

Classified by DAS, A/GIS, DoS on 09/30/2015 ~ Class: CONFIDENTIAL
~ Reason: 1.4(B), 1.4(D) ~ Declassify on: 08/21/2026

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

From: Burns, William J <BurnsWJ@state.gov>
Sent: Monday, August 22, 2011 2:45 PM
To: Sullivan, Jacob J; H
Subject: Re: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

Madam Secretary,

You did a very nice job on call with President.

Told Phil I would do Istanbul meeting later this week. He is sorting out details with Turks. .

Bill

From: Sullivan, Jacob J
Sent: Monday, August 22, 2011 11:52 AM
To: 'H' <HDR22@clintonemail.com>
Cc: Burns, William J
Subject: FW: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

Madam Secretary/Bill – I think it would make sense for S to try to close this out today, given the changed circumstances. Thoughts?

From: Gips, Donald H
Sent: Monday, August 22, 2011 11:18 AM
To: 'Power, Samantha J.'; Rice, Susan E (USUN); Carson, Johnnie; Pelofsky, Eric J
Cc: Zeya, Uzra S; Paradiso, Dante X; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Graff, Corinne; Battle, Michael A; Wilett, Nicole A.; Etim, Linda; Liddle, James; Pflaumer, Walter N; Robl, Terri L; Yamamoto, Donald Y
Subject: RE: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

Now that India has removed their objection, and with the situation changing on the ground,



Please share with others not on this chain.

SBU
This email is UNCLASSIFIED.

B5

From: Power, Samantha J. [mailto:]
Sent: Monday, August 22, 2011 3:24 PM
To: Gips, Donald H; Rice, Susan E (USUN); Carson, Johnnie; Pelofsky, Eric J
Cc: Zeya, Uzra S; Paradiso, Dante X; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Graff, Corinne; Battle, Michael A; Wilett, Nicole A.; Etim, Linda; Liddle, James
Subject: RE: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

B6

+ team africa

From: Gips, Donald H [mailto:GipsDH@state.gov]
Sent: Monday, August 22, 2011 8:18 AM
To: Rice, Susan E (USUN); Carson, Johnnie; Power, Samantha J.; Pelofsky, Eric J
Cc: Zeya, Uzra S; Paradiso, Dante X; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Graff, Corinne; Battle, Michael A
Subject: RE: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

As you can see below Minister Mashabane held a press conference this morning where among other things Mashabane said that South Africa is not prepared to recognize the TNC as the legitimate government: "We have no reason to create a state within a state. If this government falls, there is no government, but we know there were discussions about a transitional authority in Libya, which will include elements of Tripoli and the rebels' Transitional National Council." A draft of the cable is below.

I also talked to Mac Maharaj, the President's spokesperson and Libya Envoy this morning. He said he has unsuccessfully tried to reach both Zuma and Mashabane but that they are locked down in an ANC Executive Committee meeting discussing Julius Malema and other major issues currently splitting the ANC. As a result he had not been able to find out anything about the exemption request. He did note, however, that Zuma is very sensitive to the criticism he is receiving from Mbeki and others that the West is disrespecting the AU and thus is unlikely to want to do anything (either the exemption request or recognize the TNC) ahead of gaining AU agreement to do so. I argued that SA needed to be part of the solution to bringing stability and humanitarian aid to the Libyan people and while he said he heard me, and would raise this with Zuma, only Zuma could decide this and was focused on both the domestic political reaction and the reaction of the other AU members.

I am going to reach out to Amb Nhlapo as well and will report back if I find out anything new.

B5

Separately, we are encouraging those in the media and civil society who are arguing that SA should support the TNC to provide more balance in the domestic debate.

