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UNIÃO AFRICANA

Addis Ababa, Ethiopia, P.O. Box: 3243 Tel.: (251-11) 5513 822 Fax: (251-11) 5519 321

Email: situationroom@africa-union.org

PEACE AND SECURITY COUNCIL

961ST MEETING

ADDIS ABABA, ETHIOPIA

3 NOVEMBER 2020

PSC/PR/COMM.(CMLXI)

COMMUNIQUE

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Adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 961st meeting held virtually on 3 November 2020, on the Situation in Libya,

The Peace and Security Council,

Noting the opening remarks made by the Permanent Representative of the Federal Democratic Republic of Ethiopia to the AU and Chairperson of the PSC for November 2020, H.E. Ambassador Tesfaye Yilma, as well as the statement of the AU Commissioner for Peace and Security, H.E. Ambassador Smail Chergui; **also noting** the briefing by the Special Representative of the Chairperson of the AU Commission for Libya, H.E. Ambassador Wahida Ayari, as well as the statements made by the Permanent Representative of the State of Libya to the AU, H.E. Ambassador Juma Ibrahim Amer; the Representative of the United Nations Secretary-General to the AU and Head of the United Nations Office to the AU, H.E. Madame Hanna Tetteh; the Assistant Secretary General and Chief of Staff of the League of Arab States, H.E. Ambassador Hosam Zaki; as well as the Representative of the European Union Delegation to the AU, H.E. Ambassador Birgitte Markussen;

Deeply concerned by the continued suffering of the Libyan people, as well as by the negative security impact of the continuation of the crisis in Libya, especially to the security and stability of the country's immediate neighbours, as well as to the entire region, and the Continent and the rest of the world; **also deeply concerned** by the continuation of foreign interference in the internal affairs of Libya, the inflows of illicit weapons and foreign fighters, in clear violation of the AU and UN principles and their respective Communiqués and Resolutions, including UNSC resolutions applying an arms embargo to Libya, which is undermining all efforts aimed at finding a lasting Libyan-negotiated solution to the current crisis; and **further concerned** by the prevailing humanitarian situation in the country including the plight of African migrants and refugees in illegal detention centres;

Recalling its previous decisions and pronouncements on the situation in Libya, and **recalling in particular**, Decision [Assembly/AU/Dec.792(XXXIII)] adopted by the 33rd Ordinary Session of the AU Assembly of Heads of States and Government held from 9 to 10 February 2020 in Addis Ababa, Ethiopia; Communiqué [PSC/PR/COMM.(PSC/PR/COMM.(DCCCXXXIX)] adopted at its 839th meeting held on 9 April 2019; press statement [PSC/PR/BR. (DCCCII)] adopted at its 802nd meeting held on 17 October 2018; and Communiqué [PSC/MIN. (DCCXCVII)] adopted at its 797th meeting held at ministerial level on 24 September 2018, on the margins of the 73rd Session of the United Nations General Assembly in New York, United States of America;

Also recalling Article 4(g) of the AU Constitutive Act; as well as Article 4 (e and f) of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union; and

Acting under Article 7 of its Protocol, the Peace and Security Council:

1. **Welcomes** the recent positive political developments in the evolution of the situation in Libya, particularly the signing of the Permanent Ceasefire Agreement, on 23 October 2020, in Geneva, Switzerland, and subsequently the face to face meeting of the 5+5 in Ghadames, Libya, scheduled on 8 November 2020, as a positive contribution towards the creation of conducive conditions for the successful convening of an inclusive Libyan political dialogue; and **looks**

forward to the successful convening and outcomes of the first face-to-face meeting of the Libyan Political Dialogue Forum on 9 November 2020 in Tunis, Tunisia;

2. **Reiterates** its strong commitment to the respect of the territorial integrity, the national unity and sovereignty of Libya;

3. **Commends** the continued efforts deployed by the AU High Level Committee on Libya, led by H.E. President Denis Sassou Nguesso of the Republic of Congo; and **extends** its full support to the work of the Committee;

4. **Welcomes** the positive role of the immediate neighbouring countries of Libya for their continued efforts aimed at achieving peace and security in Libya, on the basis of finding a sustainable and Libyan owned solution to the current crisis; in this regard, congratulates them on having organized the meetings of the neighbouring countries of Libya, the latest of which was held in Algiers, Algeria, on 23 January 2020; furthermore, **welcomes** the two meetings hosted by the Arab Republic of Egypt under the auspices of the UNSMIL in October 2020, specifically the “Hurghada meeting” which led to the successful signing of the Permanent Ceasefire Agreement on 23rd October 2020, as well as the “Cairo meeting” discussing the constitutional base governing the transitional period and holding legislative and presidential elections, **also welcomes** the first face-to-face meeting of the Libyan Political Dialogue Forum scheduled for 9 November 2020 in Tunis, Tunisia ;

