

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

Claim No. QB-2022-002332

B E T W E E N:

FAIEZ SERRAG

Claimant

v

MGN LIMITED

Defendant

JOINT STATEMENT IN OPEN COURT

Mark Henderson, Counsel for the Claimant:

1. My Lady, in this action I appear for the Claimant. [Counsel for the Defendant] appears for the Defendant, MGN Limited.
2. The Claimant is the former Prime Minister and President of the Presidency Council from 2015 to 2021. He led an internationally backed national government of Libya following the overthrow of the Gaddafi regime by the Libyan people with the assistance of British and French airpower.
3. On 23 July 2021, the Mirror published an article (which I will refer to as the Article) about persons buying citizenship of the Pacific Island state of Vanuatu. It claimed that one of those persons was the Claimant, who was described as the Prime Minister of Libya '*under Colonel Gaddafi*'.
4. Following the Claimant sending a letter of claim after becoming aware of the Article, a correction was made to the Article limited to correcting the reference to him being Prime Minister under Gaddafi. After the parties were unable to resolve matters, the Claimant issued a claim for libel.
5. Following the Particulars of Claim, and further discussion between the parties, the Claimant accepted the Defendant's admission: first that that the natural and ordinary meaning of the Article was that "*The Claimant served as prime minister of Libya under Colonel Gaddafi's military dictatorship and purchased Vanuatu citizenship to distance himself from that disreputable past.*"; and second that the Article would convey the additional defamatory meaning, by way of true innuendo, that "*The Claimant served as prime minister of Libya, a rogue state...*"

6. As to this innuendo meaning, the Defendant accepted that *“a substantial part of the readership (in particular its more elderly readership) would have been broadly aware of the more notorious excesses of the Gaddafi regime including in general terms some or all of the matters pleaded in paragraph 5.1 of the Particulars of Claim”*. The relevant paragraph referenced Libya’s role in supplying arms to the IRA, the shooting of a police officer outside its Embassy, and the blowing up of a Pan-Am airliner over the UK, as well as the more recent brutal repression of its own people prior to being overthrown in a revolution backed by the international community. The Defendant noted, by way of mitigation, that the reference in the Article was very short, and the initial correction had been made promptly after the Claimant wrote to the Defendant having become aware of the Article, and that the Article did not allege personal responsibility for Gaddafi’s crimes.
7. The Article naturally caused the Claimant serious distress and damage. The allegations about him were completely false. He had no association whatsoever with Gaddafi’s odious regime. On the contrary, he led a government backed by the United Nations and the international community which was seeking to unify the country and prevent further suffering to the Libyan people in the chaos that followed the overthrow of the Libyan regime. The allegation that he then purchased Vanuatu citizenship to escape his past was all the more hurtful and distressing as he had dedicated himself to attempting to rebuild his country and repair the deep wounds caused by the Gaddafi regime.
8. In recognition of the false and seriously defamatory nature of the allegations in the Article, the Defendant removed all reference to the Claimant from the Article and published a full apology on 1 March 2023, which it continues to publish on its website, both freestanding and appended to the Article. The Defendant stated that:

On 23 July 2021, we published an article stating that Mr Faeiz Serrag was the Prime Minister of Libya under Colonel Gaddafi’s military dictatorship and that he had since purchased Vanuatu citizenship to distance himself from that disreputable past. We accept this was false: rather than being Prime Minister under Colonel Gaddafi, Mr Serrag was chosen and backed by the International Community to bring stability and justice after the downfall of the Gaddafi Regime and to lead the fight against ISIS. We withdraw these claims and apologise unreservedly to Mr Serrag.

9. The Defendant has agreed to pay substantial damages to rectify the wrong and vindicate the Claimant’s reputation, together with his legal costs.

Counsel for the Defendant:

10. My Lady, on behalf of the Defendant, I confirm all that counsel for the Claimant has said. The Defendant withdraws these false allegations and apologises unreservedly to Mr Serrag.

Counsel for the Claimant:

11. In these circumstances, the Claimant is prepared to let the matter rest against the Defendant. My Lady, it remains only for me to ask for leave that the record be withdrawn.