UNCLASSIFIED

PROG 08/21/2011

AMB:DGIPS

PAS:ETRUDEAU

ADCM:TROBL

PAS:KSTOLTZ, POL:WPFLAUMER

AMB DCM PAS POL

AMEMBASSY PRETORIA

SECSTATE WASHDC

INFO AMCONSUL JOHANNESBURG

AMCONSUL DURBAN

AMCONSUL CAPE TOWN

DEPT FOR PA/PRS, AF/S, AF/PDPA; INFO NSC

E.O. 12958: N/A

TAGS: PREL, UNSC, SF, AU-1

SUBJECT: South Africa speaks on situation in Libya

1. (U) Summary: In a press briefing on Monday morning, August 22, South Africa's Minister of International Relations and Cooperation Maite Nkoana-Mashabane said that South Africa is not prepared to recognize the Libyan Transitional National Council (TNC) if Gaddafi falls, and also flatly denied reports that Gaddafi has been offered asylum in SA. Mashabane also took swipes at the United States' role and broader NATO intervention, saying, "What we know from Iraq and Afghanistan is that the visitors will come and go, but the citizens will have to deal with the reconstruction of the country." End Summary

2. (U) The Libya briefing took place at a prior scheduled media event COP-17 in Johannesburg. The Libya topic was added very early on Monday morning, and was not covered by South African broadcasters eNews or SABC due to the short notice. Al Jazeera offered the only live coverage of the event.

No asylum

3. (U) According to reporters at the briefing, the Minister was clearly frustrated with repeated questions on South Africa's rumored asylum offer for Gaddafi, which were based on published reports of the presence of South African planes in Tripoli. She said that South Africa has no idea where Gaddafi is: "We don't know his (Gaddafi's) whereabouts. We assume he is still in Libya," and added, "I'm quite amazed there is even an insinuation that we are facilitating the evacuation of anyone." She explained that South African planes were there solely to evacuate embassy personnel.

No Recognition of the TNC

4. (U) At the briefing, Mashabane said that South Africa is not prepared to recognize the TNC as the legitimate government: "We have no reason to create a state within a state. If this government falls, there is no government, but we know there were discussions about a transitional authority in Libya, which will include elements of Tripoli and the rebels' Transitional National Council."

5. (U) In a written statement issued after the brief, the government stated, "With the imminent fall of the government of Colonel Gaddafi, we wish to urge the interim authority in Tripoli to immediately institute an all-inclusive inter-Libyan political dialogue aimed at building a truly representative and people-centered dispensation" (Full statement follows in paras 7-9).

Lots of Frustration

6. (SBU) In private conversations with EmbOff after the briefing, several journalists noted Mashabane's sense of annoyance and her insistence on refocusing the conversation on the African Union (AU) roadmap, which they said indicated that she still believed that the AU roadmap could have resulted in a negotiated political solution. A senior African affairs reporter told EmbOff, "It's just stubbornness at this point. They must see they've lost the case."

Written statement by the Department of International Relations and Cooperation

7. (U) The following media statement on Libya was released by DIRCO at 11:40 South Africa time, Monday, August 22: "The South African government is closely watching the rapidly unfolding situation in the Libyan capital of Tripoli. With the imminent fall of the government of Colonel Gaddafi, we wish to urge the interim authority in Tripoli to immediately institute an all-inclusive inter-Libyan political dialogue aimed at building a truly representative and people-centered dispensation."

8. (U) The statement continued: "The political and socio-economic transformation of Libya holds real prospects of ushering in a new era based on the will of the people, in which Libya should take its rightful place in the community of nations. As Libya turns a new leaf in its history, the transitional government has the immediate responsibility of building national unity and reconciliation, restoring public order, reconstructing infrastructure, and reviving the economy. In this regard, South Africa pledges to make a contribution to the reconstruction and development of Libya. Consistent with the AU Roadmap, we believe that the way forward should include the drafting of a new constitution under the supervision of the transitional government, the holding of a referendum on the new constitution leading to the first ever democratic elections in Libya."

