

Interim Summary of Findings

**Of Investigation into the Alleged
Khamis Brigade Shed Massacre
Tripoli, Libya, August 23 2011**

**Interim report on Findings
As of February 29, 2012
Third draft, general circulation**

**A Report of
Citizen's Investigation into War Crimes in Libya**



Issued March 1, 2012

Foreword:

This interim report is based on research done collaboratively by members and signatories of the Citizen's Investigation into War Crimes in Libya (CIWCL), among others. The work is done and shown largely at the website The Libyan Civil War: Critical Views (<http://libyancivilwar.blogspot.com/>).

This report was drafted by Adam Larson, founding member of CIWCL and administrator of that site.

Finding: The Witness Evidence has Serious Problems

Too Many Stories

In Broad Terms, there are too many claimed escapees for comfort - **at least 35, and as many as 71** known to the CIWCL (by various criteria), out of the original approximate population of 150. This unsure number of people managed to combine all the following:

- 1) Being close enough to see just what happened as people fell dead all around them,
- 2) escaping that close onslaught alive, and usually uninjured,
- 3) escaping across the guarded compound alive and generally unharmed,
- 4) (in about half the cases) making it back to the site somehow at the same time the world's media was there, August 27-29.
- 5) (in the rest) feeling up to going on the record as a survivor sometime after the first big news days.

These witnesses tend to agree quite well on a few core points (loyalist guilt, sunset, about six grenades and guns). However, they contradict each other left and right on other details they shouldn't: date of the incident, the time of day (in a very few cases), the sequence of the attack, manner of escape, and so on. (These will be explored in some detail in the upcoming report, but not here)

Consider the two captive prisoners on the record so far with publicized confessions. Ibrahim Sadeq Khalifa and "Laskhar," speaking separately, agree five soldiers only carried out the killing. That might sound good, but they disagree on the date of the mass slaying, and on when the victims were burnt. Laskhar told Physicians for Human Rights it was days after they were killed, using diesel fuel. Khalifa, speaking from jail in Misrata, said he himself **burned them alive with grenades on the 22nd**, after the other four soldiers doused the living prisoners with petrol.

<http://english.alarabiya.net/articles/2012/01/31/191670.html>

Both of these "confessed killers" await almost certain execution, with or without a reasonable trial. But at least one of the confessions must be false.

An odd feature of the widespread witness contradictions is that hardly a single aberrant claim is unsupported. There is corroboration from other witness - usually one or two - on almost every oddball version of each detail. This resembles less a single coherent event that it does people getting their stories straight in numerous small groups but not coordinating between the groups. What emerges is a moderate number of alternate reality variants with small clusters of those who recall them and others who don't - different schools of thought, almost, about what they remember from that morning / afternoon / evening assault that nearly ended their lives.

The NTC Official Who's Also a Troubling Witness

One witness, from among the locals, not the escapees, was called Dr. Salim Rajub (alternately Salem, Rajab/Rajip). He spoke, apparently all on August 27 and at the massacre site, to Sky News (twice – video):

<http://www.youtube.com/watch?v=2cLADLAitVI>

<http://www.youtube.com/watch?v=I7lOZLf0Urg>

To AFP (print)

<http://www.thenews.com.pk/TodaysPrintDetail.aspx%3FID%3D65109%26Cat%3D1>

To AFP (video, Spanish dubbed)

<http://www.youtube.com/watch?v=QPweM7-qcLQ>

To Global Post (video - unworkable url),

French paper Libération,

<http://www.liberation.fr/monde/01012356724-en-libye-dans-l-effroi-d-un-charnier>

The Australian

<http://www.theaustralian.com.au/news/world/muammar-gaddafis-son-khamis-reportedly-visited-prisoners-hours-before-they-were-massacred/story-e6frg6so-1226124330907>

And possibly to Human Rights Watch.

