

RELEASE IN PART
B1,1.4(B),1.4(D),B5,B6

From: H <hrod17@clintonemail.com>
Sent: Sunday, February 27, 2011 7:03 PM
To: 'sullivanjj@state.gov'
Subject: Re: Libya: Thoughts on post-Qadhafi Assistance & Governance

Classified by DAS, A/GIS, DoS on 12/31/2015 ~ Class:
CONFIDENTIAL ~ Reason: 1.4(B), 1.4(D) ~ Declassify on:
02/26/2026

Who does he work for now?

From: Sullivan, Jacob J [mailto:SullivanJJ@state.gov]
Sent: Sunday, February 27, 2011 05:41 PM
To: H
Cc: Abedin, Huma <AbedinH@state.gov>
Subject: FW: Libya: Thoughts on post-Qadhafi Assistance & Governance

Worth a read. This guy is very thoughtful.

From: Wells, Alice G
Sent: Sunday, February 27, 2011 5:35 PM
To: Sullivan, Jacob J
Subject: Fw: Libya: Thoughts on post-Qadhafi Assistance & Governance

Jake- godfrey is one of our most knowledgable officers on libya. Thought you would appreciate his analysis.

From: John Godfrey [redacted]
To: Burns, William J; Cretz, Gene A; Wells, Alice G; Catalano, Elisa; Roebuck, William V; Kalmbach, Heather E; Keene, Matt E; Ried, Curtis R (USUN); Germain, Ellen J (USUN); Stevens, John C
Cc: Godfrey, John T
Sent: Sun Feb 27 15:17:04 2011
Subject: Libya: Thoughts on post-Qadhafi Assistance & Governance

B6

Amb Cretz asked earlier today for thoughts on post-Qadhafi international assistance and governance [redacted]
[redacted] In parallel, Alice Wells and USUN had asked for thoughts on the same subject a couple of days back. Am sending this to those with whom I've been in touch on Libya issues - points below on assistance and governance are also in the attachment (wasn't sure those working off b'berry would be able to access that).

B5

1.4(B)
1.4(D)
B1

1.4(B)
1.4(D)
B1**Thoughts on post-Qadhafi governance & international assistance:**

Humanitarian assistance: We should begin flowing humanitarian assistance (medicine first, food second, everything else is less important right now) to eastern Libya and plan to do so in western Libya as soon as Qadhafi falls. The symbolism is critically important and it's important that we not allow Turkey, Italy and others to steal a march on this. Best done multilaterally, but the US should move unilaterally if multilateral efforts are taking too long to orchestrate. Stationing the USN hospital ship "U.S.S. Mercy" off the eastern Libya coast to provide medical care to those injured in the Benghazi uprising would be a powerful, high visibility step.

Military assistance: Libyan contacts have consistently said they do not want overt foreign military assistance in toppling Qadhafi. "This is something we must do for ourselves," is the message. Depending on how events in/around Tripoli play out going forward, there is space for covert military assistance to the opposition (including arms shipments); the fighting should be done by the Libyans themselves, who are clear in emphasizing their willingness to do so.

UN: The United Nations, largely by dint of the key role it played in birthing the modern Libyan state, enjoys a high degree of legitimacy among ordinary Libyans. A UN "hat" for multinational/international assistance efforts could be effective. Libyans are so far wary of the idea of a PKO; however, that could change depending on how long Qadhafi holds on and how bloody and chaotic things get in/around Tripoli before he goes. If/if a PKO is warranted, important to minimize its presence and role in the east, where the opposition has things better in hand and the culture is more inimical to the presence of foreign forces.

Civilian Relief & Assistance: Contacts have consistently cited the need for assistance in civil administration and governance. They have stressed that this would have to come under a civilian rubric; U.S. military civ-pol assistance, for example, would not/not be welcomed. It will be important for the international community to realize that, not unlike in Iraq, it is dealing with what is in many ways a broken society. We will need to be extremely mindful of not trying to push the interim and new permanent government to absorb more than they have the capacity to handle.

Oil & gas infrastructure: Together with civilian administration, contacts have highlighted the need for quick international assistance to bring Libya's oil and gas production and exports back on line. Doing so will reestablish the country's cash flow and provide the interim and new permanent government the resources it will need to finance development.

Italian Role: Should be kept relatively low-profile by virtue of Italy's colonization of Libya and enduring sensitivities stemming from that. Will be tough to balance Italy's desire to protect its sizeable commercial interests against the need to play a quiet, less visible role.

