

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

**From:** Sullivan, Jacob J <SullivanJJ@state.gov>  
**Sent:** Saturday, March 19, 2011 2:12 PM  
**To:** H  
**Subject:** Fw: Libya: Need for guidance on NFZ exception

Classified by DAS, A/GIS, DoS on 02/19/2016 ~ Class: CONFIDENTIAL ~ Reason: 1.4(B), 1.4(D) ~ Declassify on: 03/19/2026

Fyi - see johnnie's take on au.

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

**From:** Carson, Johnnie  
**Sent:** Saturday, March 19, 2011 01:50 PM  
**To:** 'Power, Samantha J.' [redacted]

[redacted] DiCarlo, Rosemary A (USUN); [redacted]  
[redacted] Shapiro, Daniel B. [redacted] Lord, Peter W;  
[redacted] Feltman, Jeffrey D; Sanderson, Janet A; [redacted]  
[redacted] Smith, Gayle E. [redacted]; Yates, Mary C.  
[redacted] Sherwood-Randall, Liz [redacted]

B6

**Cc:** USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Yamamoto, Donald Y; Ross, Dennis B.  
[redacted] Geffen, Daniel A.  
[redacted] Holt, Victoria K;  
[redacted] Pittman, H Dean; [redacted]  
[redacted] Battle, Michael A; Paradiso, Dante X; Sullivan, Jacob J; McDonough, Denis R.  
[redacted] Anderson, Brooke [redacted]; #AFRICA

<#AFRICA@dsr.eop.gov>  
**Subject:** RE: Libya: Need for guidance on NFZ exception

**Sam:** [redacted] The trip is off, but we want a strong institutional endorsement for our actions from the AU. I will try to get to Ping sometime today -- when he starts to answer his own phone -- to make the key points. [redacted]

B5

[redacted] Amb. Battle in Addis spoke to Ping's chief or staff a short while ago and conveyed all our points including the need for the AU presidents to issue a strong communiqué that put them on the right side of history. Ping's chief of staff said he would convey the message. In addition, I have spoken over the last two hours to our ambassador to Mali, and she was reaching out to ATT and his staff in Mauritania with the same script. And I still have calls pending through the Op Center to President Museveni (which is slated to come thru shortly) and to Zuma's foreign policy advisor Amb. Wellie Nhlapo, who is in Mauritania. (Our charge in Pretoria is also trying to reach to Nhlapo, but is also in touch with others in the S.A. foreign ministry.) I will push both gentlemen to issue a tough, straight forward communiqué that condemns Qaddafi, supports the UNSC resolution and aligns the AU unequivocally with the international community and the Arab League. Our ambassador in Mauritania has demarched the host government and is the process of reaching out to the missions/delegations of all five countries that have been invited. We are pressing for a good communiqué. We will be following up to get as many positive and supportive statements from African governments as we can. Johnnie

B1  
1.4(B)  
1.4(D)

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

**From:** Power, Samantha J. [redacted]  
**Sent:** Saturday, March 19, 2011 12:19 PM  
**To:** DiCarlo, Rosemary A (USUN); Carson, Johnnie; [redacted] Shapiro, Daniel B.; Lord, Peter W;  
[redacted] Feltman, Jeffrey D; Sanderson, Janet A; [redacted] Smith, Gayle E.; Yates, Mary C.;  
Sherwood-Randall, Liz

B6

Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Ross, Dennis B.; [redacted]  
Geffen, Daniel A.; [redacted] Holt, Victoria K; [redacted] Pittman, H Dean;  
[redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Sullivan, Jacob J;  
McDonough, Denis R.; Anderson, Brooke; #AFRICA  
Subject: RE: Libya: Need for guidance on NFZ exception

B6

Terrific. Great work all!