<http://www.hrw.org/news/2011/08/29/libya-evidence-suggests-khamis-brigade-killed-45-detainees>

He may also have spoken to the New York Times, if he used another identity (Ahmed al Farjani). The sources and multi-part explanation for this possibility are at one handy link:

<http://libyancivilwar.blogspot.com/2012/01/khamis-brigade-shed-massacre-dr-salm-mr.html>

Dr. Rajub said that he lives 200 yards from the Yarmouk base, and also kept a practice there. He explained how, after the evening call to prayer on the 23rd, he heard shouting and immediately ran to the base along with 4-9 others, who had been with him at a local mosque. They heard explosions and gunshots, but snipers held them back from helping. Later, he says they found three injured escapees, who were taken to Tripoli Medical Center. He assured the media they could talk to these escapees there. He specified first there were only 7-10 people who escaped, then “no more than 10,” then “eleven.” We’re now at 35, bare minimum.

Dr. Salim Rajub is in fact Dr. Salem al Farjani (Fergani), a leading expert on the massacre, and the co-chair of the NTC government’s national missing persons commission. According to an AP article from December, * he worked at Tripoli Medical Center, since February secretly gathering clues about loyalist killings. Soon, he was visiting massacre sites and mass graves, gathering facts that kept pointing at the Gaddafi regime.

* <http://feb17.info/news/doctor-helps-search-for-many-missing-in-libyan-war/>

Dr. al Farjani's appearance in late November, leaner and bearded, is not an obvious fit with Rajub's in August. But other sources confirm the similarity in face, with a matching hairline and the same distinctive gap in his lower teeth (see image below).



Dr. al Farjani has been seen wearing the same blue polo shirt as Dr. Rajub, * and can be heard in one video speaking English, and sounding just like Sky News' local expert witness. **

* <http://www.youtube.com/watch?v=hwh6DyE5M-c>

** <http://www.itnsource.com/shotlist/RTV/2011/11/24/RTV3400611/?s=khamis&st=0&pn=1>

The match is unmistakable, and the coincidence that this expert on loyalist massacres would happen to *directly witness* the worst among them is eyebrow-raising.

There are relatively innocent possible explanations for the apparent deceit of his testifying under a pseudonym (or even two of them), but the fact that he did must be acknowledged before anyone can try to answer the questions that raises.

He started out explaining the whole thing to the media on August 27, putting all the weight on the witnesses, including himself. There are clues that aside from what he said, Dr. al Farjani was working with and perhaps coaching at least two of the escapees seen at the site that day. * Now he's giving tours of the site to people like Ban Ki Moon and Luis Moreno-Ocampo, and presumably Physicians for Human Rights, and helping Tripoli decide who was killed by whom and who needs to be held accountable and punished.

* <http://libyancivilwar.blogspot.com/2012/01/see-through-salem-drsalim-speaks-coach.html>

Finding: The Victims Resemble the Victims of Rebel Atrocities

Un-Burned Victim Clues

In short, the charred victims left little clues of identity other than “human.” However, at least a dozen bodies were left around the compound, un-burnt and rotting, and a possibly-related batch of 22 executed captives were found behind a mosque 500 meters from the Yarmouk base.

Of these minimum 34 bodies with some clues remaining (clothes, skin, blood/DNA), a bit can be learned. Most are dressed in civilian clothing, although three were apparently in neutral sleeping clothes, and had military uniforms nearby. From available images, race can be ascertained with some reliability but no certainty. The photos suggest at least three of the 34 are clearly light-skinned victims, **23 seem to be dark-skinned (black African) men** (not necessarily foreigners), and the other nine remain unseen. Some journalists feel the bodies only appeared dark, being “blackened” by decay.

<http://www.warscapes.com/reportage/qaddafis-abattoir>

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8728597/Libya-last-act-of-bloody-vengeance-by-Khamis-Brigade.html>

The penchant among certain rebel elements – especially the Misrata brigades - for arresting, abusing, and sometimes executing black men, usually as “African mercenaries,” is by now well enough known to need no explanation here.

But these victims have generally been claimed, by rebel fighters and by the miraculous escapees, as fellow prisoners who were shot dead while fleeing. Why the black prisoners died and the light-skinned ones survived remains unexplained. But of the dozens of escapees I’ve seen images of so far, none is black, suggesting perhaps a tragic miracle segregation by Libya’s new version of God.

