

Libyans deserve justice, as war crime suspects remain at large: Prosecutor

Despite an International Criminal Court arrest warrant, a Libyan war crimes suspect remains at large and could have committed further murders, the ICC Prosecutor, Fatou Bensouda, told the Security Council on Wednesday.

A warrant was issued by the Court last August for the arrest of Mahmoud Mustafa Busayf Al-Werfalli, a Major in the Libyan National Army, accused of murdering 33 of his fellow Libyans during the long-running conflict that has destabilized the country since the fall of former leader, Muammar Gaddafi, in 2011.

The executions he is alleged to have committed or ordered, were filmed and depicted in videos posted on social media.

"Since the issuance of the warrant, I have repeatedly called on the Libyan national authorities to comply with their obligation to arrest and surrender Mr. Al-Werfalli to the ICC," Ms. Bensouda, told Council members.

"ICC suspects who are indicted with charges of grave crimes under the [Rome Statute](#) cannot be sheltered or given refuge. They must be apprehended and face justice before the Court so that their guilt or innocence can be established."

The Libyan people deserve answers. The victims of atrocity crimes in Libya deserve to have justice done and see that it is genuinely done – *ICC Prosecutor Fatou Bensouda*

In January, new photographs and videos emerged on social media that appear to show Mr. Al-Werfalli brutally murdering ten people – who were blindfolded and had their hands tied behind their backs – in front of a mosque in Benghazi.

"The Libyan people deserve answers. The victims of atrocity crimes in Libya deserve to have justice done and see that it is genuinely done," stressed the Prosecutor, reiterating her call for all States, as well as Libyan authorities, to act upon ICC warrants, authorizing the arrest and surrender of suspects.

Ms. Bensouda also informed the Council that warrants for the arrest of the former dictator's son, Saif Al-Islam Gaddafi, and Al-Tuhamy Mohamed Khaled, the former head of the Libyan Internal Security Agency, also remain outstanding.

"Without arrests, both the cause of international criminal justice in Libya and the very *raison d'être* of UN [Security Council Resolution 1970 \(2011\)](#) will be undermined," she said.

Alarming human rights situation

In her briefing, the ICC Prosecutor further told the Security Council that the volatile security situation in Libya is being exacerbated by the ongoing conflict between militias in many parts of the country.

Extra-judicial killings, civilian casualties and systematic use of arbitrary detention of individuals, who are often subjected to serious violations of human rights, continue to be reported at an alarming rate, the Council heard.

At the same time, there are reports of large numbers of migrants still being held in detention centres – run either by national authorities or militia – many of whom are being killed, abused and mistreated while in detention or in transit to and from centres.