9. (U) The statement concluded: "The South African government would like to refute and dispel the rumors and claims that it has sent planes to Libya to fly Col Ghaddafi and his family to an undisclosed location. All along we have steadfastly maintained that the future of Libya should be decided by the Libyans themselves. This is what the AU roadmap is all about. An inclusive

durable political solution to the Libyan crisis on the basis of the will of the Libyan people. In this regard the AU High Level Committee will convene this coming Thursday, 25 August, to review the current situation in Libya. The AU Peace and Security Council will meet the next day on the 26th of August."

GIPS

SBU
This email is UNCLASSIFIED.

From: Rice, Susan E (USUN)
Sent: Monday, August 22, 2011 3:12 AM
To: Carson, Johnnie; 'Samantha_J._Power@'; Pelofsky, Eric J
Cc: Zeya, Uzra S; Paradiso, Dante X; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Graff, Corinne
Subject: Re: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

B6

[Redacted]

B5

From: Carson, Johnnie
Sent: Sunday, August 21, 2011 08:09 PM
To: 'Samantha_J._Power@'; Rice, Susan E (USUN); Pelofsky, Eric J
Cc: Zeya, Uzra S; Paradiso, Dante X; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Graff, Corinne
Subject: Re: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

B6

Susan and Sam: I don't know who would be able to influence Zuma positively (and Don Gips is in a better position to say something about the South African-UAE relationship) BUT IF THE MILITARY SITUATION IS SHIFTING DRAMATICALLY AGAINST Q we might want to consider tthe following: [Redacted]

B5

[Redacted]

From: Power, Samantha J. [mailto:];
Sent: Saturday, August 20, 2011 06:19 PM
To: Rice, Susan E (USUN); Carson, Johnnie; Pelofsky, Eric J
Cc: Zeya, Uzra S; Paradiso, Dante X; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Graff, Corinne
Subject: RE: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

B6

[Redacted]

B5

From: Rice, Susan E (USUN) [mailto:RiceSE@state.gov]
Sent: Saturday, August 20, 2011 6:17 PM

To: Carson, Johnnie; Pelofsky, Eric J; Power, Samantha J.
Cc: Zeya, Uzra S; Paradiso, Dante X; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Graff, Corinne
Subject: Re: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

Agree we shd focus on others AU targets, but is there anyone outside of Africa that could sway them??

[Redacted]

B5

From: Carson, Johnnie
Sent: Saturday, August 20, 2011 01:20 PM
To: Pelofsky, Eric J; 'Samantha_J._Power' [Redacted]; Rice, Susan E (USUN)
Cc: Zeya, Uzra S; Paradiso, Dante X; 'Loren_Schulman@' [Redacted]; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Robl, Terri L; '#AFRICA@dsr.eop.gov' <#AFRICA@dsr.eop.gov>; Graff, Corinne
Subject: Re: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

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B6

[Redacted]

B5

From: Pelofsky, Eric J
Sent: Saturday, August 20, 2011 11:21 AM
To: 'Power, Samantha J.' [Redacted]; Carson, Johnnie; Rice, Susan E (USUN)
Cc: Zeya, Uzra S; Paradiso, Dante X; Schulman, Loren DeJonge [Redacted]; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Robl, Terri L; #AFRICA <#AFRICA@dsr.eop.gov>; Graff, Corinne
Subject: RE: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

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Adding Amb. Gips' recent email to this chain and adding Susan. [Redacted]

B5

From: Gips, Donald H
Sent: Saturday, August 20, 2011 10:48 AM
Subject: Re: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

Just to add to the below, I do not expect them to change their position on this prior to the AU meetings. This has already been discussed at the highest levels (Zuma and Foreign Minister Mashabane) and both because of domestic political pressure and not wanting to get ahead of other AU members they will be very reluctant to approve this without broader AU support which may be hard to get.