[redacted]

B5

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

From: DiCarlo, Rosemary A (USUN) [mailto:DiCarloRA@state.gov]  
Sent: Saturday, March 19, 2011 1:16 PM  
To: Carson, Johnnie; Power, Samantha J.; [redacted] Shapiro, Daniel B.; Lord, Peter W;  
[redacted] Feltman, Jeffrey D; Sanderson, Janet A; [redacted]; Smith, Gayle E.; Yates, Mary C.;  
Sherwood-Randall, Liz  
Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Ross, Dennis B.; [redacted]  
Geffen, Daniel A.; [redacted] Holt, Victoria K; [redacted] Pittman, H Dean;  
[redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Sullivan, Jacob J;  
McDonough, Denis R.; Anderson, Brooke  
Subject: Re: Libya: Need for guidance on NFZ exception

B6

French del reports that Paris has spoken to Ping and that he has canceled the trip. Not clear if he still requires a letter from the SYG or not.

US, UK and French lawyers working on a SYG draft in case one is needed.

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

From: DiCarlo, Rosemary A (USUN)  
Sent: Saturday, March 19, 2011 12:07 PM  
To: Carson, Johnnie; 'Samantha\_J.\_Power [redacted]  
[redacted] 'Daniel\_B.\_Shapiro [redacted]  
[redacted] Lord, Peter W; [redacted] Feltman, Jeffrey  
D; Sanderson, Janet A; [redacted]; 'Gayle\_E.\_Smith [redacted]  
<Gayle\_E.\_Smith [redacted] 'Mary\_C.\_Yates [redacted]  
'Elizabeth\_D.\_Sherwood-Randall [redacted]  
Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; [redacted]  
<Dennis\_B.\_Ross [redacted]  
[redacted] <Daniel\_A.\_Geffen [redacted]  
[redacted] Pittman, H  
Dean; [redacted] Battle, Michael A; Yamamoto, Donald Y;  
Paradiso, Dante X; Sullivan, Jacob J; 'Denis\_R.\_McDonough [redacted]  
'Brooke\_D\_Anderson [redacted]  
Subject: Re: Libya: Need for guidance on NFZ exception

B6

Have talked to Uganda, So Africa, AU rep and SYG's DCOS.

[Redacted]

B1  
1.4(B)  
1.4(D)

[Redacted]

B1  
1.4(B)  
1.4(D)  
B5

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

From: Carson, Johnnie

Sent: Saturday, March 19, 2011 11:34 AM

To: 'Samantha J. Power' [Redacted] DiCarlo, Rosemary A (USUN);

B6

<Daniel\_B.\_Shapiro [Redacted] Lord, Peter W; [Redacted] Feltman, Jeffrey D; Sanderson, Janet A; [Redacted]; 'Gayle E. Smith [Redacted]

[Redacted] Mary C. Yates [Redacted]

'Elizabeth\_D.\_Sherwood-Randall [Redacted]

Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; [Redacted]

[Redacted]

[Redacted]; Holt, Victoria K; [Redacted] Pittman, H

Dean; [Redacted]; Battle, Michael A; Yamamoto, Donald Y;

Paradiso, Dante X; Sullivan, Jacob J; 'Denis R. McDonough [Redacted]

'Brooke\_D\_Anderson [Redacted]

Subject: Re: Libya: Need for guidance on NFZ exception

I have just confirmed from our folks in addis that the presidents going to mauritania and originally slated to go to libya are from mali, mauritania, south africa and congo brazaville. Uganda's president is not going, but sending a substitute on the trip. I am reaching out to all our posts to immediately contact their heads of state/foreign ministers no to go to tripoli for safety and political reasons. I am asking our amb in mauritania to contact the missions of all these states and to make the same pitch. I have also asked our amb in addis don booth to contact PM Meles to reach out to President Aziz and Jean Ping to urge they stop the trip. Johnnie

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

From: Power, Samantha J. [mailto:[Redacted]]

Sent: Saturday, March 19, 2011 11:08 AM

To: DiCarlo, Rosemary A (USUN); Vicki.Huddleston [Redacted]

B6

<Daniel\_B.\_Shapiro [Redacted]; Lord, Peter W; Carson, Johnnie; [Redacted]

Feltman, Jeffrey D; Sanderson, Janet A; [Redacted] Smith, Gayle E.

