

UNIAO AFRICANA

P.O. Box: 3243, Addis Ababa, Ethiopia, Tel.:(251-II) 551 38 22 Fax: (251-11) 551 93 21

Email: situationroom@africa-union.org,

PEACE AND SECURITY COUNCIL 275TH MEETING

26 APRIL 2011

ADDIS ABABA, ETHIOPIA

PSC/MIN/COM M .2(CCLXXV)

COMMUNIQUE

COMMUNIQUE OF THE 275th MEETING OF THE PEACE AND SECURITY COUNCIL

The Peace and Security Council of the African Union (AU), at its 275th meeting held on 26 April 2011, held at ministerial level, adopted the following decision on the situation in Libya:

Council,

1. **Takes note** of the report of the Chairperson of the Commission on the activities of the African Union High-Level *Ad Hoc* Committee on the situation in Libya [PSC/PR/2(CCLXXV)], as well as of the statements made by the representatives of the Libyan Arab Jamahiriya, the neighboring countries of Libya and the other countries of the region. Council **also takes note** of the additional information provided by the Commission on the interaction between the *Ad Hoc* Committee, meeting at ministerial level in Addis Ababa, on 25 April 2011, and the Libyan parties, namely the representatives of the Government of the Libyan Arab Jamahiriya and those of the Transitional National Council (TNC) of Libya, as well as with the neighboring of Libya, the other countries of the region and the AU partner organizations;
2. **Recalls** its previous communiqués on the situation in Libya, and **reiterates the AU's deep concern** at the continued fighting in Libya and its humanitarian consequences, the loss of human lives, and the resulting implications for the country's long term security and stability, its national unity and territorial integrity, and for the region as a whole;
3. **Reaffirms its strong commitment** to the respect for the unity and territorial integrity of Libya;
4. **Expresses its sincere appreciation** to the members of the AU High-Level *Ad Hoc* Committee on Libya, established by the 265th meeting of Council, held on 10 March 2011, for their commitment and the sustained efforts being made in pursuance of the mandate entrusted to the Committee, including the various meetings held, the engagement of the Libyan parties, in particular the visit undertaken to Tripoli and Benghazi, on 10 and 11 April 2011, respectively, and the interaction with the international partners;
5. **Underscores, once again,** the legitimacy of the aspirations of the Libyan people for democracy, political reform, justice, peace and security, as well as for socio-economic development, and the need to ensure that these aspirations are fulfilled in a peaceful and democratic manner. Council **reaffirms**, in this context, the relevance of the AU Roadmap for the Resolution of the Libyan Crisis, as articulated in paragraph 7 of its communiqué PSC/PR/COMM.2(CCLXV) of 10 March 2011 and further elaborated in the communiqués issued by the AU High-Level *Ad Hoc* Committee on Libya at its Nouakchott meetings of 19 March and 9 April 2011;
6. **Welcomes** the acceptance by the Libyan Government, including Colonel Muammar Qaddafi, of the AU Roadmap, including the specific issue of the ceasefire and deployment of an effective and credible monitoring mechanism. Council **takes note** of the *Ad Hoc* Committee's extensive discussions with the Chairman and members of the TNC, in Benghazi, on 11 April 2011, and with a TNC delegation, in Addis Ababa, on 25 April 2011, as well as the regular interaction between the Commission and the TNC leadership;

7. **Further welcomes** the TNC's engagement with the *Ad Hoc* Committee and the information provided on its vision for the future of Libya and its position on the ongoing efforts by the AU to facilitate an early solution to the crisis in Libya, including the need for an urgent ceasefire, to be monitored by a credible and effective international mechanism, as well as an inclusive and consensual transition leading to the adoption and implementation of the necessary political reforms to address the causes of the current crisis, including the holding of democratic elections to enable the Libyans to freely choose their leaders;

