



Security Council

Sixty-sixth year

6555th meeting

Wednesday, 15 June 2011, 11 a.m.

New York

Provisional

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| <i>President:</i> | Mr. Toungui | (Gabon) |
| <i>Members:</i> | Bosnia and Herzegovina | Mr. Barbalić |
| | Brazil | Mrs. Dunlop |
| | China | Mr. Zhai Jun |
| | Colombia | Mr. Osorio |
| | France | Mr. Araud |
| | Germany | Mr. Wittig |
| | India | Mr. Hardeep Singh Puri |
| | Lebanon | Mr. Salam |
| | Nigeria | Mrs. Ogwu |
| | Portugal | Mr. Moraes Cabral |
| | Russian Federation | Mr. Churkin |
| | South Africa | Ms. Nkoana-Mashabane |
| | United Kingdom of Great Britain and Northern Ireland | Sir Mark Lyall Grant |
| | United States of America | Ms. Rice |

Agenda

The situation in Libya

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The meeting was called to order at 11 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in French*): Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Hamady Ould Hamady, Minister for Foreign Affairs and Cooperation of Mauritania, who will make a statement on behalf of the visiting ministerial delegation of the African Union Ad Hoc High-Level Committee on Libya, to participate in this meeting.

I wish to warmly welcome the ministers and other eminent participants in today's meeting. Their presence is an affirmation of the importance of the matter to be addressed.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to His Excellency Mr. Ould Hamady.

Mr. Ould Hamady (*spoke in French*): I wish at the outset to thank the President and the members of the Security Council for having convened today's meeting between the African Union (AU) Ad Hoc High-Level Committee on Libya and the Council. This meeting marks yet another milestone in the new partnership that focuses on the action we all are engaged in, in the spirit of Chapter VIII of the Charter of the United Nations, which is aimed at strengthening the capacity of the AU and the United Nations to better respond, with the necessary efficiency and flexibility, to challenges related to peace and security in Africa. My colleagues, the members of the African Union ministerial delegation and I are pleased to engage in this interaction with the Council, which we deem appropriate and timely.

As the Council is aware, this meeting is being held in response to the request contained in the decision on the peaceful resolution of the Libyan crisis adopted by the extraordinary session of the Assembly of AU Heads of State and Government, held in Addis Ababa on 25 May. This represents a unique opportunity for our Committee to brief the Security Council on the actions that AU has been taking since the beginning of the Libyan crisis, to share with the Council our fears

and concerns, and to agree upon ways and means of speeding up the quest for lasting peace in Libya. This meeting is an integral part of the implementation of the mandate of the Ad Hoc High-Level Committee, which is to coordinate efforts and to call for the support of various partners with a view to rapidly resolving the crisis.

This meeting is being held at a critical juncture in the situation in Libya. The conflict that has been tearing that country apart since February 2011 is now moving into its fourth month, while the military operation led by the coalition and then by NATO, in the context of resolution 1973 (2011), has been operational for about three months and has now been renewed for a further similar period.

The humanitarian situation on the ground is of great concern, as was rightly stressed by Ms. Valerie Amos, Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, speaking before the Council on 9 May (see S/PV.6530), and later in Geneva on 19 May. As we gather here today to discuss the situation in Libya, we are in duty bound to keep in mind not only the indescribable suffering inflicted upon the Libyan civilian population, for whose protection resolution 1973 (2011) was adopted, as well as the fate of the African migrant workers and others desperately seeking to escape from Libya, of whom hundreds, if not thousands, have already died at sea.

The prolongation of military operations in Libya daily gives rise to fresh challenges, as much with respect to the likelihood of a successful democratic transition in Libya as to the security and stability of the countries in the region. The situation requires the attention of the United Nations and the AU, in line with their primary mandates — the promotion of peace, security and stability. It also underscores once again the moral and political imperative to urgently seek a solution aimed at relieving the suffering of the civilian population, creating conditions conducive to the return of sustainable peace in Libya, and sparing the region new tribulations that could plunge it back into instability, with all the resultant consequences.

The African Union is particularly concerned by the current turn of events. Our concern is all the greater because the crisis in Libya is clearly taking on a regional dimension, and because the countries neighbouring Libya, in North Africa and in the Sahelo-

Saharan strip, are bearing the brunt of the current situation and would pay the highest price if the conflict were to continue and intensify.

Tens of thousands of African migrant workers have had to return to their countries of origin without any real prospects of socio-economic reintegration, given all the various difficulties facing our countries. It is clear that the burden thus imposed on many of our member States will bring about social tensions that could degenerate into political crisis. Reliable information relating to the proliferation of arms originating from Libyan arms depots has only further deepened our concern, especially since certain countries in the region are currently facing latent or emerging rebellions, coupled with the scourge of terrorism.