[Redacted] Yates, Mary C. [Redacted]; Sherwood-Randall, Liz

Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Ross, Dennis B.

<Dennis\_B.\_Ros [Redacted] Geffen, Daniel A.

B6

[Redacted]; Holt, Victoria K;

[Redacted] Pittman, H Dean; [Redacted]

[Redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Sullivan, Jacob J;

McDonough, Denis R. [Redacted] Anderson, Brooke [Redacted]

Subject: RE: Libya: Need for guidance on NFZ exception

[Redacted]

B5

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

From: DiCarlo, Rosemary A (USUN) [mailto:DiCarloRA@state.gov]

Sent: Saturday, March 19, 2011 11:07 AM

To: [redacted] Power, Samantha J.; Shapiro, Daniel B.; Lord, Peter W; Carson, Johnnie; [redacted] Feltman, Jeffrey D; Sanderson, Janet A; [redacted]; Smith, Gayle E.; Yates, Mary C.; Sherwood-Randall, Liz  
Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Ross, Dennis B.; [redacted] Geffen, Daniel A.; [redacted] Holt, Victoria K; [redacted] Pittman, H Dean; [redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Sullivan, Jacob J; McDonough, Denis R.; Anderson, Brooke  
Subject: Re: Libya: Need for guidance on NFZ exception

B6

I can also reach out to UN officials to convey the message if you think appropriate.

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

From: Huddleston, Vicki J CIV OSD POLICY [mailto:[redacted]]

Sent: Saturday, March 19, 2011 11:04 AM

To: 'Power, Samantha J.' [redacted] Shapiro, Daniel B. [redacted] Lord, Peter W; Carson, Johnnie; DiCarlo, Rosemary A (USUN); Schear, James A SES OSD POLICY [redacted] Feltman, Jeffrey D; Sanderson, Janet A; Townsend, Jim J SES OSD POLICY [redacted] Smith, Gayle E. [redacted] Yates, Mary C. [redacted] Sherwood-Randall, Liz [redacted]

B6

Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Ross, Dennis B.

[redacted]; [redacted] Geffen, Daniel A. [redacted] v>; Wiesner, Catherine A CIV OSD POLICY [redacted] Holt, Victoria K; McMillan, Joseph SES OSD POLICY [redacted] Pittman, H Dean; Leins, D. Christopher MG JCS J5 DD Africa [redacted]; Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Sullivan, Jacob J; McDonough, Denis R. [redacted] Anderson, Brooke [redacted]  
Subject: RE: Libya: Need for guidance on NFZ exception

Gayle and Johnnie, I would suggest that a high level reach out to the French. Vicki

Ambassador Vicki Huddleston  
Deputy Assistant Secretary of Defense  
Pentagon, Rm# 5B684  
Wk: (703)614-0421  
BB: [redacted]

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

From: Power, Samantha J. [redacted]

Sent: Saturday, March 19, 2011 10:50 AM

To: Shapiro, Daniel B.; 'Lord, Peter W'; 'Carson, Johnnie'; Huddleston, Vicki J CIV OSD POLICY; 'DiCarlo, Rosemary A (USUN)'; Schear, James A SES OSD POLICY; 'Feltman, Jeffrey D'; 'Sanderson, Janet A'; Townsend, Jim J SES OSD POLICY; Smith, Gayle E.; Yates, Mary C.; Sherwood-Randall, Liz  
Cc: 'USUN-Libya-DL'; 'Barks-Ruggles, Erica J'; Pelofsky, Eric (STATE); 'Wells, Alice G'; Ross, Dennis B.; [redacted] Geffen, Daniel A.; Wiesner, Catherine A CIV OSD POLICY; 'Holt, Victoria K'; McMillan, Joseph SES OSD POLICY; 'Pittman, H Dean'; Leins, D. Christopher MG JCS J5 DD Africa; 'Battle, Michael A'; 'Yamamoto, Donald Y'; 'Paradiso, Dante X'; Sullivan, Jacob J; McDonough, Denis R.; Anderson, Brooke  
Subject: RE: Libya: Need for guidance on NFZ exception

B6

B6

B5

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

From: Shapiro, Daniel B.

