of the United Nations is to foster friendly relations among nations. The obligation of all related

to the UN is to seek the peaceful settlement of disputes and to act as a watchdog encouraging Security Council actions which fulfill its charter obligations.

Notes:

1. Press Conference: Li Baodong (China) President of the Security Council for the month of March, 2 March 2011.

Ambassador Li Baodong, Permanent Representative of China and President of the Security Council for the month of March, will brief on the Security Council's Programme of Work for the month of March 2011.

<http://www.unmultimedia.org/tv/webcast/2011/03/press-conference-li-baodong-china-president-of-the-security-council-for-the-month-of-march.html>

2. Security Council Media Stakeout, 22 February 2011, Ibrahim O.A. Dabbashi (Libya) on the situation in Libya.

Informal comments to the Media by H.E. Mr. Ibrahim O.A. Dabbashi, Ambassador, Deputy Permanent Representative of Libya to the United Nations,

<http://www.unmultimedia.org/tv/webcast/2011/02/abdurrahman-mohamed-shalgham-libya-on-the-situation-in-libya.html>

"Now they are attacking the people in all of western Libya. I think the people have no arms. I think the genocide started now. I think the Ghadaffi statement was only a code to start the genocide against the Libyan people. I hope the information I get is not accurate. But if it is right, it will be real genocide."

3. 28 February 2011. Daily Press Briefing by the Office of the Spokesperson for the Secretary-General with guest Valerie Amos, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

<http://www.unmultimedia.org/tv/webcast/2011/02/daily-press-briefing-with-guest-3.html>

4. Joseph S. Nye, Jr. "The Future of American Power," *Foreign Affairs*, November/December 2010, vol 89, p. 2-12.

5. "Venezuela slams U.S. at suspension of Libya from Human Rights Council," *Xinhua*, updated,

http://www.chinadaily.com.cn/xinhua/2011-03-02/content_1903661.html

"A decision like this could only take place after an objective and credible investigation that confirms the veracity of the facts," he said. "No country can be condemned a priori. We consider this decision precipitated, without first awaiting the results of the Independent International Inquiry Commission designated by the Human Rights Council."

6. Ronda Hauben, "Netizens Question Cause of Cheonan Tragedy", *OhmyNews International*, June 8, 2010.

http://english.ohmynews.com/articleview/article_view.asp?no=386108&rel_no=1

7. Ronda Hauben, "S. Korean Gov't Urged to End Criminal Investigation of NGO for

Questions on Cheonan Sent to UN,” June 26, 2010, taz.de, http://blogs.taz.de/netizenblog/2010/06/26/s_korean_govt_urged_to_end_criminal_investigation_of_ngo/ See also Hankyoreh video, “Beneath the Surface: the investigation into the sinking of the *Cheonan*.”

<http://www.youtube.com/watch?v=SDITkTEDVNA>

8. “Russia’s Cheonan investigation suspects that the sinking Cheonan ship was caused by a mine in water,”

http://www.hani.co.kr/arti/english_edition/e_northkorea/432232.html

9. Ronda Hauben, “In Cheonan Dispute UN Security Council Acts in Accord with UN Charter,” Sept. 5, 2010, taz.de.

http://blogs.taz.de/netizenblog/2010/09/05/in_cheonan_dispute_un_security_council_discovers_un_charter/

10. See for example, Maurizio Guerrero, “Heller mediacion de Mexico en conflicto de Peninsula de Corea”, *Notimex*, July 5, 2010 (published in en la Economia).

<http://enlaeconomia.com/news/2010/07/05/69561>

11. Such a misrepresentation appeared in the testimony of Stephen Bosworth, the U.S. government envoy for North Korea, to the U.S. Senate Foreign Relations Committee which he presented on March 1, 2011. See for example, “North Korea’s provocative actions have continued this past year, with its sinking of the Republic of Korea’s (ROK) corvette Cheonan in March, and its artillery attack of South Korean Yeonpyong Island in November. The United Nations Security Council issued a strong statement condemning (sic) the attack which lead to the sinking of the Cheonan.”

http://foreign.senate.gov/imo/media/doc/Bosworth_Testimony.pdf

A version of this article can also be accessed at:

http://blogs.taz.de/netizenblog/2011/03/15/media_and_security_council/

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UN Security Council March 17 Meeting to Authorize Bombing of Libya All Smoke and Mirrors

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Part I

Watching the meeting of the Security Council on the evening of March 17, one could only wonder in disbelief.¹ Here the 15 member

states of the Security Council, by a vote of 10 in favor and none opposed, with five abstentions, passed Security Council Resolution 1973.² This resolution authorized a foreign military assault on a sovereign nation. The Security Council gave the OK to Western former colonial powers and the U.S. to carry out a military campaign including bombing and missile strikes against another UN member nation. How did the members of the Council justify this authorization of an attack on Libya? The “pretext,” the term used by the Prime Minister of the Russian Federation, Vladimir Putin, four days later, was that the aggression was for “the protection of the civilians.”

The source of the disbelief I felt sitting and watching Thursday’s meeting was that not only did Security Council members vote for, or support by their abstentions, the bombing of a UN member nation, but also that those members who spoke, 14 of them, presented a false portrayal of what was happening in Libya as the basis for their support for the resolution.

The false narrative they conjured up was that their military action was for the protection of unarmed civilians who were peacefully protesting for their rights. What is happening in Libya, however, is an armed insurrection against the government. The insurrection is being led by former Libyan government officials who defected and joined with other opposition forces. The Security Council resolution was crafted to provide foreign military intervention to aid this armed insurrection by attacking the military forces of the Libyan government along with other sites and installations.

Why had the Security Council so falsified the ongoing military assault against Libya?

The statement by the Deputy Ambassador to the UN for India, Manjeev Singh Puri, offered a clue to help unravel this puzzle.

Welcoming the appointment by the UN Secretary General of an envoy to Libya, Deputy Ambassador Puri said, “However, we have not had the benefit of his report or even a report from the Secretariat or his assessment as yet. That would have given us an objective analysis of the situation on the ground.... The Council has today adopted a resolution that authorizes far-reaching measures under Chapter VII of the United Nations Charter, with relatively little credible information on the

situation on the ground in Libya....”

A similar criticism of the lack of credible evidence had been raised when the UN General Assembly voted to remove Libya from its seat on the Human Rights Council.³ There was no impartial report verifying the claims made against the Libyan government by the defectors and the armed opposition sources and biased news media. Instead these same claims were given prominence in Security Council decisions and in the continued reports of much of the English language media like the BBC, English language Aljazeera and other mainstream media news programs.

The voices of netizens discussing the Libyan conflict, however, have demonstrated that it is not difficult to have a more accurate grasp of what is happening in Libya.

Some examples of comments in online discussions give a sample of some sentiments of netizens:⁴

“Armed civilians or ununiformed fighters have no place being supported or protected by our air power. They carry a gun and get targeted that is their look out, not our job to hit the other side.”

James St George, 22 March 2011

“The thing is the rebels are ‘civilians’ when ever it suits us.”

llundiel, 23 March 2011

“Of course once you start bombing, there will clearly be plenty of collateral damage. This then makes a complete mockery of the stated purpose of the intervention, to save innocent civilians.”

contractor000, 23 March 2011

“Yes tanks are not planes! Or in the air flying. The civilian protection has no place extending to armed rebels, they are not civilians.”

CockfingersMcGee, 23 March 2011

“So we are supposed to accept this scenario that the Military aggression against Libya is to do with protecting the protesters, the revolution, innocent civilians, the rebels etc. This sounds very reminiscent of attacking Iraq because of WMD.”

communismlives, 22 March 2011

There are earlier online discussions and articles challenging the false portrayal of the conflict in Libya as unarmed civilians protesting for their rights.⁵

One of the narratives considered by many netizens is that there has been an insurrectionary movement against the Libyan government. It is this military insurrection that the UN Security Council is supporting using the false pretext that foreign military intervention into Libya is to provide protection for unarmed peaceful civilian protest. Actually, instead the reality is that the Security Council has chosen to join the military attack on the Libyan government, thereby jeopardizing the lives of unarmed civilians in Libya.

Several online sites feature articles or the reprint of articles documenting how Libyan government officials defected and conspired with other opposition forces and foreign intelligence officials to carry out an insurrection against the Libyan government.⁶

While some netizens support the armed insurrection, others oppose foreign intervention in the internal affairs of Libya. The pretense that the conflict in Libya is about the Libyan government's mistreatment of peaceful civilian protest has been shattered on the Internet and in the battlefields of Libya. But at the UN Security Council the false narrative is alive and well and being used to bring untold foreign military might to intervene in the internal affairs of Libya.

Reviewing the events of the Security Council meeting at 6 p.m. on March 17 can be instructive.

Leading off the statements at the meeting was French Foreign Minister Alain Juppe who spoke before the vote. He described the situation in Libya, explaining, "Throughout the country, violence against the civilian population has only increased.... We must not give free rein to warmongers; we must not abandon civilian populations, the victims of brutal repression, to their fate...."

In Juppe's statement, there is no mention of an armed insurrection seeking to overthrow the Libyan government or that Security Council Resolution 1973 had been crafted to bring the military might of the Western powers into open support for the armed insurrection. Instead the picture Juppe portrays is one of helpless civilians who are under threat of massacre by a barbaric government.

Juppe made the only statement before the vote. After the vote, 13 nations offered statements of explanation of their active (by voting for) or passive (by abstaining) support for the resolution.

In the first statement after the vote, the Lebanese Ambassador, Nawaf Salam, denounced what he called, “the violent acts and atrocious crimes being carried out by Libyan authorities against their people.” “The resolution,” he said, “is aimed at protecting Libyan civilians.” He offered no proof to support such accusations.

The British Ambassador, Sir Mark Lyall Grant, accused the Libyan regime of preparing a violent assault on a city of one million people. Again no proof was offered to support his accusation. Instead merely the claim the resolution is “to protect civilian and civilian populated areas under threat of attack.” There was no mention in his statement of the armed insurrectionary forces in areas of Libya waging a battle against the Libyan government or that there could be civilians in Libya who do not support the insurrection and who do not want to see foreign forces determine the fate of their government or what government they will have.

Only when Germany spoke to explain why it abstained, did one hear that there is an “Interim Transitional National Council” that Germany regards as an important interlocutor.

The German Ambassador, Peter Wittig, said that Germany had “decided not to support a military option.” But Germany did not vote against the resolution nor mention that the underlying issue is the Security Council taking the side of an armed insurrection against the government of Libya, and that the claim of support for civilians was but, as Putin saw it, almost a week later, “a pretext.”

The U.S. Ambassador, Susan Rice, in her turn repeated that the resolution’s purpose is “to protect innocent civilians.”

Only when the Council heard from India’s Deputy Ambassador, was there the acknowledgment of the lack of credible information to provide an objective assessment as the basis for the Council’s vote. Also India’s Deputy Ambassador referred to a plan by the African Union to send “a high-level panel to Libya to make serious efforts for a peaceful end to the crisis there.” It was, however, impossible for the African Union high level panel to go as planned because of the foreign bombing and military assault that the Resolution had thrust on Libya.

Though stressing the need for “political efforts...to address the situation,” India abstained rather than voting against the resolution.

Another abstention was cast by Ambassador Maria Luiza Riberio Viotti of Brazil. She explained that the government of Brazil had publicly condemned the use of violence against “unarmed demonstrators....” What that had to do with the armed insurrection against the Libyan government she failed to explain. Instead the image her statement portrayed could have been that of the nonviolent struggle in Egypt of unarmed civilians demonstrating for political rights. Her statement was not a statement that matched the reality in Libya.

She did question paragraph 4 of the resolution as to whether it “will lead to the realization of our common objective – the immediate end to violence and the protection of civilians.” But if the resolution had been crafted to protect an armed rebellion against the Libyan government then her statement only contributed to the smoke and mirrors being spread around the Security Council chambers. The provisions of the UN charter require an effort to use peaceful means to settle conflicts that endanger international peace and security. Also the charter supports the obligation to respect the sovereignty of member states. No Security Council member explained how the military actions they were authorizing did not violate any of the obligations of the Charter.⁷

The meeting continued with others speaking. When Ambassador Vitaly Churkin of the Russian Federation, made his statement, he complained about departures from Security Council practices by those drafting the resolution, and their failure to answer questions posed by other members of the Council. “Furthermore,” said Churkin, “the draft was morphing before our very eyes.... Provisions were introduced into the text that could potentially open the door to large-scale military intervention.”

Ambassador Churkin said he unsuccessfully tried to submit an alternative draft resolution on March 16 calling for a cease-fire and backing the efforts of the Special Envoy for the Secretary General to Libya, the investigation of what is happening in Libya by the Human Rights Council, and the African Union endeavors to achieve a peaceful settlement of the conflict in Libya.

But nowhere did he condemn that the resolution was to support armed fighters against the Libyan government, using as a pretext the claim that it was created to defend nonviolent protesting civilians. Nor

did he explain why his government was supporting the resolution despite the problems he had pointed out, by not voting against it and thus failing to use its veto.

Of the three African members of the Security Council, one did not explain its vote in favor of the resolution (Gabon), one spoke of “the need to protect civilians under attack” (Nigeria) and the other African member referred to “concern with the deteriorating political and humanitarian situation in Libya which is fast becoming a full-blown civil war.” (South Africa).

Baso Sangqu, the South African Ambassador to the UN, said that South Africa commended, “the decision of the African Union Peace and Security Council to dispatch an ad hoc high-level committee to Libya” to work toward a political solution to the conflict. His statement also portrayed the false image that the Security Council had passed the resolution to protect “the lives of defenseless civilians....” South Africa, too, helped to hide that the essence of SC resolution 1973 was to give foreign military support to the armed rebellion against Libya.

South Africa was one of the five nations who had agreed to send a high level delegation on behalf of the African Union to Libya to negotiate a political solution. South Africa voted in favor of SC Resolution 1973, acting in sharp contrast to the decision of the African Union to reject any foreign military action and to support a political resolution to the crisis. A Security Council resolution requires nine votes in favor to pass. Because five other Security Council members had abstained, there were only 10 members who could vote in favor of the resolution. If only 2 of the African nations had abstained, the resolution would have gotten only 8 votes, one short of the 9 votes needed to be approved. So the votes of the African Union members on the Security Council were decisive in passing a resolution that was in sharp contradiction with the decision of the African Union on the course of action it should take about the situation in Libya.

Finally at the end of the meeting, the Chinese Ambassador to the UN, Li Baodong explained China’s vote. China abstained, he said, because it “attaches great importance to the position by the 22-member Arab League on the establishment of a no-fly zone over Libya.” He also said that China attached, “great importance to the position of African

countries and the African Union. These two organization had disagreed in their approach to the conflict in Libya. Instead of China taking the responsibility to determine whether there was a good reason to veto the resolution given two such conflicting decisions from the relevant regional organizations, China supported the resolution by abstaining.

The resolution China supported with its abstention had “sidelined” the African Union’s effort to work for a political solution, according to Jean Ping the Secretary General of the African Union.⁸ This process was to start on March 21 with a delegation to Libya.

The question I was left with after the Security Council meeting on March 17 which passed Resolution 1973, was: How could 15 Ambassadors from diverse nations all portray the reality in Libya by this same false narrative?

During the Bush and Blair campaign against Iraq in 2003, the UN Security Council did not vote to authorize the U.S. and British invasion. At the time, sufficient Security Council members opposed this action by the Security Council to prevent such a vote from taking place.

On March 17, however, all 15 members voted for, or at least supported by an abstention, an undefined and unfettered military action by undefined forces, including a bombing campaign against Libya. Along with supporting the resolution by a vote for or abstaining, these 15 member nations acted to misrepresent the act of aggression they were authorizing.

Searching for an understanding of what was happening in Libya, I came upon the discrepancy between the action taken by the UN Security Council and the descriptions of what was happening in Libya that were being discussed by netizens. There were many debates online. Many netizens were concerned with the actions of the armed insurrection against the Libya government. In their discussions, and in many posts, netizens plainly stated whether they agreed or disagreed with those who were part of the armed insurrection against the Libyan government. Most netizens, however, did not create a false narrative misrepresenting armed fighters as unarmed civilians

Their discussions online differed substantially from the false narrative being spread by Security Council members and by news media like BBC (U.K.), Aljazeera (Qatar) and much of the mainstream U.S.

media.

The online discussion, reports and analyses demonstrated that the mainstream news media and the Security Council no longer had the ability to monopolize how the narrative would be framed which described the crisis in Libya.

Part II

One of the many ways that the foreign intervention into the internal struggle in Libya is being justified is to call it an example of the need for putting into practice the “Responsibility to Protect” (R2P) doctrine.

This doctrine, supposedly applies to situations where violence is being directed against unarmed civilians and the government fails to protect those civilians. In Libya, there is an armed insurrection against a sovereign government and there are civilians who do not support that insurrection. It could be argued that the Libyan government is fulfilling its obligation to protect its sovereignty by fighting against the armed insurrection. Carrying out an armed insurrection against a government is not the same as nonviolent civilians peacefully protesting for their rights.

By breaching the sovereignty of Libya and the Libyan people with Resolution 1973, the UN Security Council has taken away the right of the Libyan people to determine their own government. The Security Council has chosen the side of the insurrection against the Libyan government, and by so doing it has violated Article 2(1) of the UN Charter that, “The Organization is based on the principle of the sovereign equality of all its Members.”

In a talk presented at the United Nations in 2009, Jean Bricmont, a university professor in Belgium, who has written on these issues, explained how the R2P doctrine is but a new version of the discredited doctrine of humanitarian intervention. “The very starting point of the United Nations,” Bricmont explained in his talk, “was to save human-kind from ‘the scourge of war,’ with reference to the two World Wars. This was to be done precisely by strict respect for national sovereignty, in order to prevent Great Powers from intervening militarily against weaker ones, regardless of the pretext.”⁹

Bricmont explains that it is only the respect for sovereignty that

protects the people of the small nations from the self serving interests of the great powers. “The necessary respect for national sovereignty means that the ultimate sovereign of each nation state is the people of that state whose right to replace unjust governments cannot be taken over by supposedly benevolent outsiders.”

Why did no member of the Security Council speak up about the fact that Resolution 1973 by its attack on sovereignty is a violation of the UN Charter? The UN charter in article 2(1) and article 2(7) upholds the sovereign equality of all member states and the principle that the charter cannot be used to authorize intervention into the internal affairs of member states. Only in cases where international peace and security is in jeopardy can the Security Council make a case for the use of Chapter 7 of the charter. Chapter 7 refers to situations involving aggression against other states or other acts which are threats to peaceful relations among nations. The Security Council made no case that any of the conditions for the use of Chapter 7 apply in the Libyan situation.