8. **Reiterates its full support** for the work of the *Ad Hoc* Committee, which is appropriately placed to facilitate the early resolution of the crisis in Libya. Council **encourages** the Committee to continue and intensify its efforts within the framework of its mandate and in a manner consistent with, and complimentary to, UN Security Council resolution 1973 (2011), which duly recognizes the role of the Committee in seeking a peaceful and lasting solution to the Libyan crisis;

9. **Requests** the Committee and the Commission to finalize promptly appropriate consultations with the Libyan parties and the multilateral and bilateral partners, in order to prepare the ground for the early holding, in a venue agreeable to the parties and under the auspices of the AU, the League of Arab States, the Organization of the Islamic Conference, the European Union and the United Nations, of negotiations on a ceasefire and the other aspects of the Libyan crisis. Council **urges** the Libyan parties to extend the necessary cooperation to the Committee. Council **stresses** that there should be no preconditions for the commencement of the negotiations, whose purpose is precisely to address the concerns of all the parties and to facilitate a compromise on the best way forward;

10. **Welcomes** the steps taken and efforts made to interact with AU international partners, in particular the United Nations, the League of Arab States, the Organization of the Islamic Conference (OIC) and the European Union (EU), as well as the Libya Contact Group, the BRICS and bilateral partners. Council **urges** the *Ad Hoc* Committee and the Commission to continue to engage the partners, and **requests** the said partners to extend the necessary cooperation to AU's efforts, bearing in mind the provisions of Chapter VIII of the United Nations Charter on the role of regional arrangements in the settlement of disputes among and within their Member States. In this respect, Council **requests** the Commission, in consultation with the *Ad Hoc* Committee, to liaise with the United Nations in order to schedule a briefing to the Security Council and engagement with it on the AU's Roadmap and its efforts to resolve the Libyan crisis;

11. **Reiterates** the AU's commitment to the respect for resolution 1973 (2011). In this regard, Council **stresses** the need for all countries and organizations involved in the implementation of Security Council resolution 1973 (2011) to act in a manner fully consistent with international legality and the resolution's provisions, whose objective is solely to ensure the protection of the civilian population. Council **urges** all involved to refrain from actions, including military operations targeting Libyan Senior Officials and socio-economic infrastructure, that would further compound the situation and make it more difficult to achieve international consensus on the best way forward;

12. **Invites** the Chairperson of the Commission to request the African Commission on International Law to urgently convene a meeting to consider in-depth the scope and legal implications of resolutions

1970 and 1973 (2011), in order to submit to it an expert view on the obligations of UN Member States, including the African countries, under these resolutions, for the purpose of facilitating follow-up and implementation at continental level, as well as interaction with the Security Council and concerned international partners on the evaluation of the implementation of these two resolutions;

13. **Demands** that all parties concerned fully respect International Humanitarian Law and facilitate the unimpeded access for humanitarian agencies to the needy populations, and also that the Libyan Government take all necessary steps to ensure the protection of its own population. Council **strongly condemns** the attacks and other abuses directed at African migrant workers, and **demands** that they cease forthwith. Council **requests** the Chairperson of the Commission to establish, with the support of the African Commission on Human and Peoples' Rights, a Commission of Inquiry on the situation of the African migrant workers in Libya, as well as on allegations of recourse to mercenaries in the ongoing hostilities, and to report to it as early as possible;

14. **Expresses appreciation** to all humanitarian agencies providing assistance to the needy populations and facilitating the evacuation of third-country-nationals. Council **encourages** the Commission to pursue the efforts initiated to facilitate the mobilization of resources for the socio-economic reintegration of the African migrant workers who left Libya;

15. **Reaffirms** the legitimacy and seriousness of the concerns of the countries of the Northern and Sahelo-Saharan regions with regard to the humanitarian and security implications of the current situation in Libya, in particular as it relates to the proliferation of arms, terrorism and transnational crime, and **requests** the Commission to continue to work closely with the countries concerned to identify ways to address these challenges;

16. **Decides** to remain actively seized of the matter.