Finding: The Rebels Were Apparently There

The August 23 Conquest Clues

The above points aside, so far there's no widely-known reason to believe rebels were there at the time of the massacre. They don't acknowledge being there 'til the 26th, and some of the bodies already had maggots on the 27th, suggesting a death about the 23rd as alleged. The witnesses are quite clear it was all the brigade's doing, days before the rebels drove in. Nonetheless, there are clues that **the rebel forces covered up their earlier conquest of the Yarmouk base.**

There are four different given times when the rebels finally took control there. Three are acceptable to their overall narrative: mid-day the 26th, the night of the 26th, and mid-day the 27th. The lack of a clear official time is itself a little troubling.

Perhaps more troubling is the fourth cited time the Investigation is aware of. Andrew Raven, Reuters, Tuesday, the 23rd, the day of the massacre, was the day rebels were there killing soldiers and winning the battle. This is not widely corroborated in rebel circles.

The base was home to a much-feared brigade headed by one of Gaddafi's sons, Khamis. It was overrun on Tuesday, the day much of Tripoli fell to a rebel advance.

<http://www.reuters.com/video/2011/08/28/libyan-rebels-discover-bodies%3FvideoId%3D218774205>

There are other small clues that the rebels were aware of this base and its contents, as if in control of it, over the next couple of days (more details in the final report). But the strong point is the start point. Please consider this e-mail announcement passed on to the UK Telegraph and run in their live blog for the day *August 24*:

6:15 AM: The Information Center For **Misurata Military Council** claim to have found **140 bodies** in a Tripoli prison. They claim the prisoners were **killed by grenades** thrown into their cells. So far 13 bodies have been recovered.

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8721573/Libya-August-24-as-it-happened.html>

Note the time- 6:15AM on the 24th – less than eleven hours after the alleged loyalist massacre inside a base they wouldn't take for days, and they're finding something eerily similar. The location doesn't sound right (prison, cells), and if bodies were burnt, that would likely have been mentioned as a key feature, but it wasn't.

The follow-up message the next morning, same source, same venue, however, did mention it:

9:40 AM (Aug. 25): A [rebel] statement said: "Over 140 were killed, no more than 10 survived. Doctors at main Tripoli Hospital know more. Prisoners were locked up,

grenades were thrown into rooms that contained many of them. This was followed up with many gun firings. So far only managed to retrieve 13 bodies. All badly burnt...."

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8723976/Libya-August-25-as-it-happened.html>

Vague location aside, this large batch of grenade-damaged bodies, apparently burned after discovery, might be the same ones they'd soon be opening to the world. It almost seems like they captured this base on or even before the evening of the 23rd.

If this blip of a report referred to a separate massacre, it never again resurfaced. An epic loyalist crime that, combined with the other massacre, would make nearly 300 loyalist victims of the same blast-them-and-run technique, was implied. Either one would eclipse the death toll of any other alleged massacre in Tripoli. Together, they would massively illustrate exactly what rebels love to report, to clarify the moral stakes of their war against the evil regime. But here half of it was surrendered to obscurity.

Unless, of course, it is the same as the batch of 150 or so (reported) corpses that was suddenly found only on the 26th with several dozen very badly burnt.

There are to the CIWCL's knowledge **no reports, photos, or videos whatsoever about or showing captured or dead soldiers being found anywhere on the base.** This is despite previous NATO bombing raids, using an unknown array of weapons, allegedly as late as early on the 27th. This despite the cutting off and isolation of loyalist forces over the preceding days, and what rebels describe as a fierce fight that lasted seven hours or more. The base's inhabitants, dead, alive, and injured, all to a man. "fled like rats." That's what the Misrata fighters in charge there said, and the only bodies they told anyone about were those piled in and around the shed and charred blank.

A valid theory to explain all this is that those bodies, widely believed to be victims of the fleeing Khamis Brigade, are more likely to be **the remnants of the Khamis Brigade at that base.** Some might be the dead the rebels found that weren't too buried under rubble, others those they killed in fighting, and those they executed after capture. There could also be any number of local "mercenaries" or other classes of victim, killed about brought to the base and hidden among this total. That total was apparently 140 by the morning after the main massacre, rising to about 153 over the next day or so.

All burning away clues of their identity happened over the following days, perhaps with repeated fires, as fairly thick smoke was still pouring through the shed on the 28th. The area apparently remained under rebel control for this whole time, with only the last day and a half acknowledged.

Why would *they* go to such pains to cover up a *loyalist* crime they had only stumbled upon the leavings of?