This is but one of the questions that is unanswered even weeks after Resolution 1973 was passed. Other questions raised by the March 17 Security Council meeting include: Why did veto holding members like Russia and China go along with the resolution by abstaining? Why did no member vote against the resolution or speak up during the meeting to challenge the inconsistency between the alleged purpose to “protect unarmed civilians” and the actual purpose of the resolution, i.e. to protect the armed insurrection against the Libyan state and provide support for the insurrection by foreign military intervention. To have admitted this discrepancy, however, would have exposed that the resolution is contrary to the obligations under the UN Charter. Whether they intended it or not, all members of the Security Council who spoke at the meeting on March 17 or who voted or abstained from the vote in support of the resolution, took part in concealing the violation of the charter represented by Resolution 1973.

The UN is now faced with the challenge of how to respond to the action of the Security Council members in passing Resolution 1973. The deceitful nature of the resolution has been uncovered in articles and discussions by netizens, but also occasionally in some few articles in the mainstream media. Also some members of the African Union have

begun to speak up about the failure represented by the three African members of the Security Council voting in favor of the resolution, making it possible for the resolution to pass. An increasing number of nations are beginning to recognize they, too, can be subjected to similar acts of aggression as that imposed by the UN Security Council on Libya. This is, as one African president said, an impetus for nations to increase their purchase of military weapons.¹⁰

Nations, including Indonesia, Venezuela, Bolivia, Cuba, Uruguay, Paraguay, Uruguay, Argentina, Ecuador, and Nicaragua are publicly condemning the Resolution and offering to help settle the conflict in Libya by supporting dialogue between the government and those involved in the insurrection.¹¹

In a letter to the Security Council dated March 19, Libya requested that the Security Council hold an emergency meeting on the subject of the aggression unleashed on Libya's territory and people with the Security Council action on Resolution 1973.¹² In the request, Libya stated that the resolution was not "to protect civilians as is purported but rather to strike civilian sites, economic facilities and sites belonging to the armed peoples' on Duty." The Security Council refused Libya's request for such a meeting. No member of the Security Council acted to support the request so as to make it mandatory under the provisional rules of procedure of the Security Council.

In another letter to the Security Council dated March 24, Libya stated that it had accepted the ceasefire required by Resolution 1973, but that only set it up as the target for "military aggression led by the United States of America, France, and Britain that has resulted in casualties among defenseless civilians. This is contrary to the letter and substance of the provisions of resolution 1973 (2011) concerning the protection of civilians and the ceasefire."¹³

Netizens observing the role played by the UN in authorizing the use of force against Libya have spoken out in condemnation that the UN is a party to such action.

"The military intervention on the part of the rebels violated the prohibition against the use of force of the UN charter and is therefore always within the reach of international law," wrote one netizen in a discussion in the German online magazine Telepolis.¹⁴

Another wrote, “The UN is no longer what it once was. Today it is an instrument for wars of aggression. This is especially true for the Security Council which has become an instrument of Insecurity.”

The action of the UN Security Council to authorize foreign intervention in support of an armed insurrection against the government of a sovereign member state of the UN under the specious claim of “protection” of “unarmed civilians” makes suspect all other actions of the UN Security Council. The process by which the UN deals with this violation of its charter and of the sovereignty and territorial integrity of Libya will have a long term effect on the respect for the UN by people around the world and on the future of the UN itself.

In a late breaking development as this article is being completed, Reuters reports that in response to the refusal of the U.S. government to grant a visa to Ali Abdussalam Treki, the Libyan designated representative to the UN after its former representatives defected, Father D’Escoto Brockmann, of Nicaragua, and former President of the General Assembly, is coming to NY. “The Nicaraguan government said in a statement that (Father D’Escoto Brockmann) has flown to the U.N. headquarters in New York to “support our Libyan brothers in their diplomatic battle to enforce respect for its sovereignty.”¹⁵

In a more recent development, as of April 1, Father Miguel D’Escoto Brockmann has been appointed as the alternative Nicaraguan representative to the United Nations by the Nicaraguan government.¹⁶

Notes:

1. Transcript of Security Council meeting on March 17, 2011, S/PV.6498, <http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N11/267/18/PDF/N1126718.pdf?OpenElement>
2. UN Security Council Resolution 1973 S/2011/1973, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/268/39/PDF/N1126839.pdf?OpenElement>
3. “Venezuela slams U.S. at suspension of Libya from Human Rights Council”, Xinhua, updated, http://www.chinadaily.com.cn/xinhua/2011-03-02/content_1903661.html
“A decision like this could only take place after an objective and credible investigation that confirms the veracity of the facts,” he said. “No country can be condemned a priori. We consider this decision precipitated, without first awaiting the results of the

Independent International Inquiry Commission designated by the Human Rights Council.”

4. Comments from discussion of article on Comment Is Free at the *Guardian*, <http://www.guardian.co.uk/commentisfree/2011/mar/23/libya-ceasefire-consensus-russia-china-india>

5. See for example the website <http://www.globalresearch.ca>

6. See for example: Franco Bechi, “French Plans to Topple Gaddafi on Track Since Last November”, *Libero*, March 23, 2011, <http://www.voltairenet.org/article169069.html>

7. See para 4 of Security Council Resolution 1973: “The resolution authorizes member states... to take all necessary measures” without defining what these are or what the requirements or limits of these are.

8. Jean Ping in an interview with a journalist. See: <http://divineinterventionws.proboards.com/index.cgi?board=news&action=print&thead=4939>.

9. Jean Bricmont, “A More Just World and the Responsibility to Protect (R2P): How are the weak ever to be protected from the strong?” (Presentation to the United Nations General Assembly on July 23, 2009. Available online in the *Amateur Computerist* Vol 19 No 1, p. 24.) <http://www.ais.org/~jrh/acn/ACn19-1.pdf> p. 24.

10. Henry Masaka, “Museveni blasts West over Libya attack,” “New Vision,” March 21, 2011. <http://www.newvision.co.ug/D/8/12/749765>

11. See for example, on Indonesia’s action: “Indonesia urges ceasefire in Libya,” *The Jakarta Post*, March 28, 2011. <http://www.thejakartapost.com/news/2011/03/28/ri-urges-ceasefire-libya.html>

12. See Letter from Libya to the Security Council S/2011/161.

13. See Letter from Libya to the Security Council S/2011/178.

14. *Telepolis*. These comments are from the discussion of the article “Re: Bombardieren für den Frieden Re: Bombing for Peace,” March 18, 2011, <http://www.heise.de/tp>

“Die militärische Intervention zugunsten der Aufständischen verletzt das Gewaltverbot der UN-Charta und ist deshalb immer völkerrechtswidrig.” “Leider ist die UN nicht mehr, was sie mal war. Heute dient sie als Rechtfertigungsinstrument für Angriffskriege. Das gilt vor allem für den UN-’Sicherheitsrat’, der zum Unsicherheitsrat geworden ist.”

15. “Nicaragua says to help Libya after a visa ban,” Reuters, March 30, 2011. (See for subsequent developments, “Abuse of UN Processes” in this issue.) <http://af.reuters.com/article/libyaNews/idAFN299541220110330>

16. But the U.S. would not give Fr. Brockmann a visa so no one was able to represent Libya at UN until the government was overthrown by NATO’s actions. See the subsequent developments documented in this issue on p. 16.

A version of this article can also be accessed at:

http://blogs.taz.de/netizenblog/2011/03/30/un_march_17_meeting_res1973/

[Editor's Note: This article appeared on the Strategic Culture Foundation online journal website: www.strategic-culture.org on March 19, 2011.]

UN Security Council on Libya: Killing the International Law

by Alexander Mezyaev

The UN Security Council passed Resolution 1973 on Libya slapping new sanctions on the country and reinforcing the ones it endures due to Resolution 1970 dated February 26. The truth is that the new Resolution erodes the international law to the point of virtually killing it. First, it demands a cease-fire and an end to all violence without specifying which forces are supposed to stop fighting. Normally such demands are addressed to all parties involved in a conflict, but Resolution 1973 carries no statement to the effect, meaning that Libya's administration is the only side confronted with the demand. What sense does it make to urge a government facing a mutiny to stop fighting and does the UN have the right to de facto side with the rebels trying to overthrow the administration in a UN member country?

The Resolution's part authorizing measures needed to protect the civilian population sounds strange. It is unclear who is authorized to do so. One could expect the UN peacekeepers or the UN High Commission for Refugee Affairs to be charged with the mission but this is not the case. Instead, all UN member countries willing to partake in the initiative are offered to do the job. The Resolution does ban the military occupation of Libya but does not rule out the use of military force such as air strikes. In other words, UN Security Council Resolution 1973 formally enables any UN member country deeming it necessary to resort to such measures.

Article 6 of Resolution 1973 establishes a no fly zone over Libya and Article 8 allows all countries to take steps to enforce the regime. The UN Security Council Resolution thus allows whatever countries to attack Libyan aircrafts in the country's own airspace. Also quite oddly, Article 17 instructs UN member countries not to allow Libyan planes to land on their territories, even though the demand disagrees with a series of international treaties. At the moment countries are supposed to deny landing permissions to Libyan planes regardless of whether they have enough fuel to return home, which is the same as dooming the planes to catastrophes.

Both UN Security Council Resolutions openly ignore the rights of the part of the Libyan population which is loyal to the country's government. The very wording of the document seems to indicate that the UN Security Council automatically excludes Gadhafi's supporters from the numbers of the people of Libya. For example, Article 2 of Resolution 1973 says the government must accommodate the people's legitimate demands but it somehow evades the UN Security Council that the population is entitled to the rights to security and protection against mutiny. Thus, the main UN body responsible for maintaining peace and security across the world counts no members ready to uphold the rights of a large if not the largest part of Libya's population.

It should be taken into account that Resolution 1973 invokes the escalation of violence, torture, and summary executions but fails to cite any serious evidence. In the meantime the credibility of the media coverage of the developments in Libya is getting increasingly dubious.

The passing of the second Resolution on Libya was not as effortless as that of the first one. Five countries – Brazil, China, Germany, India, and Russia – abstained during the vote, Germany in fact being more honest than the permanent UN Security Council members who could simply block the outrageous Resolution. Russia's envoy V. Churkin did say the Resolution was prepared in breach of the established practice but did not elaborate on the subject.

Strictly speaking, Resolution 1970 also constituted a violation of a whole array of international laws. A widespread misconception is that compliance with UN Security Council Resolutions is a must, but actually this is true only of the Resolutions it passes in accord with the

powers handed to it by the UN Charter. For example, the UN Charter does not enable the UN Security Council to submit cases to the International Criminal Court as it did handling Libya's problem. A potential objection is that the right is granted by the Court's statute, but the argument is irrelevant from the standpoint of the countries which are not signatories of the corresponding treaty. We are witnessing a totally absurd situation: the countries such as the U.S., Russia, and China which are not signatories to the treaty concerning the statute of the International Criminal Court passed the case of Libya, another country which never signed the treaty, to this very court. The discrepancy provokes downright contempt for the international law.

It also erodes the international law that the Resolutions on Libya demand that the country abide by the international *humanitarian* law. The statement shows that – without explaining the motivation behind the approach – the UN Security Council a priori sees the situation in Libya as an armed conflict. Rather, an unbiased analysis leads to the conclusion that the events in Libya constitute a mutiny which is a criminal offense the country's administration must suppress. The UN Security Council needed to portray the developments as an armed conflict to legitimize the international intervention. It was unwise of Russia to vote for Resolution 1970 as the move invites a similar treatment of the country's own problems in North Caucasus. Backing the UN Security Council Resolution, Russia's envoys practically subscribed to the view that a sovereign country has no right to launch an anti-terrorist campaign based on its national legislation but instead has to comply with the humanitarian laws applicable to armed conflicts. Moscow thus made a serious mistake, and quite possibly abstaining when Resolution 1973 was in question was a fairly unconvincing attempt to reverse the wrong move.

No doubt, the UN Security Council Resolutions 1970 and 1973 are in breach of the international law, and all countries honestly seeking to protect Libya's civilian population have legal grounds to ignore them.

A version of this article can also be accessed at:

<http://www.strategic-culture.org/news/2011/03/19/un-security-council-on-libya-killi>

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Abuse of UN Processes in Security Council Actions Against Libya

by Ronda Hauben
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Part I – Journalists Question Security Council Support for Rebel Group

At the April 4 press conference marking the beginning of the Colombian Presidency of the Security Council for April, Nestor Osorio, the Colombian Ambassador to the United Nations was asked what on the surface would seem an unusual question by one of the journalists. The journalist said:¹ “In the wake of Security Council Resolution 1973 [authorizing military action against Libya –ed] are we to expect a more aggressive and proactive posture on the part of the Security Council in supporting rebel groups?”

The journalist gave several examples of such rebel groups as the IRA in the U.K., ETA in Spain and perhaps the Corsican rebels in France. Another journalist added the example of the FARC in Colombia.

The question referred to the fact that with SC Resolution 1973, the UN Security Council had taken on to support an armed insurgency fighting against the government of a member nation of the UN.

The Colombian Ambassador responded that SC Resolution 1973 had not been adopted to support the rebels in Libya, but a rebel group which started out as civilians who had now become the core of the armed rebellion. The reason the Security Council had taken up the issue of Libya, he said, was because a member of the Security Council, Lebanon, had brought the issue to the Security Council. Ambassador Osorio added that the Arab League had asked for concrete action from the Security Council on Libya.

Is it, as Ambassador Osorio proposed, that the issue of Libya was taken up by the Security Council because Lebanon, a member of the Security Council, brought the issue to the attention of the other members? Is it that the Security Council was just deferring to the expertise of the Arab League, which the Colombian Ambassador presented as the relevant regional organization with respect to Libya?

The Colombian Ambassador's remarks raise the question of how the Security Council made the decision to approve SC Resolution 1970 against Libya, the first of two resolutions on the issue. Was it as the Colombian Ambassador claimed because of a recommendation from the appropriate regional group, or was there a more complex process at work? Also, significantly in this situation, there were actually two conflicting recommendations to the Security Council from two groups, one from the Arab League, which is not a geographical regional group but is organized on some other basis, and the other from the geographic regional group that Libya is part of, from the African Union.

What were the factors that influenced the Security Council decisions first, to pass Security Council Resolution 1970 authorizing stringent sanctions, including a referral of Libyan officials to the International Criminal Court (ICC) and then, subsequently, to pass SC Resolution 1973, which authorized a no-fly zone and other military action? Ultimately these decisions set the basis for the NATO military alliance to join with the armed insurgency fighting against the government of Libya.

While it is difficult to determine the specific underlying reasons for Security Council action, this article will demonstrate that the explanation provided to journalists at the Colombian press conference differs significantly from the actual sequence of events that occurred at the Security Council with respect to Libya. By failing to account for the actual sequence of events that occurred, the Colombian Ambassador's response left unanswered the critical question. How had the Security Council come to authorize military action against a member nation of the United Nations, in support of an armed insurgency against the government of that nation? Such a course of action is clearly contrary to the UN Charter provision not to intervene in the internal affairs of a member nation of the UN (Article 2 Section 7).

Part II – How the Issue of Libya was Brought to the Security Council

Looking back at the sequence of events by which the issue of Libya was brought to the Security Council, leads to an important observation. It was not a Security Council member nation which started this process. Nor was it the Arab League. Rather it was a party that one could argue had no legitimate basis to speak at the United Nations, especially not to the Security Council.

This party, was, by that time, the former Chargé d'Affaires to the United Nations for the Libyan Arab Jamahiriya, Ibrahim Dabbashi. Dabbashi had taken the unusual actions of first announcing to the press that he had defected from representing the government of Libya at the UN, and then requesting an emergency meeting of the Security Council about the situation in Libya. His request to the Security Council began a process which, in less than a week, resulted in passing the stringent sanctions against Libya and the referral of its officials to the ICC that are included in SC Resolution 1970. SC Resolution 1970 then set the stage for SC Resolution 1973 passed three weeks later which authorized military action against Libya.

February 21 is an important date in this set of events. It is on February 21 that Dabbashi announced his defection from the service of the government of Libya at the United Nations. While an appropriate course for a defecting government official from a country would be to resign his official position as a Deputy Ambassador for Libya at the United Nations, this is not what happened.

It is also on February 21 that another important event occurred, though not at the UN. Another Libyan official, Nouri al Mesmari, officially announced his defection from his Libyan government position. Living in France under the protection of the French government, he gave an interview to the French newspaper *Liberation* about his defection.

What is significant about Mesmari's action is that his defection puts Dabbashi's defection in a broader context. A widely circulated article in the Italian newspaper *Libero*, an article which has not been refuted or denied, provides this context.² Mesmari left Libya in October 2010 for Paris, four months before the alleged suppression of demonstrations

cited as one of the pretexts for the NATO aggression against Libya. Mesmari had been an important Libyan official with vast knowledge of and contact with the foreign service officials of Libya and vast knowledge of Libya's contacts with government officials in other countries.

Liberio reported that after Mesmari went to Paris in October 2010, he was in contact not only with French foreign intelligence officials, but also with elements of the Libyan opposition. His actions help to shed light on the events in Libya in February 2011. Learning about some of the activities Mesmari was part of between October 2010, and February 2011, several commentators propose that Mesmari, along with other opposition activists, and officials in the French intelligence, helped to foment the uprising in Benghazi that took place in February 2011.³

Unlike the Egyptian non violent protests, the uprising in Benghazi very quickly became an armed uprising against the government of Libya. Western media accounts of this rebellion, and Arab news media like Aljazeera, reported a series of unverified allegations by those involved in the rebellion itself, with little or no evidence presented to verify the accuracy of the reports. To this date, there is no evidence for the widely reported "use of mercenaries" or "bombing his own people."⁴

Mesmari was granted protection by the French government. In his February 21 interview with the French publication *Liberation* about his defection, he accused the Libyan government of genocide. He gave no evidence to support his claim.

Similarly, when Dabbashi held a press conference at the Libyan Mission to the UN on February 21, he claimed that the Libyan government was guilty of genocide. He, too, offered no evidence for his allegations. He called for the overthrow of the Libyan state headed by Muammar Gaddafi. Similarly, the lawyer for the Libyan mission spoke to journalists at the February 21 press conference. He indicated to journalists that he was from Benghazi. He, too, called for the overthrow of Gaddafi, the long time head of the Libyan state (a position called 'Guide').

Following is the content of the letter that Dabbashi, as a defector from the official government of Libya, sent to the Security Council. The letter is dated February 21, 2011:⁵ "In accordance with Rule 3 of the provisional rules of procedure of the Security Council, I have the honour

to request an urgent meeting of the Council, to discuss the grave situation in Libya and to take the appropriate actions.”

The letter is listed as an official document of the Security Council, and given the document identification symbol S/2011/102, dated February 22, 2011.