[Redacted]

B5

[Redacted]

B5

From: Power, Samantha J. [mailto:[Redacted]]
Sent: Friday, August 19, 2011 8:05 PM
To: Pelofsky, Eric J; Carson, Johnnie
Cc: Zeya, Uzra S; Paradiso, Dante X; Schulman, Loren DeJonge; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Robl, Terri L; #AFRICA
Subject: Re: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

B6

[Redacted]

B5

From: Power, Samantha J.
To: 'Pelofsky, Eric J' <PelofskyEJ@state.gov>; Carson, Johnnie <CarsonJ@state.gov>
Cc: Zeya, Uzra S <ZeyaUS@state.gov>; Paradiso, Dante X <ParadisoDX@state.gov>; Schulman, Loren DeJonge; Gips, Donald H <GipsDH@state.gov>; DiCarlo, Rosemary A (USUN) <DiCarloRA@state.gov>; Ahmed, Salman (USUN) <AhmedSAL@state.gov>; Ryu, Rexon Y <RyuRY@state.gov>; Robl, Terri L <RoblTL@state.gov>; #AFRICA
Sent: Fri Aug 19 19:52:58 2011
Subject: RE: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

+ africa colleagues here. Loren and #africa had prepared points for a [Redacted]

B5

From: Pelofsky, Eric J [mailto: PelofskyEJ@state.gov]
Sent: Friday, August 19, 2011 7:25 PM
To: Carson, Johnnie
Cc: Zeya, Uzra S; Paradiso, Dante X; Schulman, Loren DeJonge; Power, Samantha J.; Gips, Donald H; DiCarlo, Rosemary A (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y; Robl, Terri L
Subject: FW: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

Johnnie,

I spoke to Susan about where we are with the South Africans. She'd like to know your views on next steps.

[Redacted]

