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PEACE AND SECURITY COUNCIL
291ST MEETING
ADDIS ABABA, ETHIOPIA
26 AUGUST 2011

PSC/AHG/3(CCXCI)

**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON THE SITUATION
IN LIBYA AND ON THE EFFORTS OF THE AFRICAN UNION FOR A
POLITICAL SOLUTION TO THE LIBYAN CRISIS**

I. INTRODUCTION

1. The present report provides a brief update on the steps taken as a follow-up to decision Assembly/AU/Dec.385(XVII) adopted by the Assembly of the Union, at its 17th Ordinary Session held from 30 June to 1st July 2011, regarding the Proposals on a Framework Agreement for a Political Solution to the Libyan Crisis, as well as on the evolution of the situation in Libya. The report concludes with observations on the way forward.

II. FOLLOW-UP TO THE ASSEMBLY DECISION

2. Council would recall that, at its Malabo Summit, the Assembly of the Union deliberated in-depth on the situation in Libya. In particular, the Assembly adopted the Proposals on a Framework Agreement for a Political Solution to the Libyan Crisis. These Proposals were initially submitted by the AU High-Level *ad hoc* Committee on Libya, following its meeting in Pretoria, on 26 June 2011. At that meeting, the Committee welcomed Colonel Muammar Qaddafi's commitment to an inclusive dialogue with the participation of the National Transitional Council (NTC) of Libya and his acceptance to not be part of the negotiation process, as well as of United Nations Security Council resolutions 1970(2011) and 1973(2011).

3. The objective of the Proposals was to bring the conflict to a speedy end, ensure the effective protection of the civilian population, including the provision of humanitarian support, and usher in a political process that would make it possible to meet the legitimate aspirations of the Libyan people for democracy, rule of law, good governance and the respect for human rights. The Proposals were developed within the framework of the Roadmap adopted by Council at its 265th meeting held on 10 March 2011.

4. The Proposals were formally submitted by the *ad hoc* Committee to the parties in Malabo, and they undertook to respond within a period of about 10 days. However, as no response was forthcoming from the parties, the Commission, in consultation with the *ad hoc* Committee, decided to invite them to Addis Ababa for a technical interaction to exchange on the Proposals and the best way forward.

5. The technical interaction took place on 19 July 2011, in Addis Ababa. While the Libyan Government attended, the NTC did not. The delegation of the Government requested for a number of clarifications on the AU Proposals, and undertook to communicate the formal response of the Libyan Government as soon as possible. On 10 August 2011, the Libyan Government, through its People's Bureau in Addis Ababa, forwarded its response (See Annex I).

6. Following the technical interaction of 19 July, the Commission sent another invitation to the NTC to participate in a similar meeting with the *ad hoc* Committee. On 9 August 2011, the *ad hoc* Committee met with a delegation of the NTC led by Dr. Mahmoud Jibril, Chair of the TNC Executive Committee and Head of Foreign Relations, and comprising

notably Mr. Mahmoud Shammam, who is in charge of the Press in the NTC. The NTC delegation also met with the Deputy Chairperson of the Commission, Mr. Erastus Mwencha, to exchange views on the AU's efforts. Both meetings provided an opportunity to discuss extensively the situation in Libya and the AU efforts to find a political solution, in particular the Proposals endorsed by the Malabo Summit in July 2011. The AU provided clarifications on its Proposals. On its part, the NTC delegation undertook soon to formally communicate its observations on these Proposals.

7. On 16 August 2011, through a letter addressed to me, Dr. Jibril communicated the official response of the NTC on the Proposals. He seized the opportunity to thank the AU for its efforts to find a solution to the Libyan crisis, in an attempt to spare the lives of the struggling Libyan population. He indicated that the NTC was looking forward to continued engagement with the members of the Committee and those of the Commission in charge of the Libyan matter (See Annex II).

8. In addition to these efforts, both the Commissioner for Peace and Security and I have, during the period under review, remained in continual contact with multilateral partners, including the United Nations, in particular Secretary-General Ban Ki-moon and his Special Envoy for Libya, Abdelilah Al-Khatib, the European Union and the League of Arab States. We have also met with senior officials from bilateral partners, in particular France, the United Kingdom and the US. In all our interactions, we emphasized the need to work for a political solution and strived to rally support for AU efforts.

9. The Chairperson of the *ad hoc* Committee, President Mohamed Ould Abdel Aziz of Mauritania, and the other members of the Committee have also remained actively engaged. President Ould Abdel Aziz maintained contacts with the Libyan parties, to encourage them to extend the necessary cooperation to the AU in its efforts to promote a political solution to the conflict. He also met with the UN Special Envoy who visited Nouakchott, for consultations on the situation in Libya. It is also important to note that the Chairperson of the Union, President Teodoro Obiang Nguema Mbasogo of Equatorial Guinea, continued to follow the situation closely and to assist in the efforts to find a political solution. Thus, he received the Libyan delegation that took part in the technical interaction of 19 July 2011. He urged the parties to extend the necessary cooperation to the AU in order to expedite the resolution of the crisis.