We are convinced that, when all is said and done, only a political solution can respond to the legitimate aspirations of the Libyan people and promote lasting peace in the country. That conviction has inspired the approach we have taken since 10 March 2011, when the Peace and Security Council, meeting at the level of heads of State, outlined a road map for the resolution of the Libyan conflict. Previously, following the developments that occurred in Libya after the first popular uprising, the Peace and Security Council had firmly condemned the indiscriminate and excessive use of force and weapons against peaceful demonstrators, as it considered this to be a violation of human rights and of international humanitarian law. It therefore appealed to the Libyan authorities to ensure the protection and security of their people, and underscored the legitimacy of the Libyan people's aspirations to democracy, political reform and justice.

Although the key elements of the AU road map are well known to the Council, it is nonetheless useful to recall them, as there may have been misunderstandings, here and there, as to the objectives pursued and the real intentions of our continental organization. These elements are as follows: the immediate cessation of all hostilities; the cooperation of the relevant Libyan authorities in facilitating the effective delivery of humanitarian aid to populations in need; the protection of foreigners, including African migrant workers living in Libya; and the adoption and implementation of the political reforms necessary to eliminate the causes of the current conflict.

Clearly, nothing in the road map could be legitimately interpreted as stemming from an inclination to support any given party. Quite to the contrary, it is a matter of giving Libyans an opportunity to freely elect their leaders and to set up a political system that meets their aspirations and is in line with the relevant instruments of the African Union, in the spirit of a beneficial endeavour at renewal and consensual democratic transformation that is initiated and led by all the Libyan sensitivities.

Since its establishment, the Ad Hoc High-Level Committee has concentrated on facilitating the search for a political solution. The efforts undertaken include in particular the holding of several meetings, both at the level of heads of State, members of the Committee and the Chairperson of the African Union Commission, as well as that of Ministers and the Commissioner for Peace and Security. There was also a visit to Libya on 10 and 11 April, during which the Committee met with Colonel Al-Qadhafi and representatives of the Transitional National Council (TNC) to discuss the African Union road map and the ways and means to rapidly end the crisis. That visit was followed by several meetings with the Libyan parties, held in Addis Ababa at the end of April and the end of May, to pursue ongoing dialogue. Just before coming here this morning, we held another meeting with the TNC. There was also a ministerial meeting of the Peace and Security Council on 25 and 26 April, as well as an extraordinary session of the Assembly of Heads of State and Government on May 25.

Allow me to add that His Excellency Mr. Mohamed Ould Abdel Aziz, Chair of the Ad Hoc Committee, has been in constant touch with his colleagues, as well as with Libyan parties and international partners. In addition, with the agreement of the Ad Hoc Committee, President Jacob Zuma of South Africa visited Libya and discussed with Colonel Al-Qadhafi ways and means to quickly bring the crisis to an end.

On its part, the African Union Commission also embarked on a certain number of initiatives within the framework of the relevant decisions of the African Union. Those included the convening, in Addis Ababa on 31 March, of an experts meeting with the United Nations, the League of Arab States, the European Union and the Organization of Islamic Conference. The meeting discussed the establishment of a ceasefire and the request contained in paragraph 1 of resolution 1973

(2011), including modalities for oversight. Commission representatives were also invited and participated in three different meetings of the international contact group on Libya. And the Commission continued a constructive dialogue with international partners, both bilateral and multilateral.

The African Union Ad Hoc High-Level Committee seized the opportunity presented by the extraordinary session in May to interact once again with the Libyan parties. On that occasion, Government representatives, having reaffirmed their unconditional acceptance of the road map, presented in detail a previously submitted document on the mechanisms and means for the implementation of the road map. On their part, the representatives of the TNC presented a document entitled "General framework of negotiations aiming to fulfil the legitimate demands of the Libyan people aimed at establishing a democratic constitutional order".

The holding of an extraordinary session of the Assembly of Heads of State and Government a month before the holding of the ordinary session in Malabo demonstrates the seriousness of our concerns over developments in the situation in Libya, as well as our overriding desire to end the suffering being endured by the Libyan people. The extraordinary session reiterated the African Union's conviction about the need for a political solution to the current conflict. To that end, it adopted the road map towards a resolution of the crisis in Libya and expressed its full support for the Ad Hoc High-Level Committee. The session also once again emphasized the need for an immediate end to all attacks against, and abuses of, civilians, as well as for an immediate ceasefire.