It is worth noting that Rule 3 of the Security Council’s Provisional Rules of Procedure provides for a member nation of the United Nations to request a meeting.⁶ Under Rule 3, Dabbashi, as a defecting Deputy Ambassador of Libya, was not entitled to take part in any Security Council procedures, especially not to request a meeting of the Security Council to take punitive action against the government he has defected from and is seeking to overthrow.

Monday, February 21 was an official UN holiday (Presidents’ Day in the U.S.) and the United Nations was not open. On the next working day at the UN, on Tuesday, February 22, the Security Council held a closed meeting on the situation in Libya, under the title “Peace and Security in Africa – Libya.”⁷ At the meeting the Security Council heard a report on developments in Libya from Lynn Pascoe, the Under Secretary General for Political Affairs at the UN. In addition to the 15 members of the Security Council, 74 other nations of the UN were present at the closed meeting without any right to vote. So was Dabbashi.

The Libyan Ambassador to the UN, Abdel Rahman Shalgham also attended the February 22 Security Council meeting, along with Dabbashi. In informal comments after the meeting, Shalgham indicated that he had been in contact with a relative in Tripoli and was told that the alleged atrocities that the media was claiming had happened in Tripoli were not true. Similarly, speaking to the press, he indicated that he had been in contact with government officials in Tripoli who said that they, too, disputed the claims of atrocities taking place in Tripoli and planned to invite journalists from Al Arabiya and CNN to see for themselves that the allegations were inaccurate.⁸

After he made his presentation to the Security Council, Under Secretary General for Political Affairs, Lynn Pascoe spoke to the press at a stakeout. He was asked if he had any evidence of atrocities in Tripoli. He responded that the UN people on the ground there had no

such direct evidence.⁹

Describing the February 22 closed meeting of the Security Council, the Reuters News Agency said that most of the Libyan delegation had defected. Reuters reported that the Security Council met at the request of Dabbashi, who “was no longer working for the Libyan government.” It would appear to be a serious breach of UN protocol for a defecting official who had formerly been the representative of a nation that is a member of the UN, to be able to request a Security Council meeting and to have the Security Council grant the meeting and allow the defecting official to participate in the meeting. Similarly, to allow the defecting diplomat to make unverified allegations at the meeting against the government of a UN member nation would only compound the serious violation of the UN Charter represented by this abuse of UN processes.

Here is the Reuters report:¹⁰ “UNITED NATIONS | Tue Feb 22, 2011 4:42 p.m. GMT (Reuters) – The U.N. Security Council held closed-door discussions on Tuesday on the crisis in Libya, with Western envoys and Libya’s own breakaway delegation calling for action by the 15-nation body.... The council met at the request of Libyan Deputy Ambassador Ibrahim Dabbashi, who along with most other staff at Libya’s UN mission announced on Monday they were no longer working for leader Muammar Gaddafi and represented the country’s people. They called for Gaddafi’s overthrow.”

Taking into account Mesmari’s activities with French intelligence officials and Libyan opposition figures, there is the basis to assume that there were powerful forces acting behind the scenes at the UN supporting Dabbashi’s activities and encouraging the Security Council to allow this abuse of its processes.

Part III – False Media Reports about Libya

Among the media reports at the time were unverified allegations that Libyan government planes were shooting at civilians in Tripoli and that there were many dead in various parts of Libya. Also there were reports that Gaddafi had fled to Venezuela. Gaddafi and the Libyan government disputed these reports, with a video demonstrating Gaddafi was in Libya. This video was shown around the world demonstrating the inaccuracy of the false allegations being made about Libya. Also, the

Libyan media disputed that there had been any such shooting of civilians from planes in Tripoli. Later Russian media provided reports of Russia's surveillance of aircraft activity of Libya during this period. That surveillance did not show any firing from aircraft.¹¹

Despite having defected, Dabbashi continued to have access not only to the Security Council processes, but also to official UN press stakeouts to speak to reporters as if officially the representative of a member nation of the UN. At these press stakeouts Dabbashi attacked the Libyan government, accusing it of genocide, without offering any proof for his claims. He also continued to call for the overthrow of the government of Libya.

Then on Friday, February 25, the Libyan Ambassador to the UN, Abdel Rahman Shalgham announced his defection and denounced the Libyan government during a Security Council meeting.

The President of the Security Council invited the defecting Ambassador to take part in the meeting under Rule 37 of the Security Council's Provisional Rules of Procedure. Rule 37 specifies that it is a member nation that can be invited to participate. A defecting Ambassador or diplomat has no basis to take part in a UN Security Council meeting. The Rule reads:¹² "Rule 37 Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter."

An Ambassador who defects, by that act, is ceasing to represent the UN member nation. According to the rules of protocol (2005) online at the UN website, once an Ambassador ceases to represent his member nation, one would expect him to submit his resignation to the Secretary General. Thus it is not appropriate for him to be invited to take part in a Security Council meeting under Rule 37 of the Provisional Rules of Procedure of the Security Council. This Rule applies to an official representative of a member nation of the UN, not to someone who claims that he no longer represents that nation. Following is the relevant

section of the rules of protocol.¹³

“Section X Termination of Service at Permanent/Observer Missions: Permanent Representative Before relinquishing his/her post, a Permanent Representative/Observer should inform the Secretary-General in writing and, at the same time, communicate the name of the member of the mission who will act as Chargé d’Affaires a.i. pending the arrival of the new Permanent Representative/Observer. It is of special importance to note that a Chargé d’Affaires a.i. cannot appoint himself and can hold this function only after being appointed by the Permanent Representative/Observer or by the Ministry of Foreign Affairs of the State concerned.”

It would appear to be outside the procedure provided for by Security Council rules for a defecting Ambassador to be part of a Security Council meeting as the representative of the government he claims he no longer represents, and denouncing the member nation he has defected from.

At the Security Council meeting on February 25, UN Secretary General Ban Ki-moon spoke to the Security Council about the situation in Cote D’Ivoire and Libya. In his remarks on Libya, the Secretary General claimed he was basing his reports on accounts from “the press, human rights groups and civilians on the ground.” He acknowledged that there was no conclusive proof for his allegations, but dismissed this lack of verifiable information by saying that action should be taken along with efforts to get more reliable information. This action is contrary to other situations where the Secretary General recognized the need for an impartial fact finding group and appointed such a group to obtain the needed information to determine what course of action to take to promote a peaceful settlement of the situation.

After the Secretary General presented his unverified allegations, the defecting Libyan Ambassador was called on to speak. By February 25, Shalgham, too, had defected. (One could imagine that pressure for his defection may well have been a fear of the referrals to the ICC of Libyan officials being planned by some Security Council members.)

Contrary to an earlier promise to journalists that if he no longer supported the Libyan government, he would resign, Shalgham did not formally resign. Instead, he continued to use Security Council processes

to encourage the Security Council to impose sanctions and ICC referrals on the government of Libya.

In his presentation to the Security Council meeting on Friday, February 25, Shalgham made a virulent denunciation of the Libyan government, complete with analogies to Hitler. Shalgham ignored the conflicting accounts of what was happening in Benghazi and instead painted a picture of peacefully demonstrating civilians unjustly subjected to a massacre.¹⁴ Shalgham presented no proof for his allegations nor was he asked to present any. Instead, he was consoled by the Secretary General and members of the Security Council, with several Security Council members, embracing and comforting him.

The following day, Saturday, February 26, a day long emergency meeting was held at the Security Council. While the Security Council was discussing a resolution about Libya, Shalgham is reported to have sent a letter to the Security Council to influence the votes of its members.

One journalist offered the following as the content of the letter Shalgham sent to the Security Council:¹⁵ “With reference to the Draft Resolution on Libya before the Security Council, I have the honour to confirm that the Libyan Delegation to the United Nations supports the measures proposed in the draft resolution to hold to account those responsible for the armed attacks against the Libyan Civilians, including through [sic] the International Criminal Court.”

According to journalists waiting outside the Security Council meeting on Saturday February 26, some Security Council members indicated that their aim was to induce more defections of Libyan officials by including referrals to the International Criminal Court (ICC) in the Security Council resolution they were proposing. This is using the ICC as a political tool rather than as a means of punishing actual crimes.

Libya is not a member of the treaty creating the ICC. Though the UN Charter provides for the Security Council to create tribunals it has no provision to force a nation not a member of a treaty organization creating a tribunal to be subject to its jurisdiction. When Security Council members are asked under what authority they refer a national of a state not a member of the ICC to its jurisdiction, they cite a provision in the ICC treaty. But a provision of the ICC treaty cannot be

substituted for some provision of the UN Charter. No provision of the UN Charter has been cited as providing the authority for the Security Council referrals of non treaty members to the jurisdiction of the ICC.

Late in the day, on Saturday February 26, the Security Council passed Resolution 1970, imposing strong sanctions against Libya and referring Gaddafi and several others to the ICC. No proof of any wrongdoing was presented and no reference was made to any investigation into the allegations.

When the French Ambassador Gérard Araud explained why he voted in favor of SC Resolution 1970, he referred back to Shalgham's "moving statement" at the meeting on Friday Araud said:¹⁶ "Yesterday, the Permanent Representative of Libya (sic) made to this Council a moving appeal for assistance. France welcomes the fact that the Council has today unanimously and forcefully responded to that appeal."

In explaining his vote in favor of Security Council Resolution 1970, the Indian Ambassador explained that he was not inclined to support the referral to the ICC, but he was responding to the letter sent to the Security Council by Shalgham urging the Council to do so. The Indian Ambassador said: "(W)e would have preferred a calibrated and gradual approach. However, we note that several members of the Council, including our colleagues from Africa and the Middle East, believe that referral to the Court would have the effect of an immediate cessation of violence and the restoration of calm and stability. The letter from the Permanent Representative of Libya (sic) of 26 February addressed to you, Madame President, has called for such a referral and strengthened this view. We have therefore gone along with the consensus in the Council."

Similarly the Nigerian Ambassador explains: "We have taken into consideration the letter dated today from the Permanent Representative of Libya (sic) supporting the measures as we have proposed."

The Brazilian Ambassador also refers to the appeal by the defecting Ambassador in explaining her vote for Sec. Council Resolution 1970: "In our deliberations today, Brazil paid due regard to the views expressed by the League of Arab States and the African Union, as well as to the requests made by the Permanent Mission of Libya to the United Nations."¹⁷

At the meeting, Dabbashi was given the floor to speak on behalf of Libya. Dabbashi denounced Gaddafi and thanked the Security Council members for granting his request for harsh measures against Libya and members of its government.

The Secretary-General as the last speaker on the Security Council agenda, spoke about how he welcomed the sanctions and saw them as a means for a new governance regime in Libya. He said: “The sanctions that the Council has imposed are a necessary step to speed the transition to a new system of governance that will have the consent and participation of the people.”

This sequence of events can only be seen as a violation of the Security Council’s obligations under the UN charter. The provision of the Security Council rules used to invite the defecting former Libyan government officials into Security Council meetings were provisions providing for officials representing the government of Libya to speak. The defecting officials were now former government officials and as such had no authority to speak for the official government of Libya, and no authority to appear at Security Council meetings as officials of Libya.¹⁸

The actions of such officials were not the actions of a member government. Unspoken was the process of how they had defected and through what arrangements with U.S. and other western government agencies they had gained the ability to remain in the U.S. and to participate in Security Council procedures. The Security Council was providing support and aid to members of a group attempting to carry out a coup against the government of Libya. Such an action is contrary to the obligations of the UN Charter requiring the non-intervention in the affairs of member nations.

The Security Council supported these defectors acting to overthrow the government of Libya. Also it failed to make any effort to initiate an independent investigation of what was happening in Libya. Apart from the biased western or Qatar supported media reports (reports from Aljazeera only represented the Libyan opposition viewpoint when it reported on the Libyan conflict), the Security Council did not seek out any other source of information. UN personnel in Libya were not requested to investigate the allegations.

No legitimate Libyan government official was invited to take part in Security Council proceedings. When the Libyan government tried to appoint legitimate government officials to replace the defector delegation, the U.S. government would not approve the visa requests for the replacement delegates, in violation of the Host Country obligations of the U.S. In this way, the U.S. prevented the Libyan government from being able to present its case before the Security Council.

By March 3, 2011, the Spokesman for the Secretary General acknowledged that the Secretary General had received notice from the Libyan government withdrawing the credentials of Dabbashi and Shalgham.¹⁹ Yet for a period of time, they had continued to speak to reporters at the official Security Council stakeout and their statements to the press were covered by the UN media services and were treated as official Libyan government statements available at the UN Security Council website.

Eventually the access of the two diplomats was converted from diplomatic passes into courtesy passes granted at the discretion of the Secretariat so they could continue to have access to the UN, but on a more restricted basis than the official diplomatic access.

When some journalists questioned the grounds on which these defector diplomats continued to have access to official UN and Security Council procedures such as requesting a meeting of the Security Council, the spokesman for the Secretary General said that someone who has presented credentials to the Secretary General is the representative of a nation.²⁰ Disagreeing with the Spokesman's response, one journalist pointed out that the "Request for a meeting of the Security Council normally is by request from Member States, not from Ambassadors sitting in missions. Ambassadors ask for a meeting of the Council on the basis of a letter from the Foreign Ministry and, in this case, presumably there is no such letter emanating from the Foreign Ministry of Libya. So, on what basis, legal basis, is the Security Council meeting?" asked the journalist.

Instead of acknowledging the accuracy of the explanation that it is member nations that are represented at the Security Council, not an Ambassador, particularly not an Ambassador who has defected, the Spokesperson for the Secretary General answered: "I think you know

what I am going to say...ask the Security Council. Next question.”

Part IV – Libya Prevented from Presenting its Case at the UN

While the defecting Libyan diplomats have been supported and protected to have continual access to United Nations facilities, the opposite has been the case for the Libyan government.

One good example of this departure from protocol obligations is demonstrated by two documents. The first is Security Council Resolution 1970 (S/RES/1970(2011)).

The document states in its opening statement:²¹ “Taking note of the letter to the President of the Security Council from the Permanent Representative of the Libyan Arab Jamahiriya dated 26 February 2011.” (S/Res/1970 (2011), p. 1)

The problem of acknowledging this letter this way in the body of Resolution 1970 is that on February 25, the former Libyan Ambassador to the UN, Abdel Rahman Shalgham had informed the Security Council that he had defected.

By February 26 he no longer represented the Libyan government. Consequently there was no basis for the Security Council to refer to a letter from him, as a letter from the Permanent Representative of the Libyan Arab Jamahiriya.

The Security Council had an obligation to find a way to hear from a member of the government of Libya, rather than substituting a defector Ambassador and his delegation for the official delegation of Libya.

Despite several efforts of the government of Libya to appoint a new Ambassador to replace the defector Ambassador and his staff members who had defected, neither the UN nor the U.S., the host country of the UN, acted in accord with their obligations to make this possible.

A letter from the Libyan government dated March 17 was sent to the Security Council President. It appears that this letter was not made an official document of the Security Council. Yet this letter provided the Libyan government explanation of what was happening. According to Article 32 of the UN Charter, the Security Council has an obligation to hear from member nations. The relevant portion of Article 32 states:

“Any member of the United Nations which is not a member of the Security Council...if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to that dispute.”²²

This would be true as well, for a state which is not a Member of the United Nations.

The picture the Libyan government presents in the communication to the Security Council is one where there is an armed confrontation between armed insurgents and the State Authorities.²³

This is a different description of the situation than any of the members of the Security Council publicly considered on February 26 when the Security Council passed Resolution 1970 or on March 17 when it passed Resolution 1973.²⁴

In the letter of March 17, Libya explains that what is happening is a confrontation between terrorist groups and the State Authorities. It cites Libyan Law No. 38 of 1974, article 1, as the basis for the armed forces of Libya to “maintain security, if the general safety of the ‘Republic’ or any part of it so requires.” The letter explains that “Libyan army camps that have been attacked have taken no violent action against the armed attackers until the latter have brandished their weapons.” This is in conformity with Libyan law, the letter notes.

The letter explains that “Article 2 of the same law provides that orders to fire may be given in the following circumstances: “(a) If any member of forces is attacked. (b) If rebels refuse to restore order, after having been warned and given the opportunity to do so. (c) If rebels carry out an armed attack against persons or property.”

The letter from the Libyan government describes how the government is fulfilling its responsibility to protect Libyan residents and citizens by confronting the armed insurgents.

The letter also says that Resolution 1970 and the draft of Resolution 1973, the resolution being considered for adoption on March 17, and subsequently adopted, “exceed the mandate” of the Security Council.

The letter says that “what is at issue is not a conflict between two States, as provided for in article 24 of the Charter of the United Nations.” The Council therefore has no authority to adopt resolutions in such cases. The Charter, the letter explained, “provides that States shall

refrain from the threat or use of force against the territorial integrity of any State.”

Also in the letter, Libya referred to the mission to Libya by the African Union that was planned for March 20 to negotiate a political solution. The letter called the adoption of resolutions under Chapter VII premature, until an evaluation of the situation had been made by the African Union.

The Security Council made no mention of the letter or the points it raised when it went ahead and passed Resolution 1973 on the evening of March 17.

Only an AP article mentioned that there was such a letter and referred to some of its contents, including the challenge Libya presented to the section of Resolution 1970 referring Gaddafi and his family members to the International Criminal Court (ICC).²⁵

After the March 17 Security Council meeting, the U.S. and then NATO began bombing Libya.

A letter dated March 19 from the government of Libya has been made one of the documents of the Security Council. In the letter the Foreign Minister refers to previous letters that he sent to the Security Council which are not found in Security Council records. In the March 19 letter, he writes:²⁶ “In my previous letters to you, I emphasized that an external conspiracy was targeting Jamahiriya and its unity and territorial integrity. I pointed out that the Security Council had been drawn into implementing this conspiracy by its adoption of Resolution 1970 (2011) and 1973 (2011) under which a ban was imposed on all aviation in the airspace of the Libyan Arab Jamahiriya. By taking this decision,” the March 19 letter explained, “the Security Council has paved the way for military aggression against Libyan territory. France and the United States have bombarded several civilian sites, thereby violating all international norms and instruments, most notably the Charter of the United Nations, which provides for non-intervention in the affairs of member states.”

Libya asked the Security Council to hold an emergency meeting “in order to halt this aggression, the purpose of which is not to protect civilians, as is purported, but rather to strike civilian sites, economic facilities, and sites belonging to the Armed Peoples on Duty.” The UN

Security Council discussed this request at a meeting on Monday, March 21 and decided not to grant the Libyan government's request.

As of February 21, the Libyan government has been deprived of the ability to have a representative to the UN. In March, when the Libyan government tried to appoint another Ambassador, the U.S. government did not grant a visa.²⁷

Instead the defecting diplomats continue to have access to the UN and to use their presence at the UN to attack the legitimate government of Libya.

