

RELEASE IN PART B6

From: Sullivan, Jacob J <SullivanJJ@state.gov>
Sent: Sunday, July 17, 2011 3:55 AM
To: H
Subject: Fw: Fwd: Fw: Confidential info and request RE Syria
Attachments: S Statement for Pres 30711.docx; S Statement for Pres 30711.docx

Interesting

----- Original Message -----

From: Koh, Harold Hongju
Sent: Sunday, July 17, 2011 02:56 AM
To: Feltman, Jeffrey D; Schlicher, Ronald L
Cc: Burns, William J; Schwartz, Jonathan B; Sullivan, Jacob J; Cleveland, Sarah H
Subject: Fw: Fwd: Fw: Confidential info and request RE Syria

----- Original Message -----

From: Harold Koh [mailto:[\[REDACTED\]](#)]
Sent: Sunday, July 17, 2011 02:55 AM
To: Koh, Harold Hongju; Schwartz, Jonathan B
Subject: Fwd: Fw: Confidential info and request RE Syria

Jeff and Ron:(and joining Bill and Jake) I am in London, where my Counselor Sarah Cleveland and I met on Friday with a very prominent constitutional law professor and Barrister Jeffrey Jowell. He knows Wasfik Said, a prominent Syrian who endowed the Business School at Oxford, and was asked to go to Syria to meet with Assad recently. He briefed the British FCO on this issue. He told us that, at the request of Assad and his political adviser, Jowell and a few Syrian constitutional lawyers drafted the attached document for Assad's consideration. The key language is:

I am now establishing an independent Commission, composed of 9 experts, to draft a new constitution containing the above-mentioned principles. The Commission will work in a transparent and open manner, and has the right to consult with whomever it will. The draft Constitution will be submitted to a national referendum as soon as possible.

The new Constitution will adopt the following guidelines:

- 1) The introduction of a competitive, multi-party political system.
- 2) Enforcement of the principles of the separation of powers between the executive, legislative, and judicial branches of government.
- 3) Redistribution of power in favour of a more representative system of government.
- 4) Strengthening the independence of the judicial system, including the Supreme Judicial Council and the Supreme Constitutional Court, to uphold the rights and freedoms of the people."

Significantly, he told me that he met with Assad personally for half an hour to discuss the document. Assad seemed "nervous": and uneasy.

He did not express contrition, or speak of any kind of backward looking accountability or Commission of Inquiry process. It is not clear what we should do with this, apart from knowing of it, but I wanted you to have it. I will be back in the office tomw

(Monday) and can discuss at the margins of the morning meetings.

All best,

B6

Harold

From: Jeffreyjowell([redacted]) [mailto:Jeffreyjowell([redacted])]
Sent: Saturday, July 16, 2011 07:55 AM
To: Koh, Harold Hongju
Subject: Confidential info and request

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Harold how wonderful it was to meet with you and Sarah. I hope your talks went well.

I attach in the strictest confidence the statement agreed by the committee and Dr Bouthaina Shaabad, his political advisor, and which the President seemed to agree.

Warm wishes from Exmoor and sorry not to be able to join you tomorrow.

Jeffrey

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Harold Hongju Koh

[redacted]

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