



## **NPWJ and NRPTT welcome arrest of Abdullah Senussi, which heralds new potential for justice in Libya**

Tripoli, Libya, 17 March 2012

Mauritania's State information agency announced in a statement released today that Colonel Gaddafi's former intelligence chief, Abdullah Senussi, was arrested at the airport in the capital Nouakchott upon his arrival from the Moroccan city of Casablanca. Last June, the ICC had issued arrest warrants for Mr Abdullah Senussi on charges of crimes against humanity over the violent repression of anti-regime protests in Libya.

### **Statement by Alison Smith, Legal Counsel of No Peace Without Justice (from Libya):**

“No Peace Without Justice and the Nonviolent Radical Party, Transnational and Transparty, welcome the capture of Abdullah Senussi and remind those holding him of the need to ensure he is treated humanely and properly, in accordance with international standards. As one of the accused masterminds behind the brutal attacks against the civilian population in Libya, it is critical that he be held to account for his alleged crimes in a fair trial.

“We take this opportunity to recall the wishes of the victims, and of the people of Libya, that both Saif al-Islam Gaddafi and Mr Senussi be tried in Libya, to face justice in the same place in which they allegedly waged their brutal attacks. According to the principle of complementarity, the ICC has jurisdiction only if the Libyan authorities are unable or unwilling to investigate and prosecute the crimes of which Mr Senussi has been accused.

“Libya is certainly willing, as they have proved by requesting Mauritania to transfer Mr Senussi to face charges before the Libyan courts. If they are unable for whatever reason, we urge the international community to provide urgent assistance to Libya to become able, not just for the trials of Saif al-Islam Gaddafi and Mr Senussi, but for the alleged perpetrators of the many other crimes in Libya over the previous 12 months and 42 years.

“In that case, we expect Mauritania, which is not a State Party to the ICC, to transfer Mr Senussi to The Hague to face trial before the ICC. While Mauritania is not under a legal obligation to do so, this would send a strong signal to all fugitives from justice that they may run, but they cannot hide, and would further reduce the number of safe havens for alleged war criminals around the world.

“In any event, we urge the ICC to begin outreach to victims and the affected communities immediately. There are several misconceptions about the ICC, its work and where the process currently stands: if the ICC fails to step in, those misconceptions will increase and risk damaging the ICC's credibility and future contributions to this country.

“If the Libyan cases proceed before the ICC, we urge the Office of the Prosecutor to be ready to establish a field presence, which is critical for ensuring reliable evidence and oversight of intermediaries, as demonstrated by the recent Lubanga judgment. We further urge the ICC and its States Parties to hold the trials of these two accused persons in Libya and to work with the Libyan authorities to ensure conditions will allow that to happen.

“The people of Libya deserve a chance at lasting peace, which in return strongly requires impartial and effective justice and redress. The international community must support them in their efforts to secure justice, the rule of law, democracy and prosperity.”

NPWJ runs a Transitional Justice program in Libya, assisting civil society and nascent institutions in establishing truth and justice mechanisms and processes. For further information, please contact Alison Smith on [asmith@npwj.org](mailto:asmith@npwj.org) or +218-91-809-7330 or Nicola Giovannini on [ngiovannini@npwj.org](mailto:ngiovannini@npwj.org) or +32-(0)2-548-3915.