

# French lawyers sue Sarkozy over crimes against humanity in Libya

By Antoine Lerougetel  
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Two high-profile French lawyers, Jacques Vergès and former Socialist Party minister Roland Dumas, have announced that they plan to sue French president Nicolas Sarkozy on charges of crimes against humanity committed in the on-going NATO military intervention in Libya. They are acting for some thirty Libyan families who have lost family members in the NATO bombings.

At a press conference May 29 in Libya they declared that they would initiate legal proceedings in the French courts on Monday, May 30. There has been an almost complete blackout of the announcement in the French media. Only the Socialist Party-leaning newsweekly *Marianne* commented, attacking Dumas and Vergès for “a grotesque accusation against the president of the Republic.”

At a press conference in Libya on Sunday Dumas said, referring to the NATO bombing, “this mission, which is supposed to protect civilians, is in the process of killing them.” He said the war in Libya was “a brutal aggression against a sovereign nation.”

Calling the NATO alliance nations “murderers”, Vergès denounced “a French state led by thugs and murderers ... We intend to break the wall of silence.” He said he had seen several civilian victims at a hospital and had been told by one of its doctors that there were as many as 20,000 victims.

Dumas said he was ready to take the defense of Gaddafi himself if he was to appear at the International Criminal Court (ICC) at The Hague. On May 16, acting at the behest of the major Western powers, the ICC prosecutor requested an arrest warrant for crimes against humanity against Gaddafi.

Dumas questioned the authority of Sarkozy and NATO to conduct bombing based on UN Security Council Resolution 1973, calling it “the artificial—very

artificial—cover of the United Nations.”

The lawsuit comes at a time when the NATO allies have stated that the war will be extended for at least 90 days, until September, and when Britain and France have announced the stepping up of the military bombardments, which have already involved several attempts at targeted political assassination through the bombing of homes of Libyan leader Muammar Gaddafi’s family.

British ex-SAS elite troops and other mercenaries employed by NATO are helping identify targets in the Libyan port city of Misrata. They are there with the blessing of Britain, France and other NATO countries, which have supplied them with communications equipment. They are likely to be providing information for the pilots of newly deployed British and French attack helicopters.

The French government was the main protagonist of United Nations Security Council Resolution 1973, a flimsy legal cover for the naked neo-colonial, imperialist intervention supposedly to protect civilians from the Libyan armed forces. In reality, it is part of the scramble for Libya’s oil and gas resources and the imposition of a pliant pro-imperialist government being assembled and groomed in Benghazi.

Other lawyers acting for Aïcha Gaddafi, the daughter of the Libyan leader Muammar Gaddafi, have reportedly filed charges against NATO in a Belgian court. They declared, “The decision to target a civilian home in Tripoli constitutes a war crime.”

The charge concerns a NATO air raid on April 30 that killed Gaddafi’s youngest son and three of his infant grandchildren. The two lawyers are also suing for the annulment of the EU ministers’ decision to freeze the accounts of the Libyan regime in the European Court of Justice in Luxembourg.

It is not clear whether the octogenarian Vergès and Dumas, with long and close ties to the French state, are directly working with sections of the French state but certainly serious doubts have emerged in French ruling circles on Sarkozy's decision to embark on the military intervention in Libya.

The TTU defense information web site commented on an unpublished 50-page report issued after a three-week visit to Libya by intelligence experts headed by Yves Bonnet, former chief of the French national intelligence agency, the DST. According to the TTU site, the intervention is overstepping resolution 1973 and "the control of energy resources is at the heart of the current strategy. The US would like to overthrow Gaddafi in order to kick China out of the country. Egypt, which has never accepted the attachment of Cyrenaica and its oil reserves to Tripoli, can see nothing but advantages from the partitions of the country."

The site adds: "The report expresses alarm at this 'thoughtless' involvement by Paris, which plays into the hands of the American administration, which has taken care not to show its hand and let France take all the risks." It expresses serious doubts as to whether the Benghazi transitional council could "preserve the interests of the powers involved," implying most especially those of French imperialism.

The military commentator Jacques Borde has also suggested that, while France is futilely overreaching its military capacities, its Arab and Western allies will be reaping the rewards in terms of the share-out of the spoils. There is also the danger of the "Somalisation" of Libya – that is its disintegration into warring tribes and warlords.

The two aging lawyers have long political and legal histories. Dumas, born 1922, was a close collaborator of François Mitterrand, Socialist Party (PS) president of France from 1981 to 1995, and served as a minister in several PS governments. He has never been a policy-maker, but rather a trusted errand boy for the executive.

He was part of the corrupt relations of French imperialism with African governments known as Françafrique. In 1983 he was Mitterrand's special envoy to Gaddafi. His task was to persuade Libya not to invade Chad in support of a rebellion in the north of the country against the pro-French government.

Finally, with the complicity of Gaddafi, the government was kept in power thanks to France's intervention.

In 1995 Dumas was nominated President of the Constitutional Council, the French constitutional court, by Mitterrand. He resigned in January 1999 because of the Elf corruption affair.

Vergès was born in 1925 of a Vietnamese mother and a Réunionese father. Among the most famous legal defenses he carried out were that of the terrorist Carlos "the Jackal" and the Nazi war criminal Klaus Barbie, "the butcher of Lyon" in occupied France. He accused French imperialism of committing similar crimes in Algeria to those of the Nazis.

Dumas has admitted that he and Vergès were approached by the Gaddafi régime to take the case. Whatever their motivations, however, there is no doubt that the indictment they are making of French and Western imperialism's criminal action against the Libyan people is a source of some embarrassment for the Sarkozy government and its imperialist allies. So it is also for the PS, the PCF, and the fake lefts of the NPA in France, who have peddled the lie that the intervention is "humanitarian" and designed to protect the Libyan people.

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