Tribal leadership: Important to acknowledge and facilitate the participation of senior tribal leaders in a post-Qadhafi government. Eastern tribal and opposition leaders have signaled a desire for a return to more formal government structures (vice the deliberate dismantlement of government apparatus under Qadhafi) and envision a Parliament. A thought is to have a senior chamber, akin to a Senate or House of Lords, that would be appropriate for senior tribal leaders. (NOTE: I'm working on a paper on relationships between the major tribes and hope to have that done by mid-week. END NOTE.)

Religious leaders: Despite Qadhafi's best efforts, Islam has continued to play an important role in Libyan society. Finding a mechanism by which to include religious leaders not seen as stooges of Qadhafi would lend legitimacy to the transition period and new government. It would also help mitigate the potential for Islamic extremists and al-Qaeda to exploit the transition to push for more extreme iterations of Islam. An idea would be to convene a conference of eastern and western Libyan imams (very different groups of people – the western cohort would have to be carefully vetted) with the goal of providing advice (not orders) to the Executive Council. Reopening large, conventional mosques in eastern Libya would also be a positive step, and would help minimize the importance of smaller, informal mosques that tend to propagate more conservative messages.

Formalizing government structures: It will be important to quickly establish a clear, interim/caretaker system of government to administer the country while a constitution is formulated and adopted and a process for choosing a permanent government is determined. The eastern opposition has essentially already done this with the establishment of the Executive Council. (NOTE: Important to note that a significant number of eastern tribal and opposition leaders have agreed that the former royal family, the Sanussis, should be part of the interim Executive Council. It is believed their participation would lend legitimacy and the semblance of a known, relatively stable element to the interim government. END NOTE.) A parallel, national-level structure could be a way to bridge the interim between Qadhafi's regime and a new, permanent government.

Constitution: A number of contacts have highlighted the formulation of a new constitution as an important part of the post-Qadhafi governance picture. Eastern tribal and opposition leaders have already agreed in principle on the need to: 1) formally resurrect the monarchy-era constitution as a basis for interim governance; and 2) immediately form a constitutional committee to formulate a new constitution.

In addition to the monarchy-era document, the constitution project shepherded by Saif al-Islam al-Qadhafi may offer some useful documents/points of departure. The existence of that draft document isn't widely known, but it was developed in close coordination with U.S., UK and other int'l experts.

Bringing Former Regime Elements Into the New Gov't: Contacts in Libya have stressed that there is little articulated desire (so far) for purges or wholesale reprisals against Qadhafi technocrats. Particular attention should be paid to sub-national leaders, particularly at the 'shabiyat' level. Many of these enjoy genuine legitimacy in their communities and could help ensure continuity during the transition and new permanent government.

Reconciliation Commission: In its bones, Libya remains a Bedouin/Berber culture, with an abiding belief in "an eye for an eye, and a tooth for a tooth." Initial feelings of comity and disinclination to pursue vendettas will quickly abate unless a formal mechanism for addressing such grievances is established. Recommend approaching the interim government early to advocate establishment of a Reconciliation Commission akin to South Africa's, and to urge that it be announced ASAP to help forestall purges (even if it isn't expected to begin its work until later).

Fathi el-Jahmi: Difficult to overstate the extent to which his case came to symbolize ordinary Libyans' frustration with the regime. An important step for the interim or new permanent government could be

conducting a review of his case with the goals of: 1) exonerating him of any wrongdoing; and 2) compensating his family. Important to note that the U.S. may not be comfortable with everything that comes to light in the course of that, but it's important that it be done.

Investigation of Qadhafi-Era "Investments": A neuralgic issue for most Libyans is the fact that a country with a small population and sizeable oil and gas reserves has not seen more development and a higher standard of living. Recommend approaching the interim government early to advocate announcement of a review of all investments abroad by government and quasi-governmental Libyan entities. Seek AU and Arab League support for same.

Grace Period for Property Claims: The Qadhafi regime's seizure of private property and destruction of property records were some of the most controversial actions it undertook. Many Libyans, including families prominent in the monarchy era, will immediately seek to pursue claims to have their property restored. As in Iraq, this will be a complicated, contentious and time-consuming process, one best left to the new permanent government. Recommend urging the interim government to declare a moratorium on adjudication of property claims until establishment of a new permanent government.

Wealth distribution: There is a strong socialist streak among Libyans, and the perceived failure of Qadhafi's regime to make good on repeated promises to better distribute hydrocarbon revenues to the people was and is a source of deep anger. It will be important for the new government to acknowledge that wealth distribution is a key national issue. Practically speaking, it may be best for the interim government to defer action on that issue until a new permanent government is in place.