I would also like to underscore that a ceasefire should lead to the establishment of a political process and, in particular, a consensual and inclusive transition during which the necessary reforms are carried out, leading to democratic elections to enable Libyans to freely elect their leaders.

While reiterating the commitment of the African Union to resolutions 1970 (2011) and 1973 (2011), the session stressed the obligation of all Member States of the United Nations and other concerned international actors to fully comply with the letter and spirit of those resolutions. The Assembly expressed deep concern about the dangerous precedent being set by one-sided interpretations of those resolutions of the United

Nations and about the consequences that may result for international legality.

As the Security Council is already aware, the extraordinary session expressed Africa's surprise and disappointment at attempts to marginalize the continent in the management of a conflict that is primarily its concern. It also recalled that the role of the Ad Hoc High-Level Committee is formally recognized by the Security Council in paragraph 2 of resolution 1973 (2011). That role falls under the overall context of Chapter VIII of the Charter of the United Nations, on the role of regional arrangements in the settlement of disputes among and within Member States. In addition, as I emphasized earlier, the African continent and the countries of the region, in particular, will suffer most from the impact of the conflict in Libya, both on the security front as well as in socio-economic terms. We cannot be mere spectators to calamities that befall us.

Today more than ever, we are determined to pursue our active efforts motivated by the same conviction, namely, that there is a need for a political solution and that Africa can make a particular contribution to resolving the conflict besetting Libya. It is in that spirit that the African Union will actively participate in the meeting scheduled to be held in Cairo on 18 June between the five international organizations involved to facilitate the drafting of a joint action plan to move forward in the search for peace in Libya. In addition, the next summit of the African Union Assembly, to be held in Malabo, will be an opportunity to decide on the steps to be taken in the light of developments in the situation and the report that will be presented by the Ad Hoc High-Level Committee.

We are here today to reassure the Council of our commitment to an inclusive political solution that will enable Libyans to agree on an approach that is as consensual as possible to meet their aspirations for democracy, the rule of law and respect for human rights. The legitimacy and justice of those aspirations can never be overemphasized.

We are here to say to the Council how important it is that such a process be conducted and owned by all Libyans and that it include mutual concessions as part of a dialogue without predetermined conditions. Its outcome should be that the democratization of their country is the result of their own efforts and the consensus they arrive at. Experience has shown us time and time again that this is a precondition for lasting

democratic change, as well as to ensuring that there is no reason for the fratricidal upheaval that is tearing Libya apart to continue.

We are here to make a plea for an immediate humanitarian pause so that the pressing needs of affected people can be met. Such a pause should be followed by a ceasefire linked to the political process and, in particular, the beginning of an inclusive and consensual transition.

We are here to reaffirm that a lasting solution to the crisis in Libya requires a significant contribution from Africa and close coordination between all stakeholders concerned. We would also like to underscore the particular contribution that the Ad Hoc High-Level Committee could make to the search for a peaceful resolution to the conflict in Libya in accordance to the objectives of resolutions 1970 (2011) and 1973 (2011).

Finally, we are here to illustrate the solemn commitment of Africa to working closely with multilateral partners, in particular the United Nations and the Special Envoy of the Secretary-General to Libya, in the spirit of paragraph 2 of resolution 1973 (2011) and in line with international legality.

In the management of the Libyan crisis, the time is long overdue to articulate a solution together that judiciously combines the priorities of the moment concerning the need to protect civilians, the objective of a democratic transformation in a country whose political system has not experienced the institutional evolution that Africa has in terms of governance since the beginning of the 1990s, and the promotion of lasting peace and stability in Libya and the region. The momentum for a change in governance that is apparent in Libya today brings to the fore political reforms that will definitely be reflected in the future.

We need to work urgently in the short term, without losing sight of what is required in the long term. We need to tackle the priorities dictated by the situation on the ground while at the same time inscribing our action in a vision that is focused on the long term and founded on the need to find lasting solutions that will be approved and adhered to by all Libyan parties, without marginalization or exclusion. It is only under this condition that our service will be useful to Libya and that the concern of the international community towards Libya will be translated into terms of peace, security, reconciliation and democracy.

The African Union — whose action is motivated only by the objectives of the aspirations of the Libyan people and the legitimate concerns of the countries in the region with regard to their long-term security and stability — will never hide from its responsibilities. It will be a loyal and efficient partner to the United Nations, and to the Security Council in particular. It will serve as a faithful and attentive friend to the Libyan people, under all circumstances.

Now is the time, more than ever before, for action, action that is concerted in the service of the shared values on which our partnership is founded.

The President (*spoke in French*): I thank Minister Ould Hamady for his statement on behalf of the African Union's Ad Hoc High-Level Committee on Libya.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.20 a.m.