An article published by *Al Ahram*, is unusual in that it presents an account of some of the abuse of Security Council procedures that occurred in passing Resolutions 1970 and 1973 against Libya. The article was written by Curtis Doebbler, an American Human Rights lawyer. Doebbler writes:²⁸ "The West focused its propaganda machinery on the UN with a vengeance. And it was no mere ordinary propaganda campaign but a full-blown orchestration of history for the books. First, Libyan diplomats were induced and threatened to step down from their positions and promised that if they supported the opposition they would be 'taken care of.' This resulted in the Libyan diplomats at the UN not only resigning, but doing so and still maintaining a type of diplomatic status that allowed them to advocate on behalf of the armed rebels who were challenging the government of Libya for control of their country."

Doebbler continues: "This was accomplished by the spurious actions of UN Secretary General Ban Ki-moon, who issued special passes to the former Libyan diplomats after their government had withdrawn their credentials. Bypassing the UN General Assembly's Credentials Committee and well-established protocol, the UN secretary-general for the first time in the world body's history personally favoured one side in what was by now a civil war."

Among Security Council members there have been a number of complaints that the resolution they allowed to pass (1973) did not authorize the kind of NATO bombing of Libya in support of the rebels that has been carried out. Because of the veto power of the U.S., France and the U.K., the Security Council appears to have no means of oversight over NATO to stop what they believe to be an abuse of Security Council processes.

In the context of the sequence of events that took place at the Security Council in February and March, the question asked at the press conference in April, “...are we to expect a more aggressive and proactive posture on the part of the Security Council in supporting rebel groups?” is about a serious change. The precedent set by the Security Council’s supporting an armed insurgency against the government of a UN member nation is a significant and dangerous precedent. It is an important issue to be seriously examined.²⁹

Notes

1. I. K. Cush of *Global Breaking News*, Press Conference for the Colombian Presidency, April 4, 2011, <http://www.unmultimedia.org/tv/webcast/2011/04/press-conference-nestor-osorio-colombia-president-of-the-security-council.html>
2. “French plans to topple Gaddafi on track since last November” by Franco Bechis, <http://www.voltairenet.org/article169069.html>
- 3 See the account in *Libero* of Nouri al Mesmari’s defection and connections with foreign intelligence forces. <http://iamaghanaian.com/index.php?do=/news/reports-suggest-french-intelligence-encouraged-anti-gaddafi-protests/> and <http://forum.prisonplanet.com/index.php?topic=204415.0:wap2>
4. “‘Airstrikes in Libya did not take place’ – Russian military,” News, *Russia Today* (RT) Moscow, March 1, 2011. RT report was made by journalist Irina Galushko. <http://www.youtube.com/watch?v=iytgO0tscSI>
Radio Netherlands, “HRW: No Mercenaries in eastern Libya,” March 2, 2011, <http://margotbworldnews.com/WordPress/wp-content/Mar/Mar5/NoMercenariesnE.Libya.html>
5. Ibrahim Dabbashi, Letter to Security Council dated February 21, 2011, S/2011/102, February 22, 2011, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=JOURNAL%20NO.2011/42&Lang=E>
6. Provisional Rules of Procedure of the Security Council refers to Article 35 of the Charter referring to ‘nations that are Members of the UN’ or ‘nations that are not Members of the UN.’ Nowhere does it provide for defecting officials to request a meeting of the Security Council.
7. Closed meeting Security Council, no notes but the occurrence of the meeting is noted as 6486th meeting (closed) Peace and security in Africa Feb. 22, 2011, <http://www.un.org/Docs/journal/En/20110223e.pdf>
8. Video by Nizar Abboud of UN Ambassador of Libya, Shalgam, Feb. 22, 2011, <http://www.youtube.com/user/NizarAbboud#p/search/0/fKhMUSHwtrA>

English responses begin at approx. 1:53.

9. B. Lynn Pascoe, “Informal comments to the media by B. Lynn Pascoe, Under-Secretary-General for Political Affairs, on the situation in Libya,” Feb. 22, 2011, <http://www.unmultimedia.org/tv/webcast/2011/02/b-lynn-pascoe-on-the-situation-in-libya.htm>

10. “UN Security Council Discusses Libya Crisis.” Reuters, Feb. 22, 2011. <http://uk.reuters.com/article/2011/02/22/us-libya-un-council-idUKTRE71L4T920110222>

11. See note 4 above.

12. Provisional Rules of Procedure Security Council Rule 37, <http://www.un.org/Docs/sc/scrules.htm>

13. *Manual of Protocol*, United Nations Protocol and Liaison Service, http://www.un.int/protocol/10_12.html

14. Abdel Rahman Shalgham at the Security Council 6490th meeting, Feb 25, 2011, United Nations S/PV.6490, <http://daccess-ods.un.org/access.nsf/Get?Open &DS=S/PV.6490&Lang=E>

15. Letter Shalgham sent to Security Council as quoted on Inner City Press blog, <http://www.innercitypress.com/banros1libya022611.html>

16. Gérard Araud at the Security Council, 6490th meeting, Feb 26, 2011, United Nations S/PV.6491 <http://daccess-ods.un.org/access.nsf/Get?Open &DS=S/PV.6491&Lang=E>.

See this transcript for other statements at that meeting quoted in the text.

17. The reference to the African Union was mistaken. The African Union called for dialogue and was opposed to the sanctions and referral to the ICC before the Security Council took its votes on Resolutions 1970 and 1973. See for example, Ruhakana Rugunda, “African Union Statement on the NATO Invasion of Libya: It’s Time to End the Bombing and Find a Political Solution in Libya,” <http://www.counterpunch.org/rugunda06222011.html>

18. See for example International Labour Conference, 5C, Provisional Record, 100th Session, Geneva, June 2011, Reports on credentials, Second report of the Credentials Committee, Representation of Libyan Arab Jamahiriya, http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meeting_document/wcms_156839.pdf

19. March 3, 2011, Daily Press Briefing by the Office of the Spokesperson for the Secretary-General, <http://www.un.org/News/briefings/docs/2011/db110303.doc.htm>

20. Daily Press Briefing by the Office of the Spokesperson for the Secretary-General, February 22, 2011, <http://www.un.org/News/briefings/docs/2011/db110222.doc.htm>

21. Security Council Resolution 1970, [http://daccess-ods.un.org/access.nsf/Get?Open &DS=S/RES/1970%20\(2011\)&Lang=E](http://daccess-ods.un.org/access.nsf/Get?Open &DS=S/RES/1970%20(2011)&Lang=E)

22. United Nations Charter Article 32 can be found in Chapter 5 at: <http://www.un.org/en/documents/charter/chapter5.shtml>

23. Letter sent to Security Council dated 17 March 2011 from Secretary of the General People's Committee of Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya to President of the Security Council. (English translation of document previously circulated in Arabic).

24. Ronda Hauben, "UN Security Council March 17 Meeting to Authorize Bombing of Libya all Smoke and Mirrors," March 30, 2011,

<http://blogs.taz.de/netizenblog/2011/03/>

25. Edith Lederer, "UN Rejects Emergency Meeting Sought by Libya," AP, March 22, 2011,

<http://newsinfo.inquirer.net/1264/un-rejects-emergency-meeting-sought-by-libya>

26. Letter dated 19 March 2011 from the Secretary of the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya addressed to the President of the Security Council, S/2011/161,

<http://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/270/02/pdf/N1127002.pdf>

27. Turtle Bay blog "TurtleLeaks: No visa, no entry! How the U.S. bars diplos from the U.N."

http://turtlebay.foreignpolicy.com/posts/2011/05/04/turtleleaks_no_visa_no_entry_how_the_us_bars_diplos_from_the_un

28. Curtis Doebbler, "Libya: Who wins?," *Al Ahram*, 7 – 13 April 2011, Issue No. 1042,

<http://weekly.ahram.org.eg/2011/1042/op7.htm>

29. According to General Assembly Resolution 396(V), December 1950, Recognition by the United Nations of the Representative of a Member State, when a controversy arises with more than one authority claiming to be the government of a Member State, it becomes a question for the General Assembly to consider in light of the purposes and principles of the Charter of the UN and the circumstances of each specific case. See:

<http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/059/94/IMG/NR005994.pdf>

or

<http://www.un.org/documents/ga/res/5/ares5.htm>

A version of this article can also be accessed at:

http://blogs.taz.de/netizenblog/2011/07/19/security_council_libya/

[Editor's Note: This article first appeared in *Global Times* English on May 9, 2011]

U.S. Uses UN to Bypass Congress to Go to War

by Ronda Hauben
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The Korean War ended in 1953, but its legacy still lingers in American war-making policy today.

At a recent conference on “The Unending Korean War” at New York University, the keynote speaker, Bruce Cumings, a history professor at the University of Chicago, explained that the UN provided the means for the then U.S. President Harry S. Truman to bypass the U.S. Congress in intervening in the Korean War.

Under Article 1 Section 8 of the U.S. Constitution, the power to declare war is vested in the Congress. But in June 1950, Truman did not go to Congress for a declaration of war.

Instead, Cumings explained, “The UN was the legislature that the U.S. knew they would get a majority vote in.” At the time, the Soviet Union was refusing to participate in the UN Security Council, and the Chinese seat was held by representatives from Taiwan.

There would likely have been a challenge to a declaration of war in the U.S. Congress. Hence it was the UN that provided the appearance of legitimacy for the U.S. role in the Korean War, explained Cumings.

The Korean War, according to Cumings, was the first time the U.S. went to war without a congressional declaration. “The U.S. executive branch hasn’t gotten one (a congressional declaration of war) since,” Cumings noted.

The current case of Libya is the most recent instance of a president going to war without the needed constitutional authorization.

Instead of U.S. President Barack Obama going to the U.S. Congress to ask for a declaration of war against Libya, he went to the Arab League and the UN Security Council, explains Dennis Kucinich, a Democratic congressman from Ohio.

Kucinich is one of several U.S. congressmen objecting to Obama's bypassing Congress with the military campaign against Libya.

Kucinich pointed out that a no-fly zone begins with an attack on the air defenses of Libya which is an "act of war."

"War from the air is still war," he argued in a press statement on March 18, one day after the UN Security Council passed Resolution 1973, the resolution authorizing a no-fly zone in Libya.

Other congressmen from both parties have protested Obama's bypassing his constitutional obligation to go to Congress for a declaration of war, before taking military action against another country, especially when that other country has not attacked the U.S.

In December 2007, before he became president, Obama acknowledged that going to war without a congressional authorization was a violation of the U.S. Constitution.

Obama is quoted as saying, "The president does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation."

Kucinich illustrates how Obama's failure to defer to congressional authority to declare war represents a serious failure of U.S. democracy.

For Congress to determine whether or not to issue a declaration of war against Libya would require not only debate and discussion, but also a process of raising needed questions about the nature and merits of military intervention.

Questions like "what is behind the plan for intervening in the Libyan crisis?" and "what is the goal of the intervention?" are but a few of the questions that Kucinich says need to be considered before such an intervention is authorized by the Congress.

In a speech he made to Congress on March 31, Kucinich recalled the experiences of the Gulf of Tonkin in Vietnam, where a supposed attack on U.S. ships was used as an excuse for war, as well as the alleged "weapons of mass destruction" in Iraq.

These examples demonstrate the need for Congress to examine the facts being presented whenever a U.S. president makes the claim that war is necessary.

"We have learned from bitter experience," Kucinich warned, "that

the determination to go to war must be based on verifiable facts carefully considered.”

A version of this article can also be accessed at:

<http://opinion.globaltimes.cn/foreign-view/2011-05/653147.html>

[Editor’s note: The following article is taken from the Center for Research on Globalization website where it appeared on June 29, 2011.

It can be accessed at:

<http://www.globalresearch.ca/index.php?context=va&aid=25441>]

Journalism as a Weapon of War in Libya

by Mahdi Darius Nazemroaya

The truth has been turned on its head in Libya. NATO and the Libyan government are saying contradictory things. NATO says that the Libyan regime will fall in a matter of days, while the Libyan government says that the fighting in Misrata will end in about two weeks.

During the night the sound of NATO jets flying over Tripoli can be heard in the Mediterranean coastal city. Tripoli has not been bombed for a few days, but the sound of the flyovers have been numerous. The Atlantic Alliance deliberately picks the night as a means to disturb the sleep of residence in an attempt to spread fear. Small children in Libya have lost a lot of sleep during this war. This is part of the psychological war being waged. It is meant to break the spirit of Libya. This is all additional to the severing wound imposed on Libya through trickery and sedition.

In the same context, the media war against Libya has continued too. The Rixos Hotel in the Libyan capital of Tripoli, where the majority of the international press is located, is a nest of lies and warped narratives where foreign reporters are twisting realities, spinning events, and

misreporting to justify the NATO war against Libya. Every report and news wire being sent out of Libya by international reporters has to carefully be cross-checked and analyzed. Foreign journalists have put words in the mouth of Libyans and are willfully blind. They have ignored the civilian deaths in Libya, the clear war crimes being perpetrated against the Libyan people, and the damage to civilian infrastructure, from hotels to docks and hospitals.

One group of Libyan youth explained in a private conversation that when speaking to reporters they would be interviewed by them in twos. One reporter would ask a question followed immediately by another one from the other journalist. In the process the answer to the first question would be used as the answer for the second question. In the Libyan hospitals the foreign reporters try not to take pictures of the wounded and dying. They just go into the hospitals to paint the image of impartiality, but virtually report about nothing and ignore almost everything newsworthy. They refuse to tell the other side of the story. Shamelessly in front of seriously injured civilians, the type of questions many foreign reporters ask doctors, nurses, and hospital staff is if they have been treating military and security personnel in the hospitals.

CNN has even released a report from Misrata by Sara Sidner showing the sodomization of a woman with a broomstick which it claims was conducted by Libyan soldiers. It refers to Libyan soldiers as Qaddafi troops, which is really a means of demonization. In reality the video was a domestic affair and created prior to the conflict in Libya. It originally took place in Tripoli and the man even has an accent from Tripoli. This is the type of fabrications that the mainstream media is pushing forward to push for war and military intervention.

There are now investigations underway to show that depleted uranium has been used against Libyans. The use of depleted uranium is an absolute war crime. It is not only an attack on the present, but it also leaves a radioactive trace that attacks the unborn children of tomorrow. Future generations will be hurt by these weapons too. These generations of the future are innocent. The use of depleted uranium is the equivalent of the U.S. planting nuclear weapons in Germany or Japan during the Second World War and leaving timers for them to detonate in 2011. This is an important and newsworthy issue in Libya and all the foreign

journalists have heard about it, but how many have actually covered it?

Nothing is being said about the refugees coming to Tripoli from Benghazi either. The Ionis, a ship from Benghazi that docked in Tripoli on June 26, 2011, was carrying over 100 people who wanted to leave Benghazi to be unified with their families in Tripoli. Foreign reporters were there en masse from all over the world. CNN, RT, and Reuters were amongst them. Amongst the foreign reporters there were many who had no clue about the situation in Libya and were working on the basis of misinformation carried forward from their respective stations and countries. In informal discussion when these reporters were challenged about the basis of their assessments they failed to answer and sounded ridiculous. One reporter from Western Europe said that the defections at the governmental level in Tripoli were snowballing, but when challenged by a colleague she could only cite the so-called defection of a Libyan athlete.

The arrival of the passenger ship was significant, because it is a symptom that the political partition of Libya is underway. When families and individuals are being shuttled to different sides of Libya, it is an indicator that some sort of dividing line will be drawn either temporarily or permanently.

The Roman Catholic Church in Libya has also been disrupted and hurt. The position of Father Giovanni Martinelli, the Bishop of Tripoli, is in contradiction to that of the U.S. and NATO. Contact has been lost with the Roman Catholic churches and communities in Benghazi and its environs. Bishop Martinelli has also lost dear friends in the war who have nothing to do whatsoever with any combat or hostility. What have foreign journalists and news agencies said about this?

Journalists have a responsibility to tell the truth and report all newsworthy issues. Some do, but their stories either get edited or never get published or aired. Others say nothing and instead concoct stories. It is now the responsibility of the public to look at the reports coming out of Libya from all sides with a grain of salt. Diversity of news is just one starter.

[Editor's Note: The following open letter is dated July 2011. It concerns the UN Security Council's Resolution 1973 precipitating a war against Libya. The statement calls for the UN to return to the principles provided by the Charter and for NATO to stop its campaign against Libya. It can be seen at the website:

<http://www.concernedafricans.co.za/>. Among those signing the letter were former president of South Africa, Thabo Mbeki, former cabinet ministers Essop Pahad, Ronnie Kasrils, former Anglican Archbishop of Cape Town Njongonkulu Ndungane, author and poet Wally Serote, foreign policy analysts Chris Landsberg, Siphamandla Zondi, and Mahmood Mamdani, of Makerere University in Uganda and Columbia University, New York. In addition there are 5 organizational listings. For updates on the names of those in support of the letter, see:

<http://www.concernedafricans.co.za/index.php/support>]

An Open Letter to The Peoples of Africa and The World From Concerned Africans. Libya, Africa and The New World Order*

We, the undersigned, are ordinary citizens of Africa who are immensely pained and angered that fellow Africans are and have been subjected to the fury of war by foreign powers which have clearly repudiated the noble and very relevant vision enshrined in the Charter of the United Nations.

Our action to issue this letter is inspired by our desire, not to take sides, but to protect the sovereignty of Libya and the right of the Libyan people to choose their leaders and determine their own destiny.

Libya is an African country.

On March 10, the African Union Peace and Security Council adopted an important Resolution which spelt out the roadmap to address the Libyan conflict, consistent with the obligations of the AU under Chapter VIII of the UN Charter.

When the UN Security Council adopted its Resolution 1973, it was aware of the AU decision which had been announced seven days earlier.

By deciding to ignore this fact, the Security Council further and consciously contributed to the subversion of international law as well as undermining the legitimacy of the UN in the eyes of the African people.

In other ways since then, it has helped to promote and entrench the immensely pernicious process of the international marginalization of Africa even with regard to the resolution of the problems of the Continent.

Contrary to the provisions of the UN Charter, the UN Security Council declared its own war on Libya on March 17, 2011.

The Security Council allowed itself to be informed by what the International Crisis Group (ICG) in its June 6, 2011 Report on Libya characterizes as the “more sensational reports that the regime was using its air force to slaughter demonstrators.”

On this basis it adopted Resolution 1973 which mandated the imposition of a “no-fly zone” over Libya, and resolved “to take all necessary measures...to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya....”

Thus, first of all, the Security Council used the still unresolved issue in international law of “the right to protect,” the so-called R2P, to justify the Chapter VII military intervention in Libya.

In this context the UN Security Council has committed a litany of offences which have underlined, the further transformation of the Council into a willing instrument of the most powerful among its Member States.