thanks,
Eric

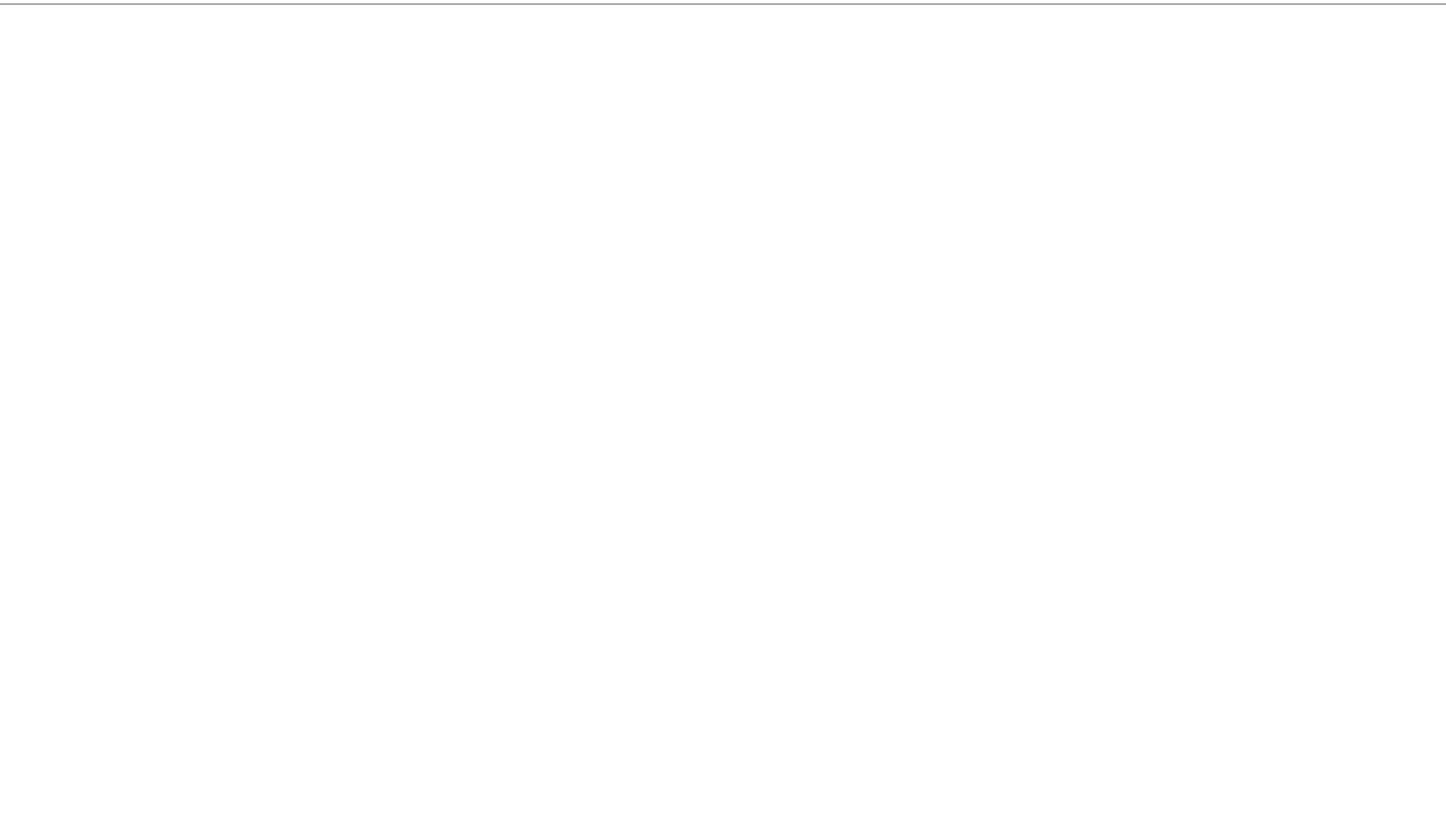
From: Pelofsky, Eric J
Sent: Friday, August 19, 2011 7:12 PM
To: Zeya, Uzra S; Neville, Colleen C; Sawyer, Julie L; Catalano, Elisa; Dibble, Elizabeth L; Shapiro, Jeremy; Blake, Robert O; Ayres, Alyssa; Keshap, Atul; Burleigh, A. Peter; Lu, Donald; Mustafa, Herro K; Carson, Johnnie; Paradiso, Dante X; Gips, Donald H; Pflaumer, Walter N; Apgar, Julia E; Brimmer, Esther D; Cook, Nerissa J; Pforzheimer, Annie; Holt, Victoria K; Angha, Negah; Flaherty, Erin C; 'Chollet, Derek'; Von Behren, Heather W; Power, Samantha J.; Schulman, Loren DeJonge; Roebuck, William V; Krajewski, Thomas C; Abdalla, Alyce N; Sidereas, Evyenia M; Cretz, Gene A; Cassidy, Joseph P; Cekuta, Robert F; Berg, Justin; Specht, Linda; Klein, John Marshall; 'Vinograd, Samantha'; Adam.Szubin [Redacted]; Luke.Bronin [Redacted]; Barbara.Hammerle [Redacted]; John.Smith [Redacted]; Feltman, Jeffrey D; 'Fishman, Benjamin I.'
Cc: Graff, Corinne; DiCarlo, Rosemary A (USUN); Black, Joshua J (USUN); Grant, William K (USUN); Ried, Curtis R (USUN); Ahmed, Salman (USUN); Ryu, Rexon Y
Subject: Libya: Update on U.S. request on frozen assets (Indians and South Africans)

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1.4(B)
1.4(D)
B1

Folks,

As of 5:00 p.m. today, South Africa had not lifted its hold on the U.S. request to the Libya Sanctions Committee to use frozen assets for humanitarian purposes. Adding a new complication, India has just written to the Committee to put the U.S. request on hold indefinitely (previously India had only requested an extension of the deadline for consideration to 5:00 p.m. today). As a result, our request will not be approved until both South Africa and India affirmatively write to the Committee to lift their holds.



Separately, the South African mission confirmed for us that they had not received new instructions from capital on this matter.

thanks,
Eric