Sent: Saturday, March 19, 2011 10:41 AM

To: Shapiro, Daniel B.; 'Lord, Peter W'; 'Carson, Johnnie'; [redacted] 'DiCarlo, Rosemary A (USUN)'; [redacted] 'Feltman, Jeffrey D'; 'Sanderson, Janet A'; [redacted] Smith, Gayle E.; Yates, Mary C.; Sherwood-Randall, Liz; Power, Samantha J.

Cc: 'USUN-Libya-DL'; 'Barks-Ruggles, Erica J'; 'Pelofsky, Eric J'; 'Wells, Alice G'; Ross, Dennis B.;

[redacted]; Geffen, Daniel A.; [redacted] 'Holt, Victoria K';

[redacted] Pittman, H Dean'; [redacted] 'Battle, Michael A'; 'Yamamoto, Donald Y'; 'Paradiso, Dante X'

Subject: RE: Libya: Need for guidance on NFZ exception

+ Samantha Power

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

From: Shapiro, Daniel B.

Sent: Saturday, March 19, 2011 10:34 AM

To: 'Lord, Peter W'; Carson, Johnnie; [redacted] DiCarlo, Rosemary A (USUN); [redacted] Feltman, Jeffrey D; Sanderson, Janet A; [redacted] Smith, Gayle E.; Yates, Mary C.; Sherwood-Randall, Liz

Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Ross, Dennis B.; [redacted]

Geffen, Daniel A.; [redacted] Holt, Victoria K; J [redacted] Pittman, H Dean;

[redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X

Subject: RE: Libya: Need for guidance on NFZ exception

+ Mary Yates, Gayle Smith, Liz Sherwood-Randall

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

From: Lord, Peter W [mailto:LordPW@state.gov]

Sent: Saturday, March 19, 2011 9:51 AM

To: Carson, Johnnie; [redacted] DiCarlo, Rosemary A (USUN); [redacted] Feltman, Jeffrey D; Sanderson, Janet A; [redacted]

Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Shapiro, Daniel B.; Ross, Dennis B.;

[redacted] Geffen, Daniel A.; Catherine [redacted] Holt, Victoria K; [redacted]

Pittman, H Dean; [redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X

Subject: RE: Libya: Need for guidance on NFZ exception

Ambassador Battle and I have relayed this message to both Ping's chief of staff and Lamamra's special advisor (who are in Addis). They agreed to pass the message as soon as they are able to. The UK is also communicating a similar message, I understand from the UK Embassy in Addis.

Regards,

Peter

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

From: Carson, Johnnie

Sent: Saturday, March 19, 2011 4:31 PM

To: Lord, Peter W; [redacted] DiCarlo, Rosemary A (USUN); [redacted] Feltman, Jeffrey D; Sanderson, Janet A; [redacted]

Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; 'Daniel\_B\_Shapiro [redacted]

'dennis\_b\_ross [redacted] 'Daniel\_A\_Geffen [redacted]

B6

B6

B6

B6

[redacted] Holt, Victoria K; [redacted] Pittman, H Dean;  
[redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X  
Subject: Re: Libya: Need for guidance on NFZ exception

B6

Peter: AU's failure to go to Paris is regrettable and disappointing. It prevents AU and its senior leadership of formally associating itself with the international community and Arab League on Libya and of putting the AU publically in line as an institution in with Thursday's UNSC resolution. It also means there will be no African voices at the table in Paris. I will convey this to AU Chairman Ping, but Amb Battle and you [redacted]

B1  
1.4(B)  
1.4(D)