Thus the Security Council produced no evidence to prove that its authorization of the use of force under Chapter VII of the UN Charter was a proportionate and appropriate response to what had, in reality, in Libya, developed into a civil war.

It then proceeded to ‘outsource’ or ‘sub-contract’ the implementation of its resolutions to NATO, mandating this military alliance to act as a ‘coalition of the willing.’

It did not put in place any mechanism and process to supervise the ‘sub-contractor,’ to ensure that it faithfully honors the provisions of its Resolutions.

It has made no effort otherwise to monitor and analyze the actions of NATO in this regard.

It has allowed the establishment of a legally unauthorized ‘Contact Group,’ yet another ‘coalition of the willing,’ which has displaced it as the authority which has the effective responsibility to help determine the

future of Libya.

To confirm this unacceptable reality, the July 15, 2011 meeting of the 'Contact Group' in Istanbul "reaffirmed that the Contact Group remains the appropriate platform for the international community to be a focal point of contact with the Libyan people, to coordinate international policy and to be a forum for discussion of humanitarian and post-conflict support."

Duly permitted by the Security Council, the two 'coalitions of the willing,' NATO and the 'Contact Group,' have effectively and practically rewritten Resolution 1973.

Thus they have empowered themselves openly to pursue the objective of 'regime change' and therefore the use of force and all other means to overthrow the government of Libya, which objectives are completely at variance with the decisions of the UN Security Council.

Because of this, with no regard to UNSC Resolutions 1970 and 1973, they have made bold to declare the government of Libya illegitimate and to proclaim the Benghazi-based 'Transitional National Council' as "the legitimate governing authority in Libya."

The Security Council has failed to answer the question how the decisions taken by NATO and the 'Contact Group' address the vital issue of "facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution...."

The actions of its 'sub-contractors,' NATO and the 'Contact Group,' have positioned the UN as a partisan belligerent in the Libyan conflict, rather than a committed but neutral peacemaker standing equidistant from the Libyan armed factions.

The Security Council has further wilfully decided to repudiate the rule of international law by consciously ignoring the provisions of Chapter VIII of the UN Charter relating to the role of legitimate regional institutions.

The George W. Bush war against Iraq began on March 20, 2003.

The following day, March 21, the U.K. newspaper, *The Guardian*, published an abbreviated article by the prominent U.S. neo-conservative, Richard Perle, entitled "Thank God for the death of the UN."

But the post-Second World War global architecture for the maintenance of international peace and security centered on respect for

the UN Charter.

The UN Security Council must therefore know that at least with regard to Libya, it has acted in a manner which will result in and has led to the loss of its moral authority effectively to preside over the critical processes of achieving global peace and the realization of the objective of peaceful coexistence among the diverse peoples of the world.

Contrary to the provisions of the UN Charter, the UN Security Council authorised and has permitted the destruction and anarchy which has descended on the Libyan people.

At the end of it all: – many Libyans will have died and have been maimed;

– much infrastructure will have been destroyed, further impoverishing the Libyan people;

– the bitterness and mutual animosity among the Libyan people will have been further entrenched;

– the possibility to arrive at a negotiated, inclusive and stable settlement will have become that much more difficult;

– instability will have been reinforced among the countries neighboring Libya, especially the countries of the African Sahel, such as Sudan, Chad, Niger, Mali and Mauretania;

– Africa will inherit a much more difficult challenge successfully to address issue of peace and stability, and therefore the task of sustained development; and,

– those who have intervened to perpetuate violence and war in Libya will have the possibility to set the parameters within which the Libyans will have the possibility to determine their destiny, and thus further constrain the space for the Africans to exercise their right to self-determination.

As Africans we have predicated our future as relevant players in an equitable system of international relations on the expectation that the United Nations would indeed serve “as the foundation of a new world order.”

The ICG Report to which we have referred says: “The prospect for Libya, but also North Africa as a whole, is increasingly ominous, unless some way can be found to induce the two sides in the armed conflict to negotiate a compromise allowing for an orderly transi-

tion to a post-Qaddafi, post-Jamahiriya state that has legitimacy in the eyes of the Libyan people. A political breakthrough is by far the best way out of the costly situation created by the military impasse....”

When Richard Perle wrote in 2003 about the “abject failure of the United Nations,” he was bemoaning the refusal of the UN to submit to dictation by the world’s sole superpower, the U.S.

The UN took this position because it was conscious of, and was inspired by its obligation to act as a true representative of all peoples of the world, consistent with the opening words of the UN Charter – “We the peoples of the United Nations....”

However, and tragically, eight years later, in 2011, the UN Security Council abandoned its commitment to this perspective.

Chastened by the humiliating experience of 2003, when the U.S. demonstrated that might is right, it decided that it was more expedient to submit to the demands of the powerful rather than honor its obligation to respect the imperative to uphold the will of the peoples, including the African nations.

Thus it has communicated the message that it has become no more than an instrument in the hands and service of the most powerful within the system of international relations and therefore the vital process of the peaceful ordering of human affairs.

As Africans we have no choice but to stand up and reassert our right and duty to determine our destiny in Libya and everywhere else on our Continent.

We demand that all governments, everywhere in the world, including Africa, which expect genuine respect by the governed, such as us, should act immediately to assert “that law by which all nations may live in dignity.”

We demand that:

- the NATO war of aggression in Libya should end immediately;
- the AU should be supported to implement its Plan to help the Libyan people to achieve peace, democracy, shared prosperity and national reconciliation in a united Libya; and,
- the UN Security Council must act immediately to discharge its responsibilities as defined in the UN Charter.

Those who have brought a deadly rain of bombs to Libya today should not delude themselves to believe that the apparent silence of the millions of Africans means that Africa approves of the campaign of death, destruction and domination which that rain represents.

We are confident that tomorrow we will emerge victorious, regardless of the death-seeking power of the most powerful armies in the world.

The answer we must provide practically, and as Africans, is – when, and in what ways, will we act resolutely and meaningfully to defend the right of the Africans of Libya to decide their future, and therefore the right and duty of all Africans to determine their destiny!

The AU Road Map remains the only way to peace for the people of Libya.

* When the 66th Session of the United Nations General Assembly (UNGA) opened on September 13, the above Open Letter on Libya with over 300 signatures was delivered to the President of the UN General Assembly, to the President of the Security Council, and to Secretary General Ban Ki-moon. See, e.g., “Letter on Libya Sent to UN on Opening of General Assembly” at:

http://blogs.taz.de/netizenblog/2011/09/14/letter_on_libya_sent_to_un/

[Editor’s Note: This article was published online in Aug, 2011.]

What Does Gaddafi’s Fall Mean For Africa?

As global powers become more interested in Africa, interventions in the continent will likely become more common.

By Mahmood Mamdani

“Kampala ‘mute’ as Gaddafi falls,” is how the opposition paper summed up the mood of this capital the morning after. Whether they

mourn or celebrate, an unmistakable sense of trauma marks the African response to the fall of Gaddafi.

Both in the longevity of his rule and in his style of governance, Gaddafi may have been extreme. But he was not exceptional. The longer they stay in power, the more African presidents seek to personalize power. Their success erodes the institutional basis of the state. The Caribbean thinker C. L. R. James once remarked on the contrast between Nyerere and Nkrumah, analyzing why the former survived until he resigned but the latter did not: “Dr. Julius Nyerere in theory and practice laid the basis of an African state, which Nkrumah failed to do.”

The African strongmen are going the way of Nkrumah, and in extreme cases Gaddafi, not Nyerere. The societies they lead are marked by growing internal divisions. In this, too, they are reminiscent of Libya under Gaddafi more than Egypt under Mubarak or Tunisia under Ben Ali.

Whereas the fall of Mubarak and Ben Ali directed our attention to internal social forces, the fall of Gaddafi has brought a new equation to the forefront: the connection between internal opposition and external governments. Even if those who cheer focus on the former and those who mourn are preoccupied with the latter, none can deny that the change in Tripoli would have been unlikely without a confluence of external intervention and internal revolt.

More interventions to come

The conditions making for external intervention in Africa are growing, not diminishing. The continent is today the site of a growing contention between dominant global powers and new challengers. The Chinese role on the continent has grown dramatically. Whether in Sudan and Zimbabwe, or in Ethiopia, Kenya and Nigeria, that role is primarily economic, focused on two main activities: building infrastructure and extracting raw materials. For its part, the Indian state is content to support Indian mega-corporations; it has yet to develop a coherent state strategy. But the Indian focus too is mainly economic.

The contrast with Western powers, particularly the U.S. and France, could not be sharper. The cutting edge of Western intervention is military. France’s search for opportunities for military intervention, at

first in Tunisia, then Cote d'Ivoire, and then Libya, has been above board and the subject of much discussion. Of greater significance is the growth of Africom, the institutional arm of U.S. military intervention on the African continent.

This is the backdrop against which African strongmen and their respective oppositions today make their choices. Unlike in the Cold War, Africa's strongmen are weary of choosing sides in the new contention for Africa. Exemplified by President Museveni of Uganda, they seek to gain from multiple partnerships, welcoming the Chinese and the Indians on the economic plane, while at the same time seeking a strategic military presence with the U.S. as it wages its War on Terror on the African continent.

In contrast, African oppositions tend to look mainly to the West for support, both financial and military. It is no secret that in just about every African country, the opposition is drooling at the prospect of Western intervention in the aftermath of the fall of Gaddafi.

Those with a historical bent may want to think of a time over a century ago, in the decade that followed the Berlin conference [Nov. 1884 - Jan. 1885], when outside powers sliced up the continent. Our predicament today may give us a more realistic appreciation of the real choices faced and made by the generations that went before us. Could it have been that those who then welcomed external intervention did so because they saw it as the only way of getting rid of domestic oppression?

In the past decade, Western powers have created a political and legal infrastructure for intervention in otherwise independent countries. Key to that infrastructure are two institutions, the United Nations Security Council and the International Criminal Court. Both work politically, that is, selectively. To that extent, neither works in the interest of creating a rule of law.

The Security Council identifies states guilty of committing "crimes against humanity" and sanctions intervention as part of a "responsibility to protect" civilians. Third parties, other states armed to the teeth, are then free to carry out the intervention without accountability to anyone, including the Security Council. The ICC, in toe with the Security Council, targets the leaders of the state in question for criminal

investigation and prosecution.

Africans have been complicit in this, even if unintentionally. Sometimes, it is as if we have been a few steps behind in a game of chess. An African Secretary General tabled the proposal that has come to be called R2P, Responsibility to Protect. Without the vote of Nigeria and South Africa, the resolution authorizing intervention in Libya would not have passed in the Security Council.

Dark days are ahead. More and more African societies are deeply divided internally. Africans need to reflect on the fall of Gaddafi and, before him, that of Gbagbo in Cote d'Ivoire. Will these events usher in an era of external interventions, each welcomed internally as a mechanism to ensure a change of political leadership in one country after another?

One thing should be clear: those interested in keeping external intervention at bay need to concentrate their attention and energies on internal reform.

A version of this article can also be accessed at:

<http://english.aljazeera.net/indepth/opinion/2011/08/201182812377546414.html>

[Editor's Note: The Foreign Ministers of ALBA* met on September 9, 2011 and agreed on the following declaration.]

Special Declaration by ALBA-TCP Countries on Libya and Syria

Caracas, Venezuela
12 September 2011

The Foreign Affairs Ministers of the member states of ALBA (the Bolivarian Alliance for the Peoples of our America) gathered in Caracas on September 9 and condemned the NATO intervention in Libya and the illegal military aggression carried out under a UN Security Council

resolution, saying that it opportunistically takes advantage of the internal political conflict in that country. This follows two prior ALBA statements on the issue this year: the Special Declaration of the Political Council of March 4, and the Special Declaration of the Social Ministerial Council of March 19.

They claim NATO has conducted a military operation of regime change in Libya under the doctrine of preventive war, manipulating the UN according to its own geopolitical and economic interests and thus violating Security Council resolution 1973.

They demand the immediate and unconditional cessation of bombing and military intervention by NATO in Libyan territory.

They deplore the fact that NATO has ignored consistent efforts by the African Union to seek a solution for dialogue and peace to the internal conflict in Libya.

They also deplore the role of several major international media outlets, which have acted as accomplices by aligning themselves with those that support aggression and distorting information about what is happening in Libya.

They express urgent alarm over the danger that similar actions could be taken against Syria, taking advantage of political difficulties in that Arab nation.

They reiterate their firm commitment to the right of the peoples of Libya and Syria to self-determination.

They strongly reject any attempt to turn Libya into a protectorate of the NATO or the UN Security Council.

In order to contribute to backing the peace efforts demanded by most of the world's peoples, the Ministers agreed to take the following actions:

- Promote discussion at the UN General Assembly on the dangerous precedent created regarding Libya and on the protection of the sovereign rights of the Arab nation in Africa and Libya, with a view toward ensuring that Libya does not become a protectorate of NATO and the UN Security Council.
- Promote the establishment of a General Assembly Working Group to investigate and monitor the use of the frozen funds of Libya's financial reserves and report on its findings and conclusions to the General

Assembly.

- Call on the international community to promote an investigation of crimes perpetrated by NATO in Libya to the detriment of the Libyan people, including loss of life and the destruction of infrastructure.
 - Chronicle media manipulation and lies promoted by the empire to justify aggression against the Libyan people.
 - Request that the UN Secretary General maintain full transparency and strict accountability to member states with regard to actions on the issue of Libya and Syria, and reaffirm that their role should respond to mandates agreed by the General Assembly, before taking further action to intervene in Libya. Likewise, request a meeting with the Secretary General to discuss the situation in Libya.
 - Support a central role for the African Union in peace efforts in Libya.
 - Express their objection to the seat corresponding to Libya in the UN being occupied by one faction or transitional authority illegitimately imposed by foreign intervention, and thus promote a substantive discussion in the General Assembly's Credentials Committee to ensure that the seat remain unoccupied until a government that is a free and sovereign expression of the will of the Libyan people is constituted legitimately and without foreign intervention.
 - Propose to the Syrian government in Damascus to send a mission of top representatives or foreign ministers of the ALBA-TCP and, if accepted, report on this situation to the Latin American and Caribbean countries through UNASUR, CARICOM, SICA and the Rio Group-CALC Unified Forum and invite those who wish to join this initiative.
 - Promote a debate on the Non-Aligned Movement Coordinating Bureau on the dangers looming over Syria.
 - Support, together with the Non-Aligned members of the Security Council, the draft resolution sponsored by Russia and China with regard to Syria.
 - Send the UN Secretary General this declaration and request that it be distributed among member states as an official document of the General Assembly.
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* The Bolivarian Alliance for the Peoples of Our America (ALBA) is a regional organization, founded in 2004, that aims for social, political, and economic integration in Latin America and the Caribbean. Currently the member nations are Antigua and Barbuda, Bolivia, Cuba, Dominica, Ecuador, Nicaragua, Saint Vincent and the Grenadines, and Venezuela.

This English translation of the Declaration can be accessed at:

<http://www.voltairenet.org/Special-Declaration-by-ALBA-TCP>

The original is in Spanish and can be accessed at:

http://minci.gob.ve/noticias - prensa/28/207783/alba_emite_declaracion.html

[Editor's Note: This article appeared on Sept. 18, 2011.]

UN Debates NATO Attack on Libya at Opening of 66th Session of the General Assembly

by Ronda Hauben
netcolumnist@gmail.com

The United Nations came back alive on Friday, September 16 with denunciations of the bombing and regime change agenda being carried out against Libya by NATO.

The occasion was the report of the credentials committee recommending that the seat held by the Libyan Arab Jamahiriya be taken by the National Transitional Council (NTC). The Credentials Committee is a committee appointed by the President of the General Assembly. The Credentials Committee for the 66th Session of the UN General Assembly which began on September 13, 2011 and will last until September 12, 2012 consists of nine member states. They are China, Costa Rica, Egypt, Italy, Maldives, Panama, Russian Federation, Senegal and the United States. The representative from Panama presented the results of the report of the Credentials Committee to the General Assembly as a consensus report.

Ambassador Jorge Valero of Venezuela was the first speaker to offer a response to the Credential Committee's report.¹ He spoke on behalf of ALBA (the Bolivian Alliance for the People's of Our America which is made up of Antigua and Barbuda, Bolivia, Cuba, Dominica, Ecuador, Nicaragua, Saint Vincent and the Grenadines and Venezuela.)

Ambassador Valero objected to the General Assembly seating the NTC, which he explained was "a group under the guidance of the Government of the United States and NATO, which have no legal or moral authority for deciding who should govern a country." Noting the ongoing continuing NATO bombing of Libya, Ambassador Valero reminded members of the General Assembly, "While we discuss in this forum, the possible recognition of the self named National Transitional Council (NTC), NATO's bombings continue on Libya. More than 20,000 criminal air raids have been carried out in order to impose a puppet government in that sister nation of northern Africa." Ambassador Valero condemned the NATO bombings, explaining that "on behalf of the alleged defense of civilians, thousands of civilians and innocent people have been killed and the infrastructure of a country has been destroyed."

"We support the good officers of the African Union in their pursuit of peace," he said. This is in line with the role for a regional body provided for in Article VIII of the UN Charter. He explained, however, that the "well-known powers that make up the Security Council sabotaged these calls for peace...blatantly violating the (Security Council) resolution that they had previously promoted."

Several other members of ALBA spoke, including Cuba, Bolivia, Nicaragua and Saint Vincent and the Grenadines.

In her remarks to the General Assembly, Ambassador Maria Rubiales de Chamorro of Nicaragua demanded an immediate and unconditional end to NATO's bombing of Libya. She said, "We denounce and condemn the manipulations and distortions of those states that are openly and blatantly violating the UN Charter and Resolution 1973 of the Security Council [with the] intent to impose a regime change in a sovereign state, using the blatant and deceptive guise of protecting civilians and once again attacking the sovereign equality of states."

The Cuban Ambassador explained that the foreign intervention and

military aggression by NATO had only worsened the conflict using the “clumsy pretext of protection of civilians.”

Speaking on behalf of SADC (the Southern African Development Community), the Permanent Representative of Angola, Ambassador Ismael Gaspar Martins said that the African Union had planned a meeting at the UN on Monday, September 19, to try to determine answers to some questions important for determining whether or not to give the Libyan seat to the NTC. He explained that the NTC intended to form a government, but that had not yet occurred.²

Under Rule 27 of General Assembly, the request for credentials must be issued by heads of State or government or the minister of foreign affairs of a state. There was a need to determine who had signed the NTC credentials that were accepted by the Credentials Committee and whether such a person constituted a head of state or government or a minister of foreign affairs of that government. In order to preserve the integrity of the General Assembly, Ambassador Martins asked that the matter be deferred to be able to answer this question.

Another speaker pointed out that it was wrong for the General Assembly to decide to accept the credentials of the NTC before the African Union had had a chance to consider the issue and to make its recommendation.

