

AFRICAN UNION

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PEACE AND SECURITY COUNCIL 857TH MEETING

5 JULY 2019 NIAMEY, NIGER

PSC/MIN/COMM.(DCCCLVII)

COMMUNIQUE

Adopted by the Peace and Security Council at its 857th meeting held on 5 July 2019, on the situation in Libya and on the plight of African Migrants in Libya,

The Peace and Security Council,

Recalling Article 4 (o) of the AU Constitutive Act stating the sanctity of human life and article 7 of the Protocol Relating to the Establishment of the Peace and Security Council, as well as its previous communiques and press statements on the situation in Libya and the situation of African migrants in the country, particularly press statement [PSC/PR/BR. (DCCCII)] of 802nd meeting held on 17 October 2018, communique [PSC/MIN. (DCCXCVII)] of 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, and 839th and communique [PSC/PR/COMM.(PSC/PR/COMM.(DCCCXXXIX)] meeting held on 9 April 2019;

Noting the remarks by H.E. Professor Robert Dussy Foreign Minister of the Togolese Republic, in his capacity as Chairperson of the PSC for the month of July 2019, and the Statement made by H.E. Moussa Faki Mahamat, Chairperson of the AU Commission; **further noting** the presentation by Ambassador Smail Chergui, Commissioner for Peace and Security, as well as the statement made by the Representative of the State of Libya;

Expressing grave concern, once again, over the situation in Libya, especially since 4 April 2019 and over the plight of African migrants in camps and detention centres in this country, in particular the recent bombing on migrants and refugees at Tajoura Detention Centre near Tripoli, in Libya, that left 53 dead and hundreds severely injured on 3 July 2019;

Expressing solidarity to the Government and people of Libya, and **reaffirming** its commitment and readiness to continue to supporting the Libyan stakeholder in addressing the crisis in their country, in line with the relevant AU instruments and principles.

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

1. **Condemns, in the strongest terms possible,** the perpetrators of the savage attack, whoever they are, which was carried out on 3 July 2019 at Tajoura Migrant Detention Centre in the vicinity of Tripoli in Libya, against migrants, which caused loss of lives and left hundreds injured, among them; **expresses** its deep condolences to the families of the deceased and **wishes** speedy recovery to all the injured migrants and refugees;
2. **Endorses** the Press Release of the Chairperson of the Commission of 3 July 2019, condemning this horrific crime and calling for an independent investigation on the perpetration of this crime;
3. **Decides** that an independent inquiry be urgently instituted, with the participation of the African Commission on Human and Peoples' Rights (ACHPR), with a view to establishing the facts of the 3 July 2019 attack on the Tajoura Detention Centre near Tripoli and providing recommendations on practical

measures for ensuring dignity, well-being, safety and security of migrants; in this context, Council **requests** the Commission to submit the outcome of the investigation to Council by 30 September 2019 for its consideration;

4. **Emphasizes** the central role of the AU, working closely with the countries of the region, in the search for a durable solution to the crisis in Libya; in this context, Council **insists** that all partners engaged in supporting the efforts to resolve the Libyan crisis should complement and respect the approach of the AU; in this respect, Council **requests** the Chairperson of the Commission to further enhance his diplomatic engagement with all those concerned to ensure that collective action is expeditiously and effectively taken to put an end to the crisis in Libya;

5. **Reminds** that the United Nations (UN), though its Security Council has the primary responsibility for the maintenance of international peace and security in accordance with Chapter VII of the UN Charter; accordingly, Council **requests** the Security Council to take full responsibility towards the speedy resolution of the crisis in Libya, bearing in mind that the continuation of this crisis has severe consequences, especially illegal circulation and use of arms, trafficking, proliferation of terrorist groups, transnational organized crime, among other, on Libya itself, the region and the African Continent;

6. **Demands that** all the perpetrators of this heinous crime be brought to justice without delay; In this context, Council **urges** Libyan authorities and other stakeholders to extend the necessary cooperation, to the investigation on the attack on the Tajoura Migrant Centre;

7. **Calls on** the Libyan authorities to take concrete measures for the protection of civilians in Libya, including the migrants and refugees, in line with International Humanitarian Law and Human Rights Law; **further calls on** Libyan authorities to dismantle all detention centers/camps in Libya, with a view to reducing the vulnerability of the migrants and refugees;

8. **Underscores** the need on the part of Member States to take measures to decisively address root causes of irregular migration; **calls on** all concerned countries to redouble efforts with view to facilitating the speedy repatriation, including provision of logistical support, of their nationals from Libya in order to prevent any further exploitation of their fragile situation;

9. **Recalls** its previous communiqués and press statements on the political situation in Libya; **Reaffirms that** there is no military solution to the Libyan crisis and **emphasizes** the imperative of a political solution as the only viable peaceful solution in resolving the prevailing crisis;

10. **Strongly condemns** the external interference, by whomsoever, into African peace and security issues; in this respect, Council particularly **expresses concern** over increasing external intervention in domestic affairs of Libya as manifested by continued supply of arms to military factions and militias in violation of the UN arms embargo, deliberate attempts to divide Libyan stakeholders, which is undermining efforts to definitely resolve the crisis in Libya; in this regard, Council **stresses** that any external support must complement African-led efforts for dialogue and reconciliation among the Libyan stakeholders; in this context, Council **warns** that it will proceed to naming and shaming those involved in order to address this problem;

11. ***Demands*** the warring factions in Libya to immediately cease hostilities and commit to a permanent ceasefire and reengage in a genuine national dialogue in order to promote a political and inclusive solution to the crisis and ***reiterates*** its full support to the reconciliation conference to be organized by the African Union Commission and the AU High-Level Committee of Heads of State and Government of Libya;
12. ***Looks forward*** to the planned meeting of the AU High-Level Ad Hoc Committee on Libya to take place on the margins of the inaugural AU-RECs Coordination Summit in Niamey, Niger;
13. ***Decides*** to remain actively seized of the matter.