[redacted] Thanks. Johnnie

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

From: Lord, Peter W  
Sent: Saturday, March 19, 2011 06:31 AM  
To: 'Huddleston, Vicki J CIV OSD POLICY' [redacted]; DiCarlo, Rosemary A (USUN); Carson, Johnnie;  
[redacted] Feltman, Jeffrey D; Sanderson, Janet A; Townsend, Jim J SES  
OSD POLICY [redacted]  
Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofskv, Eric J; Wells, Alice G; [redacted]  
<Daniel\_B.\_Shapiro [redacted]> <dennis\_b.\_ross [redacted]>  
[redacted] Geffen, Daniel A.  
[redacted] Holt, Victoria  
K; McMillan, Joseph SES OSD POLICY [redacted] Pittman, H Dean; Leins, D. Christopher MG JCS JS DD  
Africa [redacted] Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X  
Subject: RE: Libya: Need for guidance on NFZ exception

B6

We have heard from one of Lamamra's Special Assistants that the AU has decided to stick with its original plan: a heads of state meeting with Ping in Mauritania this evening and then a visit to Tripoli tomorrow. This would mean that neither Ping nor the Mauritanian President would travel to Paris.

The French Ambassador also assesses that it is unlikely that Ping will travel to Paris.

We realize the situation and final decisions remain fluid, but wanted to offer what we are hearing here in Addis.

Regards,

Peter Lord  
Deputy Chief of Mission  
US Mission to the African Union  
+251.911.50.67.48.

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

From: Huddleston, Vicki J CIV OSD POLICY [mailto:[redacted]]  
Sent: Saturday, March 19, 2011 4:09 AM  
To: DiCarlo, Rosemary A (USUN); Carson, Johnnie; Schear, James A SES OSD POLICY; Feltman, Jeffrey D; Sanderson, Janet A; Townsend, Jim J SES OSD POLICY  
Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Daniel\_B.\_Shapiro [redacted]  
dennis\_b.\_ross [redacted]; Geffen, Daniel A.; Wiesner, Catherine A CIV OSD POLICY; Holt,  
Victoria K; McMillan, Joseph SES OSD POLICY; Pittman, H Dean; Leins, D. Christopher MG JCS JS DD Africa; Battle,  
Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Lord, Peter W  
Subject: RE: Libya: Need for guidance on NFZ exception

B6

Rosemary, I have reviewed this issue with senior levels of DoD. This is not an appropriate time for African Presidents to be travelling to Libya. As I pointed out there is no mechanism in place yet to guarantee their safety.

Therefore we strongly urge that this visit be postponed and advise against any travel at this time.

Please let me know if/when the proposed travel has been cancelled.

Ambassador Vicki Huddleston  
Deputy Assistant Secretary of Defense  
Pentagon, Rm# 5B684  
Wk: (703)614-0421  
BB: [redacted]

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

From: DiCarlo, Rosemary A (USUN) [mailto:DiCarloRA@state.gov]  
Sent: Friday, March 18, 2011 7:46 PM  
To: Carson, Johnnie; Schear, James A SES OSD POLICY; Feltman, Jeffrey D; Sanderson, Janet A; Townsend, Jim J SES OSD POLICY  
Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric (STATE); Wells, Alice G; Daniel\_B.\_Shapiro [redacted] dennis\_B.\_ross [redacted] Geffen, Daniel A.; Huddleston, Vicki J CIV OSD POLICY; Wiesner, Catherine A CIV OSD POLICY; Holt, Victoria K; McMillan, Joseph SES OSD POLICY; Pittman, H Dean; Leins, D. Christopher MG JCS J5 DD Africa; Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Lord, Peter W  
Subject: RE: Libya: Need for guidance on NFZ exception

B6

Thanks very much Johnnie. The UN is looking to implementing states to handle this issue since the SYG will not be aware of actual movements.  
UK, France and US have alerted appropriate authorities in their capitals.