The representatives of Zambia, Saint Vincent and the Grenadines, Kenya, and Equatorial Guinea raised related issues recommending that it was not yet appropriate to issue credentials to the NTC.

Among the nations speaking in defense of the NTC being granted the credentials were Egypt, Gabon, Senegal, Iran and Chad. The vote in favor of granting the credentials passed with 114 voting in favor, 17 against, 15 abstentions, and 47 absent for a total of 193 members.

Though those with objections to the NTC being issued the credentials for Libya without further consideration of the issues involved, did not prevail in the vote, this was first time at an official session of a UN body that there was substantial public condemnation of NATO’s bombing of Libya as contrary to its claims of protecting civilians. Several nations spoke up, breaking the silence that had hitherto protected the aggression against Libya as being carried out in the name of the UN.

The Summary of the General Assembly Meeting prepared at the UN

Secretariat noted that the decision on credentials for the NTC only occurred “after much wrangling.” Also, in several of the mainstream media news reports there were indications there had been opposition to seating the NTC as the unelected, and self appointed, NATO installed representative of Libya.

The actions of those nations who raised their opposition and concern about the recommendation of the Credentials Committee began a process of public debate over the UN actions against Libya basically absent from the UN for the past 6 months. This in itself represented a victory for those who publicly raised their objections and who urged the importance of respecting the rules of procedure of the General Assembly and the principles of the UN charter. The layers of diplomacy no longer served to silence the debate over what is happening at the UN. The representatives of several nations spoke up in defense of the principles of sovereignty and non-intervention into the internal affairs of member nations that are enshrined in the UN charter.

Notes

1. A video of the session of the General Assembly can be seen at:

<http://www.unmultimedia.org/tv/webcast/2011/09/general-assembly-2nd-plenary-meeting-english.html>

The statement by Venezuela starts at 00:48:40.

2. <http://www.unmultimedia.org/tv/webcast/2011/09/general-assembly-2nd-plenary-meeting-english.html>

The statement by Angola starts at 01:12:08.

A version of this article can also be accessed at:

http://blogs.taz.de/netizenblog/2011/09/18/un_debates_nato_attack_on_libya_at_opening_of_66th_session_of_the_general_assembly/

[Editor's Note: TeleSUR, The New Television Station of the South, is a pan-Latin American terrestrial and satellite television network headquartered in Caracas, Venezuela. It sent a reporter and cameraman to Libya in May 2011 to report on the war. The following is a report about what that team saw and reported during its 4 months in Libya.]

The Lies of the Mainstream Media. According to TeleSUR, 50,000 Killed in NATO War on Libya

TeleSUR Journalists Speak Truth on Libya

Global Research
September 17, 2011

This week TeleSUR welcomed home a news team just back from covering NATO's war on Libya from that nation's capital, Tripoli. On arrival at Venezuela's Maiquetia International Airport, the journalists denounced the ongoing 'fabrication of lies' by mainstream media outlets and accused the international press of "producing the arguments needed for a continuation of the war." The Libyan people "have been invaded by destruction, war, suffering and death, when the solution to the conflict could have been secured by peaceful means," affirmed TeleSUR journalist Rolando Segura, who spent the last four months in Libya alongside cameraman Henry Pillajo.

Segura and Pillajo are among the handful of independent journalists who covered largely under reported stories that include: NATO's bombing of civilian targets; the indiscriminate killing of black migrant workers by rebel forces; the million strong 'Green March' held across Libya demanding reconciliation between the government and opposition forces; the rebel takeover and silencing of Libya's public broadcasting channels; and the fabricated takeover of Tripoli's Green Plaza late last month – filmed in Qatar and disseminated by international mainstream media outlets, the video successfully secured recognition of the NATO-backed National Transition Council (CNT) as the 'new government in Libya' and convinced many Libyan embassy staff abroad to defect.

After an August 8-9 NATO missile strike killed 85 civilians, 33 of which were children, TeleSUR's Segura interviewed Abu Mimiari, brother of one of those killed. Mimiari asked the TeleSUR reporter if the killing of his brother, a rural farmer, "is the protection of civilians they (NATO) talk about? Or is it that those of us who care for and support Gaddafi don't deserve protection?"

50,000 Killed in Libyan War

According to Segura, who spoke Tuesday at a forum in Caracas organized by Correo del Orinoco, "there is talk of an estimated 1,800 killed by NATO bombs and, as a result of the entire conflict, something like 50,000 dead in total – persons who were massacred as a result of this invasion, this aggression, against Libya."

The bombings, as well as advances made by NATO-backed rebel forces, "were made possible by the lies of the mass media that reproduced an editorial line without any questioning at all," affirmed Segura. Segura's blog [<http://rolandotelesur.blogspot.com/>], in Spanish, has been one of the only independent sources of news, analysis, and images in the aftermath of NATO bombings across Libya.

The TeleSUR crew left Libya late last week, traveling 36 hours by boat from the Libyan coast to Malta, an island just south of Sicily, Italy. The two crowded in a boat fit for 12 alongside 50 other passengers, all of whom sought refuge from war-torn Tripoli.

Since 19 March this year, the United States and its NATO allies have launched over 20,000 sorties over Libya, carrying out an estimated 9,000 air strikes. This past Sunday alone, NATO carried out 52 aerial attacks. Damage to the country's highly developed infrastructure – including its oil industry, water supply networks, food storage facilities, communications installations, and public health system – has resulted in growing shortages of food, water, and medicine.

TeleSUR vs. New Format for War

Speaking to a crowd gathered on Monday, Venezuelan Minister of Communication and Information Andres Izarra praised TeleSUR's role in Libya and said "U.S. imperialism had sown together a new format for

imperial aggression” by using “the hegemonic international media” to demonize governments opposed to U.S. foreign policy. This new ‘format,’ he said, involves ‘instigating revolutions of color, revolutions of spring’ in countries in which imperialism claims “civil liberties are restricted.” Demonization is followed by international media campaigns to topple anti-U.S. governments and, if necessary, direct military intervention follows.

According to Izarra, this new method for attacking sovereign nations has “already had a partial victory in Libya” and “at this moment is a serious threat to Syria.” Izarra praised TeleSUR reporters in Tripoli, who showed “a city that was going about living its normal, daily life” as international press attempted to portray “a dictator, Gaddafi, massacring his own people” in order to justify NATO’s war.

Jordan Rodriguez, TeleSUR’s reporter in Tripoli at the start of NATO bombings, told the press that NATO is currently the only force responsible for “bombings that are taking place in Libya” and blamed the international force for “killing innocent civilians, women and children.” Rodriguez pointed out that while NATO bombs continue to hit populated urban centers, “we watch as the large networks like CNN and the BBC report on the precision of NATO bombs” instead of the impact these bombs have on the Libyan people’s daily life.

According to Rodriguez, TeleSUR has “shown another other side of the conflict.” “When we (TeleSUR) spoke to Libyans from rural and other areas, many showed a great deal of appreciation for Muammar Gaddafi. We are talking about the poorest country in all of the Maghreb, before the arrival of the Revolution. The proof is in the statistics, in the hospitals that look like high tech clinics, eight-lane highways, the highest quality education,” he said.

Rodriguez accused the U.S. and NATO allies of instigating, arming and training the rebel forces. He said that when speaking to anti-Gaddafi rebels on the ground, “all they said is that they wanted ‘Gaddafi to go,’ giving no argumentation.”

Gaddafi was forced into hiding after NATO-backed opposition forces seized on weeks of air strikes in Tripoli, capturing government offices and the presidential palace. Footage of the so-called ‘Fall of Tripoli’ was widely disseminated by the mainstream media and

opposition forces received almost immediate recognition as the ‘new government’ in Libya.

Voice Of Truth

According to TeleSUR President Patricia Villegas the Caracas-based Latin American news outlet plans to keep staff in Libya indefinitely as NATO steps up efforts to destroy support for Gaddafi and maintain the pro-Western ‘transitional government.’

According to Villegas, the station’s overall objective “has always been” to provide a “voice to the victims of conflict,” as was the case during the 2009 military coup in Honduras, the attempted ouster of Ecuadorian President Rafael Correa in 2010, the popular uprising against former Egyptian President Hosni Mubarak, and most recently, the NATO bombing of Libya.

“We didn’t arrive (in Libya) alongside the invaders,” affirmed Villegas. “We didn’t arrive with the bullets.... Other media outlets did. Other media outlets are riding in the rebels’ cars; others are protected by private security companies. This is not the journalistic practice of TeleSUR. We have told this story since it first began,” she said.

“Regardless of whether or not the leader (Gaddafi) is ‘correct,’ we have been witness to exceptional acts of aggression by NATO; of NATO bombs not only attacking military but also civilian targets,” she affirmed.

Chavez Praises TeleSUR

Over the weekend Venezuelan President Hugo Chavez praised TeleSUR’s coverage of the war on Libya, stressing the importance of breaking apart the media blockade imposed by ‘U.S. Empire’ and its allies in international and local media networks. “I want us to award the TeleSUR correspondents with an honor, the highest honor given by the Republic. Those people are the ones telling the truth.” said Chavez. “Our recognition and admiration goes out to TeleSUR and its correspondents in Libya.... What courage!” he said.

A version of this article can also be accessed at:

<http://www.globalresearch.ca/index.php?context=va&aid=26618>

[Editor's Note: The group 'Friends of Libya' was setup on Sept 1, 2011 when the former group of countries and organizations known as the Libya Contact Group dissolved. Bloomberg News characterized the Friends of Libya as "leaders of the international coalition that helped topple Muammar Qaddafi." The following commentary looks back in history to see if the Libyan people will be helped by such friends.]

From Munich to Tripoli: Appeasement Aids Aggression

by Yoichi Shimatsu
September 20, 2011

Coco Chanel famously said: "My friends, there are no friends." The French fashion designer, a Nazi collaborator during the wartime occupation, would have found a comfortable fit in with the "Friends of Libya" in New York. The meeting, a sequel to an earlier summit in Sarkozy's Paris, is aimed at expanding international support for the NATO-installed National Transitional authority in Tripoli. The well-attired diplomats and cologne-drenched corporate executives at the New York conference, now as in Coco Chanel's lifetime, are doing what they do best: appeasement of aggression.

The present generation of appeasers is following the textbook of surrender written by Neville Chamberlain and Edouard Daladier, the "statesmen" who sanctioned Adolf Hitler's takeover of Czechoslovakia in late September 1938. The prime ministers of Britain and France were latecomers in recognizing the Nazi re-division of the world and therefore had no claim to the war booty. Instead of sharing the fascist loot, they had to satisfy their constituents with scraps from the Fuhrer's table – mainly face-saving photo opportunities to show that their diplomatic mission was a "success." History surely repeats itself with the Libyan debacle.

Peace on the Cheap

“Peace in our time” was, of course, a fraud, which certainly did not fool Hitler, who came away from Munich convinced that the Western democracies were ready to yield all of the capitals of Eastern Europe along with Vienna and Prague. The appeasement epidemic soon infected Stalin’s Moscow with the signing of the Ribbentrop-Molotov agreement in 1939, a compromise that lulled the Soviet Union into a surprise attack.

Since the Munich dictat, the roles have changed. Today, it is Russia and China going hat in hand to the British-French-American victory celebration. Contemporary appeasement arises from the same source as the sell-out at Munich: amorality, the failure to adhere to higher principles. Individuals or countries lacking a coherent social ethos and personal code of conduct, tempered in real-world struggle, easily fall prey to the notion that “might makes right.” Instead of standing up to threats, they kneel to the powerful as if before a demigod.

World Body in Shame

Governments are prone to appeasement because their diplomats and bureaucrats are amoral, being mere functionaries who operate under rules and not principles. The United Nations, as a hierarchy of governments and a diplomat’s club, has a longer record of betraying the principle of self-determination than even its discredited predecessor, the League of Nations. Instead of defending sovereignty, the UN more often than not has been a violator, as it was in the Korean conflict, Vietnam War, partition of Yugoslavia and the invasions of Afghanistan and Iraq.

The two Security Council resolutions to “protect civilians” in Libya provided pseudo-legitimate cover for a foreign invasion by the special forces units from the French, British, Qatari and Jordanian armies bolstered by jihadist recruits from across the Middle East, Turkey and Afghanistan. The logic behind “protection of civilians” is similar to Hitler’s pretext for seizing Czechoslovakia, which was to “save” its German-speaking minority. The one big difference between then and now is that Chamberlain and Daladier did not have the power of veto.

The Libyan rebels, it should be recalled, rejected the UN offer to

send a peacekeeping mission to Benghazi. Their objective from the start was to establish an Islamist Emirate in the Magreb under sharia law, arguably more repressive than Taliban rule. The jihadists have already slaughtered many more civilians, especially blacks, than the UN could have ever rescued.

The current suggestion to impose a U.N. operation inside Libya is, on a practical level, nonsense. The Libyan state holds more than \$160 billion in foreign assets has no foreign debt and can raise adequate funds for reconstruction from forward contracts on oil delivery. In contrast, the UN is a pauper agency with a \$5 billion annual budget and a chronic debt. It is Libya that can afford to finance the United Nations, not vice versa. In addition, the risk potential for a UN presence in Tripoli is massive, considering the ominous parallels with its mission in Iraq and, more recently, Nigeria, where its personnel were mass-murdered by truck bombs. How many more human lives do the appeasers intend to throw away?

Guernica, Again

It is no wonder, then, that the ruling council treats reluctant recognition from Moscow and Beijing with unconcealed contempt. Pretoria and Caracas, in contrast, are shown the uneasy degree of respect accorded to adamant enemies. Global power relations are based on fear not friendship. Coco Chanel and Machiavelli were right about that.

Real men and women fight not for compromises but for their political beliefs and personal convictions. The spineless diplomacy demonstrated at Munich, and more recently in Paris and New York, achieves nothing. The only realistic choice is to fight aggression, even if it means certain defeat. The shining example for moral courage handed down to us from the 1930s came with the Spanish Civil War, when a brave population without the support of a prostrate League of Nations stood up to the combined military might of Nazi Germany, fascist Italy, Franco's legions and his Moroccan auxiliaries. The fascist horde invaded Spain in defiance of a League arms embargo, which was enforced only against the republican side, as was the case in the one-sided U.N. sanctions against Libya.

Today, the NATO jets that pound Sirte are the equivalent of the

Hilter's Condor bombers, which leveled the beleaguered Spanish Basque town of Guernica. Then the League failed to challenge the fascist assault on Spain, while now the UN takes a step further into the moral quagmire by backing the NATO proxy regime. The fall of Madrid to the fascists had horrifying consequences for the republicans and the International Brigades. Yet the blood of innocents and fighters spilled on Spanish soil provided the moral rationale and inspiration for the crucial victories at Stalingrad and Midway.

Struggle On

The moral grounds for resisting the fascist offensive were not given by the Comintern commissars or church prelates; leadership of the spirit came from the writers and commentators who conveyed the words of the Spanish people to the world. Millions were moved to action by the slogan "They shall not pass", voiced over the radio by the female communist leader Dolores Ibarruri, better known as La Pasionaria. Her comrade-in-arms Louis Aragon, a French poet and intellectual, emerged from Surrealism, a cultural movement that advocated total resistance to bourgeois hypocrisy. Ernest Hemingway, the journalist and novelist whose democratic instincts were based on the ideals tested by America's own Civil War, helped to raise the Lincoln Brigade of valiant American volunteers.

Whenever the amoral embrace the immoral, it is then up to the intellectuals and artists to summon ordinary people to find in themselves the courage to fight on. What the diplomats and corporate chieftains in their bestial stupor can never understand is this paradox of history: With triumph, the aggressors seal their defeat; but for the people, from the ashes of defeat arises victory. The battle of Libya, by no means over yet, is just the beginning of the third world war. As far as morality goes, it is the acid test for each of us.

A version of this article can also be accessed at:

<http://en.m4.cn/2011/09/20/from-munich-to-tripoli-appeasement-aids-aggression/>

[Editor's Note: The following statement is taken from the website of Concerned Africans: <http://www.concernedafricans.co.za/>]

Statement by Concerned Africans on the Libyan Crisis and Execution of Colonel Muammar Gaddafi

24 October 2011

On Thursday 20 October 2011, Libya's former leader, Colonel Muammar Gaddafi, was publicly executed in an act of vigilante violence. A day before his capture and execution, U.S. Secretary of State, Hillary Clinton, called for Col. Gaddafi to be captured or killed while on a visit to Libya.

These two acts have provoked feelings of revulsion from millions across the globe. The extra judicial execution of Gaddafi is not only morally repugnant but a violation of international law. He was a prisoner of war and should have been handled in accordance with the Geneva Convention.

Article 13 of the Geneva Convention to which NATO member states are signatories states that: "Prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity."

NATO member-states, without whose help the so-called Libyan rebels would not have been able to effect regime change in Libya, have blood on their hands. It has now been confirmed that Col. Gaddafi's convoy was bombed by a NATO drone and that Col. Gaddafi was captured injured and alive by NATO special forces who in turn handed him over to the rebels.

None of these actions including the relentless NATO bombing of infrastructure and loss of civilian life over last eight months are in accordance with United Nations Security Council (UNSC) Resolution 1973 which authorised a no fly zone over Libya. Similarly, none of these acts were carried out to protect civilians.

The governments of the United States, Britain and France had no

interest in a peaceful and inclusive resolution of the Libyan conflict. Rather, their objective was to replace Col. Gaddafi's regime with a Western client state, regardless of the cost and consequences for the people of Libya.

Tragically, Libya risks a long period of conflict and instability of Somalian proportions. The military intervention has ensured a long period of political instability not only for Libya but the Sahel region as a whole.

On 25 May 2011, the Forum for Former Africa Heads of State and Governments issued a statement alluding to the same issue. It said: "It is very obvious that the perpetuation of the current violent conflict, with no end in sight, including the further exacerbation of the animosities among the Libyans and the destruction of infrastructure, will make it ever more difficult to reconstruct Libya as a united, democratic and peaceful country."

In our Open Letter [see, this issue p. 22], we raised concerns about the UN's lack of independence and the complete marginalisation of the African Union (AU).

We are extremely perturbed that the UN allowed NATO to effect regime change in Libya with impunity. We are shocked that Secretary of State Clinton, has the audacity to stand up and call for the murder of a Head of State and then celebrate the death with glee. This illustrates moral bankruptcy of the worst kind from those who pretend civilization.

It is clear that the U.S. and its European allies are reverting to crude military means to re-colonize Africa. The independence that Africans fought so hard for must be defended. We cannot allow the second scramble for Africa to occur on our watch.

We condemn the U.S., U.K. and France for the flagrant abuse of the UN Security Council and demand that the International Criminal Court investigate NATO to establish if war crimes were committed in Libya.

