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PEACE AND SECURITY COUNCIL 997TM MINISTERIAL MEETING ADDIS ABABA, ETHIOPIA 18 MAY 2021

PSC/MIN./COMM.(CMXCVIII)

COMMUNIQUE

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Adopted by the Peace and Security Council (PSC) of the African Union (AU) at 997th meeting held at the ministerial level on 18 May 2021, on the Situation in Libya.

The Peace and Security Council.

Noting the opening remarks made by the Minister of Foreign Affairs of the People's Democratic Republic of Algeria, H.E. Mr. Sabri BOUKADOUM, the Chair of the PSC for May 2021, as well as the statement of the Chairperson of the Commission, H.E. Moussa Faki Mahamat, delivered on his behalf by the AU Commissioner for Political Affairs Peace and Security, H.E. Ambassador Bankole Adeoye; as well as the statements made by the representative of Libya, the representative of Democratic Republic of Congo, as Chairperson of the AU; the representative of the Republic of Congo as the Chairperson of the High Level Committee for Libya; the representative of the League of Arab States; and the Special Envoy of the UN Secretary General and the Head of UNSMIL; **also noting** the briefing made by the Special Representative of the Chairperson of the AU Commission for Libya, H.E. Ambassador Wahida Aya ri;

Recalling AU's previous decisions and pronouncements on the situation in Libya, 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 in February 2020; also recalling its previous decisions on the situation in Libya, in particular, communique [PSC/PR/COMM.(CMLXI)] adopted at its 961st meeting held on 3 November 2020;

Also reaffirming its support to the UN-facilitated Libyan-led and owned political process and **reiterating** strong commitment to the respect of the sovereignty, the territorial integrity, national unity, independence and sovereignty of Libya;

Reiterating AU's support to the ongoing political process, led by Libyans with the facilitation of the UN; and

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

1. **Commends** the Libyan Authorities for the positive developments witnessed in the search for durable peace in Libya, following the outcomes of the Libyan Political Dialogue Forum, which led to the formation of the Presidential Council, the Government of National Unity and unified House of Representatives; **congratulates** H.E. Mohammad Younes Al Menfi for his nomination as President of the Presidential Council and the nomination of Abdelhamid Mohamed Dbeiba, as Prime Minister of the Government of National Unity;
2. **Welcomes** the vote of confidence by which the Chamber of Deputies approved the composition of the provisional Government of National Unity responsible for leading the country to the elections of 24 December 2021, a critical phase in resolving the political challenges in Libya;
3. **Commends** the Parties for reaching an agreement to organize a national presidential and parliamentary elections on 24 December 2021, in accordance with the roadmap established within the framework of the Inter-Libyan Political Dialogue Forum, held in Tunis, in November 2020; **also welcomes** the decision of the Presidential Council and the Transitional Government of National Unity to govern Libya during the transition period until holding of national elections;

4. **Commends** the continued efforts deployed by the AU Contact Group on Libya, led by H.E. President Denis Sassou Nguesso of the Republic of Congo, to support the Libya political transition and **extends** its full support to the work of the Group;

5. **Calls on** all the Libya parties to respect the 1 July 2021 deadline for the finalization of all necessary constitutional frameworks for the holding of the general elections, including the relevant electoral laws, and **requests** the competent authorities and institutions in Libya, in particular the Chamber of Deputies, to adhere to the roadmap agreed to by the Inter-Libyan Political Dialogue Forum for the facilitation of the planned presidential and parliamentary elections, including funding for the process, in order to allow the National High Electoral Commission to implement its mandate;

6. **Acknowledges** the challenges that confront the Libyan stakeholders towards ensuring a credible election given the impact of conflict, and **underscores** the need for AU's involvement in supporting Libya in the preparation and organization of these general elections, and **requests** the Chairperson of the Commission to timely deploy AU election observers in Libya;

7. **Stresses** the importance of an inclusive, comprehensive national reconciliation process, as well as the need to implement confidence-building measures such as a framework to put to an end divisions and to restore social cohesion among Libyans;

8. **Underlines, once again**, the importance of ensuring that the entire cross-section of the Libyan society, including women and youth, are represented at all stages and levels of the implementation processes of the Agreement, **encourages** the Libyan Authorities to take all the necessary measures to ensure the effective and full involvement and participation of women and youth in the organization of elections;

9. **Underscores** the importance of ensuring enhanced coordination, harmonization and complementarity of **efforts** among the AU, the UN, the EU, the LAS, as well as the international community to avoid duplication of efforts and competing tracks, in providing support to the Libyan transitional process;

