

ICC: Libya's Bids to Try Gaddafi, Sanussi Human Rights Watch 13 May 2013 The ICC is considering challenges to the court's jurisdiction to try ICC suspects Saif al-Islam Gaddafi, the son of Libya's former ruler Muammar Gaddafi, and Abdullah Sanussi, the Gaddafi-era intelligence chief.

Libya says it is investigating both men for their role during the government's 2011 crackdown on protests and prior alleged corruption. Libya also contends that the scope of its Sanussi investigation extends back to the 1980s into serious human rights violations during Gaddafi's rule, including the June 1996 killing of more than 1,200 prisoners in Tripoli's Abu Salim prison.

United Nations Security Council Resolution 1970, which referred Libya to the ICC, requires the Libyan authorities to cooperate fully with the court – a binding requirement under the UN Charter, even though Libya is not a party to the treaty that established the court. This cooperation includes abiding by the court's decisions and requests, as well as adhering to the court's procedures. Under ICC rules, a state that wants to try a suspect for a case already opened by the ICC must challenge the court's jurisdiction through a legal submission.

“Libya understandably wants to see those responsible for past crimes brought to justice,” said Richard Dicker, international justice director at Human Rights Watch. “As Libya goes forward with its bids at the ICC, it should demonstrate its intention both to abide by the rule of law at home and to respect its international obligations.”

Human Rights Watch was recently allowed a visit with Sanussi, seemingly in private, on April 15, 2013, and visited with Gaddafi in Zintan on December 18, 2011. (...) **See Human Rights Watch's** [Q&A on the relationship between ICC and Libya](#)

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