SBU  
This email is UNCLASSIFIED

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

From: Carson, Johnnie  
Sent: Friday, March 18, 2011 6:35 PM  
To: DiCarlo, Rosemary A (USUN); 'Schear, James A SES OSD POLICY'; Feltman, Jeffrey D; Sanderson, Janet A; 'Townsend, Jim J SES OSD POLICY'  
Cc: USUN-Libya-DL; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; 'Daniel\_B.\_Shapiro [redacted] 'dennis\_B.\_ross [redacted] 'Geffen, Daniel A.'; 'Huddleston, Vicki J CIV OSD POLICY'; 'Wiesner, Catherine A CIV OSD POLICY'; Holt, Victoria K; 'McMillan, Joseph SES OSD POLICY'; Pittman, H Dean; 'Leins, D. Christopher MG JCS J5 DD Africa'; Battle, Michael A; Yamamoto, Donald Y; Paradiso, Dante X; Lord, Peter W  
Subject: RE: Libya: Need for guidance on NFZ exception

B1  
1.4(B)  
1.4(D)

Rosemary: I just spoke to AU Chairperson Jean Ping, who is Mauritania. He is prepared to fly to Paris tomorrow at the invitation of the French but does not have his own plane. [redacted]

[redacted] I have been in touch with our ambassador in Mauritania, Jo Ellen Powell, [redacted]

[redacted] I have stressed to Ping the importance of having African representation at the Paris meeting and the need for the AU to embrace and wrap itself fully in yesterday's UNSC resolution. [redacted]

B1  
1.4(B)  
1.4(D)

[redacted] The five African heads of state were slated (under their original schedule) to meet in Mauritania on Saturday evening and then travel to Libya on Sunday. Without going into any detail, I told Ping that no mechanism had been put in place for air clearances and that it was absolutely imperative to touch base with the UN and all appropriate authorities before any of the African presidents attempted to travel to Libya on Sunday. I also told Ping his participation in the Paris meeting would provide him with additional information and might convince him and his colleagues that a trip to Libya was not necessary. When we receive further word from Mauritania about the AU travel plans, I will let you know. Johnnie

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

From: DiCarlo, Rosemary A (USUN)  
Sent: Friday, March 18, 2011 5:48 PM  
To: 'Schear, James A SES OSD POLICY'; Feltman, Jeffrey D; Sanderson, Janet A; Pittman, H Dean; Holt, Victoria K; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Daniel\_B.\_Shapiro [redacted] dennis\_B.\_ross [redacted] [redacted] Geffen, Daniel A.; Huddleston, Vicki J CIV OSD POLICY; Carson, Johnnie; Wiesner, Catherine A CIV OSD POLICY; McMillan, Joseph SES OSD POLICY; Leins, D. Christopher MG JCS J5 DD Africa; Townsend, Jim J SES OSD POLICY  
Cc: USUN-Libya-DL  
Subject: RE: Libya: Need for guidance on NFZ exception

B6

Copying Johnnie Carson. Apparently AU is asking whether the trip should go forward.

SBU  
This email is UNCLASSIFIED

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

From: [redacted]  
Sent: Friday, March 18, 2011 5:46 PM  
To: DiCarlo, Rosemary A (USUN); Feltman, Jeffrey D; Sanderson, Janet A; Pittman, H Dean; Holt, Victoria K; Barks-Ruggles, Erica J; Pelofsky, Eric J; Wells, Alice G; Daniel\_B.\_Shapiro [redacted] dennis\_B.\_ross [redacted] [redacted] Geffen, Daniel A.; Huddleston, Vicki J CIV OSD POLICY; Wiesner, Catherine A CIV OSD POLICY; McMillan, Joseph SES OSD POLICY; Leins, D. Christopher MG JCS J5 DD Africa; Townsend, Jim J SES OSD POLICY  
Cc: USUN-Libya-DL  
Subject: RE: Libya: Need for guidance on NFZ exception