10. **Reiterates** AU's full support for the Permanent Ceasefire Agreement of 23 October 2020, and **commends** the Libyan stakeholders for respecting their commitments as outlined in the Berlin Conference, the Libyan Political Dialogue Forum and the Permanent Ceasefire Agreement, in order to ensure that the transitional process continues to hold; in this regard, **calls on** the Libyan parties to fully comply with and implement these outcomes and to refrain from undertaking any action that undermines the Agreements; in this regard, **warns** that the Council shall impose punitive measures on those who are found to be in violation of the ceasefire arrangement, and **calls upon** the UN Security Council to support the imposition of such punitive measures;

11. **Strongly rejects** any external interference in the domestic affairs of Libya, and **recalls** all participants in the Berlin Conference pledged to refrain from any interference in the armed conflict or in the internal affairs of Libya and **calls on** all international actors to do the same; **underscores** that any continued acts of this nature will undermine the fragile Libyan transitional process;

12. **Takes note**, with deep concern, of the impact of the Libyan conflict on the Sahel region and therefore, **demand**s for the immediate and unconditional withdrawal of all foreign fighters and mercenaries within the three-month timeframe stipulated in the Permanent Ceasefire Agreement, and **warns** that the Council will not hesitate to name and shame all those found to be promoting and sponsoring terrorism and foreign fighters, and **encourages** the international community, in particular the UN Security Council and to

do the same;

13. **Requests** the AU Commission to continue supporting the Libyan transitional process and the Libyan parties in order for them to fully implement the LPDF's and Berlin Conference outcomes, including through the provision of technical assistance, expertise and capacity building in disarmament, demobilization and reintegration (DDR), security sector reform (SSR), ceasefire monitoring mechanism, the electoral process, transitional justice, national reconciliation process, among other required actions;

14. **Welcomes** the adoption of the UN Security Council resolution 2570(2021) and its approval of ceasefire monitoring component of UNSMIL in support to the 5+5 Joint Military Commission and the Libyan-led and Libyan-owned ceasefire monitoring mechanism (LCMM); **also requests** the AU Commission to contribute to the framework of the observation and maintenance of the ceasefire in support of UNSMIL, including through support to the 5 + 5 Joint Military Commission and the Libyan-led and controlled ceasefire monitoring mechanism, as well as the deployment of civilian observers and ceasefire monitors, under the auspices of UNSMIL, within the framework of the AU/UN partnership;

15. **Underscores** the role of neighboring countries in supporting the UN-facilitated Libyan-led and Libyan-owned political process, taking into consideration the impact of the conflict on neighboring countries, including threats arising from destabilizing accumulation and circulation of weapons and the flow of armed groups and mercenaries;

16. **Takes note** of the efforts by the Libyan authorities in fighting corruption and exercising good governance through the Libyan Investment Authority and an international Audit Bureau in order to ensure proper utilization of national resources to revive the national economy, reconstruct the country and its institutions, as well as to better serve the people of Libya; and **condemns** any attempts to illegal mining and export of petroleum, including crude oil and refined petroleum products, from Libya, including by parallel institutions beyond the control of the Libyan Government;

17. **Notes with concern** the deterioration of the humanitarian situation and the devastation caused by the COVID-19 pandemic in Libya, and **expresses** deep concern at the continued smuggling of migrants and refugees and human trafficking in Libyan territory, and **encourages** the AU and the UNSMIL to continue to coordinate and support the delivery of humanitarian aid to refugees and migrants;

18. **Reiterates** its call to the Libyan authorities to take concrete measures towards protecting civilians in Libya, including migrants and refugees, in line with International Humanitarian Law and

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Human Rights Law; and to dismantle all detention centers/camps in Libya, with the aim of mitigating the vulnerability of the migrants and refugees;

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

20. **Commends** the sustained engagement of the AU SRCC, for her personal commitment, under very difficult conditions, to accompany the Libyan transitional process; once again, **underscores** the need for the

AU Commission to ensure that the AU Mission in Libya is relocated to Tripoli and 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 in February 2020, in Addis Ababa, Ethiopia;

21. **Welcomes** the appointment of the new Special Envoy of the UN Secretary General and the Head of UNSMIL, Mr. Jan Kubis and **calls on** all parties to support his efforts aimed at assisting the Libyan-led and owned transitional process;

22. **Requests** the AU Commission to provide regular progress reports on the implementation of AU decisions aimed at supporting the Libya transitional process, in light of the planned elections of 24 December 2021;

23. **Also requests** the Chairperson of the AU Commission to transmit this Communique to the Coordinator of the African Members of the UN Security Council (A3) and the Secretary General of the United Nations in order to circulate it to the members of the UN Security Council, as a working document, that will contribute to the UN Security Council decision making process; and

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