We condemn the extra judicial killing of Col. Gaddafi and call for an independent transparent international enquiry to establish the true facts surrounding it.

Most importantly, we call on the AU to launch its own investigation into the murder of Colonel Gaddafi.

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This statement can be accessed at:

<http://www.concernedafricans.co.za/index.php/news/9-news/11-statement-by-concerned-africans-on-the-libyan-crisis-and-execution-of-colonel-muammar-gaddafi-24-october-2011>

Appendix

What Libya Achieved 1969-2011

Libya and the Big Lie

What NATO Did to Libya 2011

What Will Happen in Libya Now?

[Editor's Note: The statistics in the following article are from United Nations sources. They were compiled in "Destroying a Country's Standard of Living: What Libya Had Achieved, What has been Destroyed" by Prof. Michel Chossudovsky which appeared at the Centre for Research on Globalization website on September 20, 2011. The original article can be seen at:

<http://www.globalresearch.ca/index.php?context=va&aid=26686>. Prof. Chossudovsky's article has been reorganized and shortened for this version of the article.]

What Libya Had Achieved 1969-2011

Introduction

Whatever one's views regarding Muammar Gaddafi, the post-colonial Libyan government played a key role in eliminating poverty

and developing the country's health and educational infrastructure. According to Italian Journalist Yvonne de Vito, "Differently from other countries that went through a revolution – Libya is considered to be the Switzerland of the African continent and is very rich and schools are free for the people. Hospitals are free for the people. And the conditions for women are much better than in other Arab countries."¹

The Libyan Arab Jamahiriya provided to its citizens what is denied to many Americans: Free public health care, free education, food security and a growing economy as confirmed by WHO and UNESCO and World Bank data.

Public Health Care

According to the World Health Organization, public health care in Libya prior to NATO's 'Humanitarian Intervention' was the best in Africa. "The Government provides free health care to all citizens. The country has achieved high coverage in most basic health areas.... Health care is [was] available to all citizens free of charge by the public sector. The country boasts the highest literacy and educational enrollment rates in North Africa. The Government is [was] substantially increasing the development budget for health services. Clear-cut and comprehensive strategies have [had] been prepared for HIV/AIDS and TB."²

The Food and Agriculture Organization (FAO) reported (2011) for the Libyan Arab Jamahiriya "in general the country has had a high standard of living and a robust per capita daily caloric intake of 3,144. Seventy-eight percent of the country's 6.5 million population live in coastal cities. The country has made strides in public health and, since 1980, child mortality rates have dropped from 70 per thousand live births to 19 in 2009. Life expectancy has risen from 61 to 74 years of age during the same span of years [and is among the highest in the developing world].... Proportion of undernourished in total population: < 5%."³

Public Education

The literacy and educational enrollment rates in the Libyan Arab Jamahiriya are the highest in North Africa. The adult literacy rate was

of the order of 89%, (2009), (94% for males and 83% for females). 99.9% of youth are literate Gross primary school enrollment ratio was 97% for boys and 97% for girls (2009). The pupil teacher ratio in Libya's primary schools was of the order of 17 (1983 UNESCO data) and 74% of school children graduating from primary school were enrolled in secondary school (1983 UNESCO data).

Based on more recent date, which confirms a marked increase in school enrollment, the Gross Enrollment Ratio (GER) in secondary schools was of the order of 108% in 2002. The GER is the number of pupils enrolled in a given level of education regardless of age expressed as a percentage of the population in the theoretical age group for that level of education.

For tertiary enrollment (post-secondary, college and university), the Gross Enrollment Ratio (GER) was of the order of 54% in 2002 (52 for males, 57 for females).⁴

Women's Rights

With regard to Women's Rights, World Bank data point to significant achievements. "In a relative short period of time, Libya achieved universal access for primary education, with 98% gross enrollment for secondary, and 46% for tertiary education. In the past decade, girls' enrollment increased by 12% in all levels of education. In secondary and tertiary education, girls outnumbered boys by 10%."⁵

Price Controls over Essential Food Staples

In most developing countries, essential food prices have skyrocketed, as a result of market deregulation, the lifting of price controls and the elimination of subsidies, under "free market" advice from the World Bank and the IMF. In recent years, essential food and fuel prices have spiraled as a result of speculative trade on the major commodity exchanges.

The Libyan Arab Jamahiriya was one of the few countries in the developing World which maintained a system of price controls over essential food staples. World Bank President Robert Zoellick acknowledged in an April 2011 statement that the average world price of

essential food staples had increased by 36 percent in the course of the last year. While rising food prices in neighboring Tunisia and Egypt spearheaded social unrest and political dissent, the system of food subsidies in Libya was maintained. The price controls were maintained until the onset of the NATO led war.

Economy

According to the World Bank, The Libyan Arab Jamahiriya in recent years "...maintained a high level of economic growth. In 2010, the International Monetary Fund Article IV consultations acknowledged that a large public investment program continued to sustain Libya's non-oil growth at around 7%; the country's overall growth was at 10%. Oil represented 98% of Libya's GDP, while construction – financed by a \$225 billion Public Investment Program – and services dominated the non-oil economy. As a member of OPEC, Libya was ranked as the fourth largest oil producer in Africa. The country exported 1.8 million barrels of oil per day for an estimated value of 43 trillion dollars. Central Bank of Libya and the Libyan Investment Authority managed an estimated \$150 billion (equal to 160% of GDP) of oil reserves."⁶

These are the facts confirmed by several UN and other specialized agencies.⁷

[There are other sources which give a similar picture of the relatively high standard of living and participation in the economy of the Libyan Arab Jamahiriya. See for example: *A Times of India* blog: <http://blogs.timesofindia.indiatimes.com/Outraged/entry/libya-a-revolution-for-democracy-or-an-oil-war>

A video "What You Don't Know About Gaddafi" posted on June 19, 2001: <http://www.youtube.com/watch?v=IXLQAUUpJwU>]

Notes:

1. <http://libya360.wordpress.com/2011/08/25/yvonne-de-vito-libya-was-africas-switzerland/>
2. http://www.who.int/countryfocus/cooperation_strategy/ccsbrief_lby_en.pdf
3. <http://www.fao.org/countries/55528/en/lby/>
4. http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=121&IF_Language=eng&BR_Country=4340&BR_Region=40525

5. <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/LIBYAEXTN/0,,contentMDK:22015609~menuPK:410791~pagePK:1497618~piPK:217854~theSitePK:410780,00.html>

6. Ibid. note 5.

7. Other Statistics

Total population 6,420,000

Annual population growth rate 2.0%

Population 0-14 years 28%

Rural population 22%

Total fertility rate 2.6 births per woman

Life expectancy at birth 75 years

GDP per capita (PPP) US\$ 16,502

GDP growth rate 2.1%

Total debt service as a % of GNI 0%

Children of primary school-age who are out of school 2%

Newborns with low birth weight 4.0%

Children underweight 4.8%

Perinatal mortality rate per 1000 total births 19

Neonatal mortality rate 11.0

Infant mortality rate (per 1000 live births) 14.0

Under five mortality rate (per 1000 live births) 20.1

Maternal mortality ratio (per 10000 live births) 23 Source:

<http://www.emro.who.int/emrinfor/index.aspx?Ctry=liy>

[Editor's Note: The following article appeared on the Centre for Research on Globalization website, <http://www.globalresearch.ca>, on September 29, 2011.]

Libya and the Big Lie:

Using Human Rights Organizations to Launch Wars

by Mahdi Darius Nazemroaya

The war against Libya is built on fraud. The United Nations Security Council passed two resolutions against Libya on the basis of unproven claims, specifically that Colonel Muammar Qaddafi was killing his own people in Benghazi and Libya. The claim in its exact

form was that Qaddafi had ordered Libyan forces to kill 6,000 people in Benghazi as well as in other parts of the country. These claims were widely disseminated, but always vaguely explained. It was on the basis of this claim that Libya was referred to the U.N. Security Council at U.N. Headquarters in New York City and kicked out of the U.N. Human Rights Council in Geneva.

False claims about African mercenary armies in Libya and about jet attacks on civilians were also used in a broad media campaign against Libya. These two claims have been sidelined and have become more and more murky. The massacre claims, however, were used in a legal, diplomatic, and military framework to justify NATO's war on Libya.

Using Human Rights as a Pretext for War: The LLHR and its Unproven Claims

One of the main sources for the claim that Qaddafi was killing his own people is the Libyan League for Human Rights (LLHR). The LLHR was actually pivotal to getting the U.N. involved through its specific claims in Geneva. On February 21, 2011 the LLHR got the 70 other non-governmental organizations (NGOs) to send letters to the President Obama, E.U. High Representative Catherine Ashton., and the U.N. Secretary-General Ban-ki Moon demanding international action against Libya invoking the "Responsibility to Protect" doctrine. Only 25 members of this coalition actually assert that they are human rights groups.

The letter is as follows:

We, the undersigned non-governmental, human rights, and humanitarian organizations, urge you to mobilize the United Nations and the international community and take immediate action to halt the mass atrocities now being perpetrated by the Libyan government against its own people. The inexcusable silence cannot continue.

As you know, in the past several days, Colonel Muammar Gadhafi's forces are estimated to have deliberately killed hundreds of peaceful protesters and innocent bystanders across the country. In the city of Benghazi alone, one doctor reported

seeing at least 200 dead bodies. Witnesses report that a mixture of special commandos, foreign mercenaries and regime loyalists have attacked demonstrators with knives, assault rifles and heavy-caliber weapons.

Snipers are shooting peaceful protesters. Artillery and helicopter gunships have been used against crowds of demonstrators. Thugs armed with hammers and swords attacked families in their homes. Hospital officials report numerous victims shot in the head and chest, and one struck on the head by an anti-aircraft missile. Tanks are reported to be on the streets and crushing innocent bystanders. Witnesses report that mercenaries are shooting indiscriminately from helicopters and from the top of roofs. Women and children were seen jumping off Giuliana Bridge in Benghazi to escape. Many of them were killed by the impact of hitting the water, while others were drowned. The Libyan regime is seeking to hide all of these crimes by shutting off contact with the outside world. Foreign journalists have been refused entry. Internet and phone lines have been cut or disrupted.

There is no question here about intent. The government media has published open threats, promising that demonstrators would meet a “violent and thunderous response.”

Accordingly, the government of Libya is committing gross and systematic violations of the right to life as guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Citizens seeking to exercise their rights to freedom of expression and freedom of assembly are being massacred by the government.

Moreover, the government of Libya is committing crimes against humanity, as defined by the Explanatory Memorandum to the Rome Statute of the International Criminal Court. The Libyan government’s mass killing of innocent civilians amount to particularly odious offences which constitute a serious attack on human dignity. As confirmed by numerous oral and video testimonies gathered by human rights organizations and news agencies, the Libyan government’s assault on its civilian

population are not isolated or sporadic events. Rather, these actions constitute a widespread and systematic policy and practice of atrocities, intentionally committed, including murder, political persecution and other inhumane acts which reach the threshold of crimes against humanity.

Responsibility to Protect

Under the 2005 World Summit Outcome Document, you have a clear and unambiguous responsibility to protect the people of Libya. The international community, through the United Nations, has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect the Libyan population. Because the Libyan national authorities are manifestly failing to protect their population from crimes against humanity, should peaceful means be inadequate, member states are obliged to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the UN Charter, including Chapter VII.

In addition, we urge you to convene an emergency Special Session of the UN Human Rights Council, whose members have a duty, under UNGA Resolution 60/251, to address situations of gross and systematic violations of violations of human rights. The session should:

-Call for the General Assembly to suspend Libya's Council membership, pursuant to Article 8 of Resolution 60/251, which applies to member states that commit gross and systematic violations of human rights.

-Strongly condemn, and demand an immediate end to, Libya's massacre of its own citizens.

-Dispatch immediately an international mission of independent experts to collect relevant facts and document violations of international human rights law and crimes against humanity, in order to end the impunity of the Libyan government. The mission should include an independent

medical investigation into the deaths, and an investigation of the unlawful interference by the Libyan government with the access to and treatment of wounded.

-Call on the UN High Commissioner of Human Rights and the Council's relevant Special Procedures to closely monitor the situation and take action as needed.

-Call on the Council to remain seized of the matter and address the Libyan situation at its upcoming 16th regular session in March.

Member states and high officials of the United Nations have a responsibility to protect the people of Libya from what are preventable crimes. We urge you to use all available measures and levers to end atrocities throughout the country.

We urge you to send a clear message that, collectively, the international community, the Security Council and the Human Rights Council will not be bystanders to these mass atrocities. The credibility of the United Nations — and many innocent lives — are at stake.¹

According to Physicians for Human Rights: “[This letter] prepared under the guidance of Mohamed Eljahmi, the noted Libyan human rights defender and brother of dissident Fathi Eljahmi, asserts that the widespread atrocities committed by Libya against its own people amount to war crimes, requiring member states to take action through the Security Council under the responsibility to protect doctrine.”²

The letter's signatories included Francis Fukuyama, United Nations Watch* (which looks out for Israel's interests and according to Israeli sources organized the entire session against the Libyan Arab Jamahiriya), B'nai B'rith Human Rights Commission, the Cuban Democratic Directorate, and a set of organizations at odds with the governments of Nicaragua, Cuba, Sudan, Russia, Venezuela, and Libya. Some of these organizations are viewed with hostility as organizations created to wage demonization campaigns against countries at odds with the U.S., Israel, and the European Union. Refer to the annex for the full list of signatories for consultation.**

LLHR is tied to the International Federation for Human Rights

(FIDH), which is based in France and has ties to the National Endowment for Democracy (NED). FIDH is active in many places in Africa and in activities involving the National Endowment for Democracy in the African continent. Both the FIDH and LLHR also released a joint communiqué on February 21, 2011. In the communiqué both organizations asked for the international community to “mobilize” and mention the International Criminal Court while also making a contradictory claim claiming that over 400 to 600 people had died since February 15, 2011.³ This of course was about 5,500 short of the claim that 6,000 people were massacred in Benghazi. The joint letter also promoted the false view that 80% of Qaddafi’s support came from foreign mercenaries, which is something that over half a year of fighting proves as untrue.

According to the General-Secretary of the LLHR, Dr. Sliman Bouchuiguir, the claims about the massacres in Benghazi could not be validated by the LLHR when he was challenged for proof. When asked how a group of 70 non-governmental organizations in Geneva could support the LLHR’s claims on Geneva, Dr. Bouchuiguir has answered that a network of close relationships was the basis. This is a mockery.

Speculation is neither evidence nor grounds for starting a war with a bombing campaign that has lasted about half a year and taken many innocent civilian lives, including children and the elderly. What is important to note here is that the U.N. Security Council decided to sanction the Libyan Arab Jamahiriya on the basis of this letter and the claims of the LLHR. Not once did the U.N. Security Council and the member states pushing for war bother to even investigate the allegations. In one session in New York City, the Indian Ambassador to the U.N. actually pointed this out when his country abstained from voting. Thus, a so-called “humanitarian war” was launched without any evidence.

The Secret Relationship between the LLHR and the Transitional Council

The claims of the Libyan League for Human Rights (LLHR) were coordinated with the formation of the Transitional Council. This becomes clear when the close and cagey relationship of the LLHR and the Transitional Council becomes apparent. Logically, the Obama

Administration and NATO had to also be a part of this.

Whatever the Transitional Council is and whatever the intent of some of its supporters, it is clear that it is being used as a tool by the U.S. and others. Moreover, five members of the LLHR were or would become members of the Transitional Council almost immediately after the claims against the Libyan Arab Jamahiriya were disseminated. According to Bouchuguir individuals with ties to the LLHR or who hold membership include Mahmoud Jibril and Ali Tarhouni.

Dr. Mahmoud Jibril is a Libyan regime figure brought into Libyan government circles by Saif Al-Islam Qaddafi. He would undemocratically be given the position of Transitional Council prime minister. His involvement with the LLHR raises some real questions about the organization.

The economist Ali Tarhouni on the other hand would become the minister for oil and finance for the Transitional Council. Tarhouni is Washington's man in Libya. He was groomed in the United States and was present at all the major meetings about plans for regime change in Libya. As Minister of Oil and Finance the first acts he did were privatize and virtually handover Libya's energy resources and economy to the foreign corporations and governments of the NATO-led coalition against Libya.

The General-Secretary of the LLHR, Sliman Bouchuguir, has even privately admitted that many influential members of the Transitional Council are his friends. A real question of interests arises. Yet, the secret relationship between the LLHR and the Transitional Council is far more than a question of conflict of interest. It is a question of justice and manipulation.

Who is Sliman Bouchuguir?

Sliman Bouchuguir is an unheard of figure for most, but he has authored a doctoral thesis that has been widely quoted and used in strategic circles in the United States. This thesis was published in 1979 as a book, *The Use of Oil as a Political Weapon: A Case Study of the 1973 Arab Oil Embargo*. The thesis is about the use of oil as an economic weapon by Arabs, but can easily be applied to the Russians, the Iranians, the Venezuelans, and others. It examines economic

development and economic warfare and can also be applied to vast regions, including all of Africa.

Bouchuguir's analytical thesis reflects an important line of thinking in Washington, as well as London and Tel Aviv. It is both the embodiment of a pre-existing mentality, which includes U.S. National Security Advisor George F. Kennan's arguments for maintaining a position of disparity through a constant multi-faced war between the U.S. and its allies on one hand and the rest of the world on the other hand. The thesis can be drawn on for preventing the Arabs, or others, from becoming economic powers or threats. In strategic terms, rival economies are pinned as threats and as "weapons." This has serious connotations.

Moreover, Bouchuguir did his thesis at George Washington University under Bernard Reich. Reich is a political scientist and professor of international relations. He has worked and held positions at places like the U.S. Defense Intelligence College, the United States Air Force Special Operations School, the Marine Corps War College, and the Shiloah Center at Tel Aviv University. He has consulted on the Middle East for the Foreign Service Institute of the U.S. State Department and received grants such as the Defense Academic Research Support Program Research Grant and the German Marshal Fund Grant. Reich also was or is presently on the editorial boards of journals such as *Israel Affairs* (1994-present), *Terrorism: An International Journal* (1987-1994), and *The New Middle East* (1971-1973).

It is also clear that Reich is tied to Israeli interests. He has even written a book about the special relationship between the U.S. and Israel. He has also been an advocate for a "New Middle East" which would be favourable to Israel. This includes careful consideration over North Africa. His work has also focused on the important strategic interface between the Soviet Union and the Middle East and also on Israeli policy in the continent of Africa.

It is clear why Bouchuguir had his thesis supervised under Reich. On October 23, 1973, Reich gave a testimony at the U.S. Congress. The testimony has been named "The Impact of the October Middle East War" and is clearly tied to the 1973 oil embargo and Washington's aim of pre-empting or managing any similar events in the future. It has to be asked, how much did Reich influence Bouchuguir and if Bouchuguir

espouses the same strategic views as Reich?