Rosemary, was just in touch with Vicki Huddleston. She and her team are working this right now. Given that there's no command/control mechanism in place, we can certainly inform our AFRICOM leadership about this in-bound flight and engage key European allies, but I'm not sure what else we can do at this point. I'll defer to Vicki/Joint Staff for a more authoritative DoD response. Best, js

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

From: DiCarlo, Rosemary A (USUN) [mailto:DiCarloRA@state.gov]  
Sent: Friday, March 18, 2011 4:52 PM  
To: Feltman, Jeffrey D; Sanderson, Janet A; Pittman, H Dean; Holt, Victoria K; Barks-Ruggles, Erica J; Pelofsky, Eric (STATE); Wells, Alice G; Daniel\_B.\_Shapiro [redacted] dennis\_B.\_ross [redacted] [redacted] Geffen, Daniel A.  
Cc: USUN-Libya-DL  
Subject: FW: Libya: Need for guidance on NFZ exception  
Importance: High

Please see Joshua's email. We need urgent guidance on how humanitarian and other flights deemed essential can ensure safe passage during the NFZ. We have no mechanism set up to vet these flights at this point.



An AU flight with heads of state is going to Tripoli tomorrow.

SBU

This email is UNCLASSIFIED.

**From:** Black, Joshua J (USUN)  
**Sent:** Friday, March 18, 2011 4:45 PM  
**To:** DiCarlo, Rosemary A (USUN)  
**Cc:** Ried, Curtis R (USUN); Allwine, David L COL (USUN); Metcalf, Maria K (USUN); Grant, William K (USUN); Simonoff, Mark A (USUN); USUN-SANCTIONS-Group  
**Subject:** Libya: Need for guidance on NFZ exception

Rosemary,

As discussed, the African Union wants to ensure that a flight to Libya carrying its High Level Committee will be permitted under the new Libya no-fly zone. The AU group plans to travel to Tripoli on Saturday March 19, then to Benghazi on Monday March 21. They want confirmation from someone that this flight will be permitted.

The UNSCR 1973 no-fly zone has an exception for flights whose sole purpose is humanitarian, evacuating foreign nationals or any other flight that the States enforcing the no-fly zone deem necessary for the benefit of the Libyan people. The UNSCR envisions that the states enforcing the no-fly zone would establish a mechanism to coordinate such exempted flights. In the absence of such a mechanism, however, it is unclear over who would do so.

Presumably, the enforcing states will soon establish a mechanism, which would include a single POC to receive and coordinate requests for excepted flights. Until such a mechanism is established, we need to know to whom these requests should be directed and who should send confirmation back that a flight is permitted.

As a stopgap measure, the AU has sent the attached letter to the president of the Security Council. It is framed as a notification and does not necessarily request approval. The French and British are also asking their capitals for guidance on how to process this response.

Cheers,

Josh

**RELEVANT LANGUAGE FROM UNSCR 1973 (2011)**

6. Decides to establish a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help protect civilians;
7. Decides further that the ban imposed by paragraph 6 shall not apply to flights whose sole purpose is humanitarian, such as delivering or facilitating the delivery of assistance, including medical supplies, food, humanitarian workers and related assistance, or evacuating foreign nationals from the Libyan Arab Jamahiriya, nor shall it apply to flights authorised by paragraphs 4 or 8, nor other flights which are deemed necessary by States acting under the authorisation conferred in paragraph 8 to be for the benefit of the Libyan people, and that these flights shall be coordinated with any mechanism established under paragraph 8;
8. Authorizes Member States that have notified the Secretary-General and the Secretary-General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all necessary measures to enforce compliance with the ban on flights imposed by paragraph 6 above, as necessary, and requests the States concerned in cooperation with the League of Arab States to coordinate closely with the Secretary General on the measures they are taking to implement this ban, including by establishing an appropriate mechanism for implementing the provisions of paragraphs 6 and 7 above,

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Josh Black

Chief, Sanctions Unit

United States Mission to the United Nations (USUN)

Tel: (212) 415-4081 Cell:

B6

This email is UNCLASSIFIED.