III. EVOLUTION OF THE SITUATION ON THE GROUND

10. While the diplomatic efforts to find a political solution were underway, building on the responses received from both parties, the air campaign conducted by NATO and the fighting on the ground continued unabated. Since taking control of the military operations for Libya within the framework of UN Security Council resolutions 1970 and 1973 (2011), on 31 March 2011, under "Operation Unified Protector", NATO has conducted close to 20,000 sorties, including about 7,600 strike sorties.

11. After months of stalemate, the situation on the ground witnessed major developments. Over the past two weeks, the opposition fighters made advances on various fronts. These included, in particular, the capture of Gharyan and Zawiya, in the West, which

isolated the capital, Tripoli, as well as the capture of Zliten, in the East. On 21st August 2011, the opposition fighters entered Tripoli, capturing most of the areas of the capital. Two days later, they took control of the Bab al-Aziziya compound of Colonel Muammar Qaddafi, whose whereabouts are not known. However, the time of finalizing this report, there were reports of fighting in some parts of Tripoli and some other locations in the country.

IV. HUMANITARIAN SITUATION

12. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), since the start of the crisis, around 740,000 people have fled Libya. Of these, over 100,000 are Libyans and over 640,000 are non-Libyans. Around 53 per cent of the non-Libyans are people from the neighboring countries. According to the UNHCR, there are approximately 218,000 IDPs in Libya, most of whom are staying with relatives or in host communities.

13. During its latest assessment mission to Tripoli from 17 to 24 July 2011, the UN noted shortages of medical supplies and personnel and the marked psychosocial impact of the conflict. Although basic food commodities can be found in the markets, food prices are rising and the food supply chain for the public distribution system has become irregular, while the reduced availability of cash is making it difficult for families to purchase adequate food supplies and other essential items. During its visit to Darna and Al Bayda (population 250,000), north-east of Benghazi, the UN also noted the lack of liquidity, as well as shortage of medical supplies, water, and baby food.

V. OBSERVATIONS

14. Since the start of the Libyan crisis, the AU has made sustained efforts to achieve a political solution, as evidenced by the elaboration of the Roadmap as early as 10 March 2011, the establishment of the High-Level *ad hoc* Committee and the sustained efforts to facilitate dialogue between the parties. I also would like to recall the several meetings of Council, which has remained actively seized of the matter, the extraordinary session of the Assembly on 25 May 2011, and the deliberations of the Malabo Summit, which endorsed the Proposals on a Framework Agreement for a Political Solution to the crisis in Libya.

15. I would like to pay tribute to the members of the AU High-Level *ad hoc* Committee for their commitment and sense of duty in carrying out the mandate entrusted to them. They deserve full appreciation from the Council and the entire membership of our Union.

16. In undertaking its efforts, the AU was driven by the need to ensure that the legitimate aspirations of the Libyan people for democracy, governance and human rights were fulfilled, as well as the imperative of avoiding further bloodshed and suffering. The AU also had in mind the risks that continued fighting and instability in Libya poses for regional peace and security. Unfortunately, and for reasons beyond AU's control, these efforts did not yield the expected results.

17. While this military phase of the conflict seems now about to be over, it is crucial that the AU remain actively engaged in the efforts to stabilize the situation and assist the Libyan people fulfill their legitimate aspirations. Africa will benefit immensely from the achievement of lasting peace, democracy and development in Libya. For too long, the political system in Libya has been at variance with the relevant instruments of our Union. Accordingly, the AU should continue to demonstrate the same commitment and determination in assisting the Libyan people in meeting the current challenges, as it did in trying to find a political solution to the conflict.

18. In this respect, the AU should continue to maintain close contact with the NTC and other Libyan stakeholders, to encourage them to work towards an inclusive and consensual transition, leading to democratic elections, to enable the Libyan people freely choose their leaders. At the same time, it is critical to emphasize the need for a genuine national reconciliation to enable the Libyan people overcome their differences and work in unison to open a new chapter in the history of their country. I welcome the expressed commitment of the TNC to democracy, respect for human rights and good governance, as well as to reconciliation. The guiding principles, objectives and main components of the AU Roadmap for a political solution to the Libyan crisis clearly remain valid and relevant.

19. The AU should also continue to work closely with other international actors, both multilateral and bilateral, to facilitate a coordinated support to the Libyan stakeholders as they strive to stabilize the situation, heal the wounds of the conflict, promote stability and democracy. I call on the international community at large to extend the required support to Libya, bearing in mind that the Libyans should be the only ones to determine the future of their country and make the difficult decisions to that end.

20. Efforts should also focus on mitigating the impact of the conflict on the neighboring countries. In this respect, special attention should be paid to the proliferation of weapons, with the attendant risk of them falling into the wrong hands, in particular terrorist and criminal groups, and to the socio-economic reinsertion into their own countries of the African migrant workers who were compelled to leave Libya. The Commission will continue the efforts underway for the early convening of a pledging conference to mobilize resources in support of the countries of origin and the migrant workers.