The “New North Africa” and a “New Africa” – More than just a “New Middle East”

A “New Africa” is in the works, which will have its borders further drawn out in blood like in the past. The Obama Administration and its allies have opened the gateway for a new invasion of Africa. United States Africa Command (AFRICOM) opened the salvos of the war through Operation Odyssey Dawn, before the war on Libya was transferred to NATO’s Operation Unified Protector.

The U.S. has used NATO to continue the occupation of post-Second World War Europe. It will now use AFRICOM to occupy Africa and create an African NATO. It is clear the U.S. wants an expanded military presence in Libya and Africa under the disguise of humanitarian aid missions and fighting terrorism – the same terrorism that it is fanning in Libya and Africa.

The way is being paved for intervention in Africa under the guise of fighting terrorism. General Carter Ham has stated: “If we were to launch a humanitarian operation, how do we do so effectively with air traffic control, airfield management, [and] those kind of activities?”⁴ General Ham’s question is actually a sales pitch for fashioning African military partnerships and integration, as well as new bases that could include the use of more military drones against Libya and other African countries. The *Washington Post* and The *Wall Street Journal (WSJ)* have both made it clear that the Pentagon is actively trying to establish more drone bases in Africa and the Arabian Peninsula to expand its wars.⁵ In this context, the AFRICOM Commander says that there are ties between the Al-Shabaab in Somalia, Al-Qaeda in the Islamic Maghreb in North Africa, and the Boko Haram in Nigeria.⁶

The War in Libya is a Fraud

General Ham has said: “I remain confident that had the U.N. not made the decision, had the U.S. not taken the lead with great support, I’m absolutely convinced there are many, many people in Benghazi alive today who would not be [alive].”⁷ This is not true and a far stretch from

reality. The war has cost more lives than it could have ever saved. It has ruined a country and opened the door into Africa for a neo-colonial project.

The claims of the Libyan League for Human Rights (LLHR) were never supported or verified. The credibility of the United Nations must be questioned as well as the credibility of many humanitarian and human rights organizations that have virtually pushed for a war. At best the U.N. Security Council is an irresponsible body, but it has clearly acted outside of due legal process. This pattern now appears to be repeating itself against the Syrian Arab Republic as unverified claims are being made by individuals and organizations supported by foreign powers that care nothing for authentic democratic reforms or liberty.

Notes

1. United Nations Watch et al., “Urgent Appeal to Stop Atrocities in Libya: Sent by 70 NGOs to the U.S., EU, and UN,” February 21, 2011: <http://www.unwatch.org/site/apps/nlnet/content2.aspx?c=bdKKISNqEmG&b=1330815&ct=9135143>
2. Physicians for Human Rights, “PHR and Human Rights Groups Call for Immediate Action in Libya,” February 22, 2011: <http://physiciansforhumanrights.org/press/press-releases/news-2011-02-22-libya.html>
3. The International Federation for Human Rights (FIDH) and the Libyan League for Human Rights (LLHR), “Massacres in Libya: The international community must urgently respond,” February 21, 2011: http://www.fidh.org/IMG/article_PDF/article_a9183.pdf
4. Jim Garamone, “Africa Command Learns from Libya Operations,” American Forces Press Service, September 15, 2011: <http://www.defense.gov/news/newsarticle.aspx?id=65344&reason=1>
5. Gregory Miller and Craig Whitlock, “U.S. assembling secret drone bases in Africa, Arabian Peninsula, officials say,” *The Washington Post*, September 20, 2011; Julian E. Barnes, “U.S. Expands Drone Flights to Take Aim at East Africa,” *The Wall Street Journal* (WSJ), September 21, 2011.
6. Garamone, “Africa Command Learns,” *Op. cit.*
7. *Ibid.*

*Global Research Editor’s Note: U.N. Watch which actively promoted the LLHR statement has informal ties to the U.S. State Department. It was established during the Clinton Administration in 1993 under the Chairmanship of Morris B. Abram, a former

U.S. Permanent Representative to the United Nations in Geneva. U.N. Watch is formally affiliated with the American Jewish Committee (AJC), a powerful pro-Israeli political lobby organization based in New York City.

** The signatories can be seen at:

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<http://www.voltairenet.org/The-lynching-of-Muammar-Gaddafi>]

What NATO Did to Libya 2011

The Lynching of Muammar Gaddafi

by Thierry Meyssan

The death of Muammar al-Gaddafi was hailed with an explosion of joy in all the government palaces of Western countries, but not by the Libyan people. For Thierry Meyssan, this militarily useless murder was perpetrated by the Empire not only as an example, but also to deconstruct Libya's tribal society.

For 42 years, Muammar al-Gaddafi protected his people against Western colonialism. At present, he has joined Omar al-Mukhtar in the pantheon of Libya's great national heroes.

On Thursday, 20 October 2011, at 13h30 GMT, the Libyan National Transitional Council announced the death of Muammar el-Qaddafi. Though confused, initial reports appeared to indicate that a convoy of cars seeking to leave besieged Sirte was blocked and partly destroyed by NATO fire. Survivors took shelter in drainage pipes. Wounded, Gaddafi was reportedly captured by the Tiger brigade of Misrata tribe and lynched.

The body of the "Guide" of the Great Socialist People's Libyan Arab Jamahiriya was not preserved in his hometown of Sirte, or taken to Tripoli, but transported by the Misrata as a trophy to their namesake city.

The Misrata Tribe, which had long been reluctant to choose sides and is virtually absent from the CNT, ultimately penetrated Tripoli after its destruction by NATO, and lynched Muammar al-Gaddafi after the bombing of his convoy by NATO. It even moved his body to its town to celebrate its triumph. In July, the “Guide” had cursed the Misrata, urging them to leave for Istanbul and Tel Aviv, alluding to the Turkish Jewish origins of the tribe which later converted to Islam.

A barrage of pre-scripted comments was instantly unleashed by the Atlanticist media to demonize Muammar el-Gaddafi, thereby obscuring the barbaric circumstances of his death.

The main Coalition leaders welcomed the death of their enemy as marking the end of “Operation Unified Protector.” In doing so, they have implicitly admitted that its objective was not to implement Security Council Resolution 1973, but to overthrow a political system and to kill the leader, even if the assassination of a serving head of State is strictly prohibited by U.S. law and universally condemned.

In addition, the lynching of Muammar al-Gaddafi shows NATO’s reluctance to turn him over to the ICC which would not have been in a better position to sentence him for crimes against humanity than the Criminal Tribunal for the former Yugoslavia which could not prove Slobodan Milosevic guilty, despite two years of prosecution.

In the deluge of mud spilled by the Western media to tarnish his memory, the same false accusations are repeated over and over, showing in fact that the media hold very little incriminating evidence that could have been used against him.

A case in point is the La Belle discotheque bombing in Berlin (5 April 1986, three killed), which was used as a pretext by the Reagan administration to bomb Gaddafi’s palace and kill his daughter (April 14, 1986, at least 50 dead). At the time, German prosecutor Detlev Mehlis (the same one who two decades later would rig the investigation into the assassination of Rafik al-Hariri) relied on the testimony of Eter Mushad to indict a Libyan diplomat and his accomplice Mohammed Amair. However, German television channel ZDF subsequently discovered that Mushad Eter was not only a false witness but also a real CIA agent, while bomb planter Mahammed Aamir was a Mossad agent.¹

Another example is the Lockerbie bombing (21 December 1988,

270 killed): the investigators identified the owner of the suitcase containing the bomb and the timer thanks to the testimony of a Maltese shopkeeper who had sold the pair of trousers also located in the booby-trapped suitcase. At that point, the Scottish justice system brought charges against two Libyan agents, Abdel Basset Ali Mohamed Al Megrahi and Al Amin Khalifa Fhimah, while the Security Council took sanctions against Libya. In the end, to get the sanctions lifted, Gaddafi agreed to extradite the two agents (the first was sentenced to life imprisonment and the second was acquitted) and pay \$2.7 billion in compensation, while continuing to proclaim his complete innocence. Subsequently, in August 2005, the chief Scottish investigator declared that the main piece of evidence, the bomb timer, had been planted at the crime scene by a CIA agent. Then, the expert who had analyzed the timer for the court admitted he had manufactured it himself before the CIA “dropped it off.” Finally, the Maltese shopkeeper admitted having received \$2 million for bearing false witness. The Scottish authorities decided to review the case, but the health of Abdel Basset Ali Mohamed Al Megrahi did not allow it.

The current disinformation campaign also includes an installment on the lifestyle of the deceased, classified as sumptuous, and the amount of his stashed-away Pharaonic fortune. But all those who approached Muammar al-Gaddafi, or who simply visited his family home and residence after they were bombarded can attest that he lived in an environment equal to that of the middle class in his country, far from the flashy style of Planning Minister Mahmoud Jibril. Similarly, none of the states that for months have been tracking Gaddafi’s hidden fortune has been able to find it. Any money that was seized belonged to the Libyan government and not to the “Guide.”

On the other hand, the media have failed to mention the only international arrest warrant against Muammar al-Gaddafi, issued by Interpol before the NATO offensive. He was accused by the Lebanese justice of having disposed of Imam Moussa Sadr and his companions (1978). This media oversight can be explained by the fact that the kidnaping was sponsored by the United States who wanted to get rid of the Shi’a clergyman before allowing Ayatollah Ruhollah Khomeini, also a Shi’a Muslim, to return to Iran, to prevent Sadr from spreading the

Ayatollah's revolutionary influence to Lebanon.

The Atlanticist media have also overlooked the criticism that anti-imperialist Resistance organizations, and indeed ourselves, addressed at Muammar al-Gaddafi concerning his frequent compromises with Israel.

For my part, I can attest that, until the Battle of Tripoli, the "Guide" had continued to negotiate with Israeli envoys in the hope of buying Tel Aviv's protection. But I must also attest that, despite my strong reservations about his international policy, and the complete file about me in this regard that was given to him in July by the French DCRI in an attempt to have me arrested, Muammar al-Gaddafi gave me his trust and asked me to help his country assert its rights at the United Nations² – a behavior which one would hardly expect from a tyrant.

Nor have the Atlanticist media ever mentioned my condemnation of Libya's interference in French political life, including the illegal financing of the presidential election campaigns of Nicolas Sarkozy and Ségolène Royal. The "Guide" had in fact authorized his brother-in-law Abdallah Senoussi to corrupt the two leading candidates in exchange for an amnesty pledge or for putting pressure on the French justice system to close his criminal record.³

But above all, the Atlanticist media have failed to mention the major achievements of the "Guide": the overthrow of the puppet monarchy imposed by the Anglo-Saxons, the removal of foreign troops, the nationalization of hydrocarbons, the construction of the Man Made River (the largest irrigation project in the world), the redistribution of oil revenues (he turned one of the poorest in the world into the richest in Africa), generous asylum to Palestinian refugees and development aid on an unprecedented scale to the Third World (Libya's development aid was more important than all the G20 states put together).

The death of Muammar el-Qaddafi will change nothing at the international level. The important event was the fall of Tripoli, bombarded and captured by NATO – undoubtedly the worst war crime of this century – followed by the penetration of the Misrata tribe to control the capital. In the weeks that preceded the Battle of Tripoli, the overwhelming majority of Libyans took part, Friday after Friday, in anti-NATO, anti-CNT and pro-Gaddafi rallies. Now, their country has

been destroyed and they are governed by NATO and its CNT puppets.

However, the death of the “Guide” will have an enduring traumatic effect on Libya’s tribal society. By killing the leader, NATO destroyed the incarnation of the principle of authority. It will take years and much more violence before a new leader will be recognized by all the tribes or the tribal system is replaced by another form of social organization. In this sense, the death of Muammar al-Gaddafi opened a period of Iraqization or Somaliation in Libya.

Notes

1. Investigation conducted by Frontal magazine, broadcast by ZDF on 28 August 1998.
 2. I accepted the mission as an activist, without any remuneration whatsoever.
 3. Abdallah Senoussi had been sentenced in France in absentia for the explosion aboard flight UTA Flight 772 which occurred on 19 September 1989 in the midst of the Chadian war, killing 171 people.
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This article appeared at:

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[Editor’s note: The following article is taken from the countercurrents.org website where it appeared on October 27, 2011. It can be accessed at: <http://www.countercurrents.org/lamb271011.htm>]

What Will Happen in Libya Now? Revulsion, Resistance And Angry Words From Tripoli University

by Franklin Lamb 29 October 2011

Tripoli University: The people I had hoped most to be able to find upon returning to Libya were eight students from Fatah University (now renamed Tripoli University) who became my friends during three months in Libya this summer. They had all been strongly opposed to what NATO was doing to their country (NATO bombs destroyed some

classrooms at the University during final exams in late May) and I was very keen to sit with them again if possible since the August 23rd fall of Tripoli when most of them scattered given the uncertainties of what would happen and we lost contact.

Thanks to Ahmad who was waiting for me we re-united quickly.

Some excerpts and impressions from yesterday's all night gathering with Ahmad, Amal, Hind, Suha, Mohammad and Rana: "I know Sanad al-Ureibi," Ahmad said disgustedly about the 22 year old who is claiming he fired two bullets at close range into Muammar Gadhafi on October 22nd.

Amal, Ahmad's fiancée interrupted him: "We are very angry but not really surprised by what Sanad did. He's a stupid guy and I am sure someone whispered in his ear that he would become famous and rich if he did NATO's dirty job by killing Colonel Gaddafi. NATO did more than 1000 bombing attacks "to protect Libyan civilians" but killed thousands of us instead. For sure NATO and their puppets want as many of our leader's dead as possible in order to avoid years of a court trial that would expose NATO's many crimes and those of certain western leaders."

Ahmad: "Sanad told my cousin the day after he assassinated Colonel Gadhafi that he is promised protection and that the TNC will not arrest him despite their, for western ears only, announcement of a planned "investigation" of how Muammar and Mutassim died. Everyone in Libya knows that the investigation of the assassination of the rebel military commander Abdel Fattah Younes last July has gone nowhere because the Islamist faction who committed the Younes murder is close to Jalil."

Ahmad continued, "Like some of his friends, Sanad did fight for a while with the rebels and he sometimes changed units because it was fun and now he plans to form a gang to protect rich Libyans and foreigners as they continue to arrive here to help, as they claim, to rebuild our destroyed country and make democracy. Now we are all so exhausted from all the needless killing I am not sure what kind of democracy we will have or even want. American democracy? It's very great? Sometimes it seems you have more problems than we do. At least we have free education, free medical care, and homes and are not living on the

streets without jobs.

Mohammad joined in: “One Israeli-American Company has offered Sanad and other young men who refuse to give up their guns a job recruiting former fighters for proper training as Libyan police. There are some Blackwater (XE) people here are also trying to do business with NATO agents for private police forces around Libya. Anyone who thinks NATO is going to leave us in peace is mistaken. More of them arrive every day.”

Hind, who has not wavered since last summer in her opposition to what she calls “NATO’s team” also voiced strong offense and condemnation of certain pro-rebel Sheiks who have declared that Gadhafi was not a Muslim. “Everyone knows he was a devout Muslim. His last Will stated, “I do swear that there is no other God but Allah and that Mohammad is God's Prophet, peace be upon him. I pledge that I will die as Muslim.”

Hind added, “Please tell me who are these TNC Sheiks to say who is and who is not a Muslim. In Islam it’s between each of us and Allah and nobody else’s business. If these Sheiks were better Muslims they would have opposed what has been done to his body and that of his son and friend in Sirte and Misrata. It is haram. I am very angry and disgusted.”

Suha complained about “the views of NTC leader Mustafa Abdul-Jalil toward women and that with the already announced repeal of the marriage law, Libyan women have lost the right to keep the family home if they divorce. It is a disaster for Libyan women. Under the Gadhafi leadership women in Libya had more rights than in any other country in the Middle East.”

Ahmad explained: “ I am ashamed of what some Muslims are doing. Our religion does not allow for this mutilation and the freak show the TNC put on in that refrigerator. I was in Misrata with friends to pay our respects and was surprised how many others were doing the same as our group and for the same reasons. When the bodies were first exhibited curious people came and some said bad insults. But by the next day the atmosphere has completely changed. People came to honor Colonel Gadhafi for his courage in dying for what he believed was best for Libya and that was to keep Libya free from colonialism. I don’t

believe the media is accurately reporting this. Our leader died a hero like Omar Muktar in my opinion and history will prove this someday.”

Again, his fiancée Amal interrupted Ahmad, “As Colonel Gaddafi revealed in his Will, NATO made him several offers if he would abandon his country to them. Foolish and criminal NATO established our leader forever as a great resister to colonialism and a patriot for Libya, for all of Africa and for the Middle East. I believe that Colonel Gaddafi died a far more honorable death than the leaders of NATO will. He has more dignity in death than Hilary Clinton and her absence of dignity shown by her stupid comments about his death.”

Amal then said, “I became ill when I left him. His skin was almost black and his body was rotting quickly with fluids leaking on the floor. They must give him immediately to his family and ask Allah to forgive themselves for their haram. One of the guards told me Colonel Gaddafi was sodomized with a rifle by NTC fighters. He showed the video on his mobile but I would not look.”

Suha spoke: “We also visited the Mahari Hotel in Sirte where we saw more than 50 bodies of Gaddafi supporters. Some had their hands behind them bound by plastic handcuffs and were executed at close range. Others had been taken from hospital beds and murdered. This crime is just one more example of the lies of the NTC and NATO. NATO forces commanded and controlled their rebels and knew what they have been doing. NATO is responsible for destroying much of our country and for what will surely happen in the coming days.”

I first met Ahmad what now seems like a couple of years ago, but in actuality it was only last June. We sat at an outdoor cafe on Green Square (now renamed Martyrs’ Square) and talked about NATO’s obvious plans for Libya. Since August 23rd and the precipitous collapse of the loyalist resistance in Tripoli, which Ahmad had been organizing some of the neighborhoods to participate in, he has been on the lam as friends got word to him that NTC death squads were on his trail even staking out the Radisson Hotel lobby where he used to meet with journalists and western friends. Ahmad blames the lack of a real defense of Tripoli, that took us all by surprise, as “our incompetence and some high ranking traitors” for the non-implementation of plans to defend Tripoli from NATO’s rebels.

His first words after we hugged were: “Now the real resistance will begin! The Libyan people are now even surer than they were during this summer that the NTC sold our country to the NATO colonial countries. As NATO continues to hunt down Saif al Islam, many around our country are making Saif the new leader of the resistance to colonialism in Libya and in Africa. I personally pledge my support for him and pray that Allah will protect him. Watch what the Gaddafi tribe and my Warfala tribe do together in the coming weeks – but also starting today. Maybe NATO can be said in some ways to have won round one. But let’s see what happens in the many rounds to come.”

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