5. **Further welcomes** the resumption of oil exports from key terminals and gas exploration, which will go a long way towards addressing the current economic hardships facing Libya and its people by promoting economic recovery, stabilization and development in the country; and in this regard, **commends** the positive role of the Economic Working Group of the International Follow-up Committee on Libya emanating from the Berlin process in supporting the Libyan Expert Economic Committee in emphasizing the ownership of the Libyan people to their national resources and in ensuring equitable distributions of oil revenues, transparency and good governance of the country’s resources;

6. **Reiterates** that there can be no military solution to the crisis in Libya and **stresses** that only a genuine and all-inclusive inter- Libyan dialogue can result in a lasting political solution to the current crisis; **stresses** that any external support must complement UN/ AU-led efforts for dialogue and reconciliation among the Libyan stakeholders;

7. **Endorses** the Permanent Ceasefire Agreement, signed on 23 October 2020, that stipulated- amongst others- the withdrawal of all mercenaries, foreign fighters, and foreign military training experts from Libya, as well as freezing of all military training agreements. In this regard:

- **Underlines** the importance of supporting the full implementation of the cease fire agreement, and ensuring applicable monitoring mechanisms are put in place for that reason, while noting that the AU should be fully engaged in all efforts aimed at overseeing the implementation of the ceasefire agreement on the ground, including by deploying civilian and military observers with the participation of AU, within the AU/UN framework for enhanced Partnership in Peace and Security, in close collaboration with the signatory parties of the Permanent Ceasefire Agreement;

- ***Demands*** the immediate and unconditional withdrawal of all foreign fighters within the three-months timeframe stipulated in the Permanent Ceasefire Agreement, and in this regard ***recalls*** PSC communique PSC/PR/COMM.(CMLVII) adopted at its 957th meeting held on 20 October 2020 strongly warning that the Council will not hesitate to name and shame all those found to be promoting and sponsoring terrorism and foreign fighters,
- ***Underlines the importance*** of ensuring that the entire cross-section of the Libyan society, including women and youth, is mainstreamed at all stages and levels of the implementation process of the Agreement,
- ***Requests*** the signatory parties to fully comply with and implement the Agreement in its letter and spirit; and to refrain from undertaking any action that undermines the Agreement;

8. ***Reiterates its strong condemnation*** of external interference in the domestic affairs of Libya as manifested by continued supply of arms in violation of the UN arms embargo, which is undermining efforts to urgently resolve the crisis in Libya; and in this regard ***recalls*** communique [PSC/PR/COMM.(CMLXIII)] adopted at its 943rd meeting held on 3 September 2020 in which the PSC condemned the actions of external actors from outside the Continent, who continue to supply arms/weapons to non-state actors in Africa, including to armed groups and militias; and ***underscores*** that such actions undermine the continent's effort to achieve peace and security and to "Silence the Guns" in Africa;

9. ***Strongly encourages*** all Libyans to set aside their personal and group interests, and promote the National Agenda and the supreme interests of Libya, as well as to refrain from any actions that may reverse the current momentum in the peace process;

10. ***Underscores*** the importance of ensuring enhanced coordination, harmonization and complementarity of efforts among the AU, the UN, the EU, the League of Arab States, as well as the international community at large, to avoid multiple and competing tracks;

11. ***Demands*** the unconditional and urgent closure of all illegal detention centres housing African migrants connected to the trafficking of migrants; and ***appeals*** for the facilitation of repatriation of trapped African migrants in Libya to their respective countries of origin;

12. ***Commends*** the efforts of the Commission, particularly, the SRCC, H.E. Ambassador Wahida Ayari, for her personal commitment, under very difficult conditions, to accompany the Libyan people in their relentless search for durable peace and security in their country; ***underscores the need*** for the AU Commission to ensure that the AU Mission in Libya is sufficiently capacitated, in order to enable it to more effectively discharge its mandate and also to further enhance the visibility of the AU on the ground, in line with paragraph 18 (B) of the Assembly Decision [Assembly/AU/Dec.792(XXXIII)] adopted by the 33rd Ordinary Session of the AU Assembly of Heads of States and Government held from 9 to 10 February 2020 in Addis Ababa, Ethiopia;

13. ***Requests*** the AU Commission to undertake the preparations, in full cooperation with the UN; and in accordance with the 23 October 2020 Permanent Ceasefire Agreement; and upon

approval of the Libyan signatories of that Permanent Ceasefire Agreement, toward the AU's participation in the Ceasefire Monitoring and Verification Mechanism (CMVM) with African monitors on the ground; In this regard **requests** the Commission to report to the PSC on the modalities of AU's participation in the CMV;

14. **Requests** the UN Secretary-General to appoint, as soon as possible, a UN Special Representative for Libya of an African extraction, in line with the spirit and letter of Article 52 of the UN Charter and, in this regard, **calls on** the African Members of the UN Security Council (A3) to champion this call;

15. **Appeals** to UN Agencies and the international partners to continue to assist the Libyan authorities in addressing the prevailing humanitarian situation in the country, including providing humanitarian support to the migrants, refugees, internally displaced persons, as well as supporting Libya in addressing the impact of the COVID-19 pandemic; and

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