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From: Mills, Cheryl D <MillsCD@state.gov>
Sent: Sunday, October 16, 2011 2:25 PM
To: H
Subject: FW: TIME SENSITIVE AND CONFIDENTIAL -- Malta Trip Backgrounder for the Secretary -- Confidential
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Importance: High

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Fyi background

From: Kmiec, Douglas [mailto:]
Sent: Sunday, October 16, 2011 5:05 AM
To: Mills, Cheryl D
Subject: TIME SENSITIVE AND CONFIDENTIAL -- Malta Trip Backgrounder for the Secretary -- Confidential
Importance: High

B6

Douglas W. Kmiec

Cheryl

I know from current events that your life must be a whirlwind. I know that if there ever was someone who could tame the whirlwind, it would be you.

Just read the news report of the Secretary's stop in Malta next week. Thank you for arranging this. This letter and the accompanying clips I believe will help make the Secretary's visit a highly successful and well received one.

The Maltese are wonderful people and our relations with both the sitting government and the opposition could never be better. Indeed, it may be important for Mrs. Clinton to include both the PN and PL opposition in her stay. Lawrence Gonzi, the current PM, is an excellent leader, but has only a one vote margin in the parliament. His top advisor is a fella named, Edgar Curmi, and you might think to include him in as many meetings as possible, since the PM relies upon him strongly.

Joseph Muscat, the PL opposition leader is much younger, but bright and capable, and the recent beneficiary of a trip we arranged for him to NY and Washington (spring 2011), where he made a uniformly excellent impression, especially on the NSC folks, and that of course, is important given the sensitivities of north Africa. Muscat is a Phd who sees himself in the mold of our President, and does have many excellent progressive ideas. It is a stable, and highly participatory, democracy, but the parliamentary elections in 2013 could go either way depending on the surrounding conditions.

Neither party has brought women into the ranks of office holders nearly as much as they should. There are some very excellent women's organizations in the country that I made it a point to encourage at every turn, and they would be thrilled with even a few moments of the Secretary's time. Tracy Brown, the consular officer, is the person who I encouraged to

take the lead with these groups, and she would readily help you arrange a photo op/drop by. There was recently a very successful breast cancer walk, organized by among others, Betty Lee, a nurse survivor, who is a leader in assisted care on the island – she is on staff at the Holy Family Home in Naxxar. Grace Attard and Dolores Sammut are leaders in the National Association of Maltese Women. The PM also has a top notch thinker in a commission designed to evaluate the gender implications of budgeting as well as to certify private businesses that do innovative gender recruitment and promotion. Tracy can get you the name of the research commission if you need it.

A genuine gem of a person is the President (George Abela); he is a former labor lawyer; he championed the cause of the refugees while in private practice and he never hesitated to help us help those seeking resettlement. He very bravely co-authored an essay with me speaking out against race discrimination, especially race discrimination that was sought to be excused by the inexcusable comment “oh, they are only refugees.” This infuriated the soft-spoken president as much as it did me, and don’t let the kindly demeanor fool you, he is both a fighter, and he is much beloved. If the Secretary wants to break the ice with him, she could compliment him on his dedicated roll year after year in the major fundraiser, called l’istrina.

Malta is making progress on trafficking, but it is largely because we convinced the police chief (Rizzo) to take a personal interest. His subordinates uniformly could not see past the “streetwalker,” not realizing there is often a corrupt trafficker in the shadow. The Chief has now fully accepted the concern and with the help of the Catholic organization, Caritas, is treating these women as prima facie victims, so that the best sociology is being used to allow women to speak without intimidation. There is a good long way to go, but with the PM appointing Alan Caruana, a high ranking utility player for the PM, as chair of the task force on the issue, there is much progress. Tom Yeager who I brought to the embassy from his naval career has this topic very well in hand.

The one issue that was still fluid was SOFA. It is a real bugaboo; in part, because the Bush people tried to overreach. They frankly sent in a team thinking they could just push a small country around, and they created a political firestorm. On my watch, we did a number of things: first, we went public and asked what the neutrality provision in their constitution meant. We did this since we could never get a straight answer, and we could make no progress until we got both sides (and this is unfortunately a political football between the two major parties). While it took a little while to get through all the smoke, ultimately we discovered there was reasonable agreement between the parties on what neutrality means (i.e., no mutual defense alliance in advance; wariness about military engagement altogether – remember this nation’s history being bombed 154 consecutive days by the Nazi’s and having resources only for a small, but proud maritime force, the AFM, under the leadership now of Matthew Xuereb, but also under Brigadeer Vasallo, who is just retired, but had been thought very highly of by Secretary Gates, who personally signed his award of the highest Pentagon honor given to a foreign national) – but willingness to both supply humanitarian assistance (as they did generously in our evacuation of the embassy Tripoli staff and the two hundred or so other foreign nationals we helped get out. Edgar, the PM’s assistant, wanted had me start the ball rolling with the hospital ship months ago, and I assume it finally got a boost from McCain. Beyond that, I had pretty much secured Tonio Borg, the FM’s concurrence, that as soon as the politics were right, Malta would sign up to the NATO Pfp SOFA with such reservations as might be needed to respect Maltese neutrality. Muscat and the labor people, George Vella, don’t have much objection to that, but they still carry an old grudge against the PM and his party

for re-activating membership in NATO Pfp without going back to Parliament (a previous PL majority having withdrawn Malta from NATO). Dr. Vella (he is an MD) probably has the better of the formalism on this, but again, its old news, and the point needs to be made clearly that Malta loses out year after year to the small defense and state funds available to them for Maritime training and the like because they have dragged out this SOFA discussion way out of proportion. If Muscat the PL leader is brought into meetings, he needs to hear this as well.

That said, we of course are somewhat the source of our own problem. The Navy Captains would like a SOFA, but with flexibility from their NATO commander, they will bring ships into port on a waiver basis and if we allowed that to happen, it would be in everybody's best interest, since it would generate economic activity and demonstrate the good citizens our service people generally are.

And

Economic activity from us – be it from port visits or ship repair – is a helpful conduit for greater or continued cooperation on Iranian sanctions. You will remember that IRISL had a large presence in Malta, and it took some real hard negotiation with Tonio Borg, the foreign minister to get Malta's full cooperation. Understandable, given the significance of the "free" port to them, but nevertheless with the help of my friend and teacher, Ambassador Bill Wood we made real progress, and ultimately Malta was helpful to us to bring Cyprus and Greece more closely into the effort. Malta also negotiated a ship boarding agreement which is in place; accepted training and equipment in their customs port (it is generous on our part, but it also slows trade), and helped us interdict a shipment which became a pivotal part of the last sanctions effort. Malta is no fan of sanctions, and rightly, they are skeptical and surmise all the wrong people escape their impact. Nevertheless, Malta respects our judgment on the risk, so long as we level with them, and do not overstate.

There is probably more, and I am willing to fill in gaps if it can be useful. The Maltese are justifiably proud of their ancient, Arabic-based language, so if the Secretary can it would be great if a portion of her remarks could be given by her in Maltese. I can help with that if you get me a paragraph, or alternatively, I can put you in touch with former Malta Ambassador to Egypt, George Doublesine, who would be delighted to do a translation for her, and who is also quite an expert on Egypt which could prove useful in the months ahead. Seeing the shortness of time, I have done a short statement at end of this letter.

I suspect the full diplomatic corps will come out, as they should. There are some very good friends of America in the group: most notably, Tomaso Caputo, the archbishop and papal nuncio; Anne Quinane, the high commissioner of Australia; Jean-Francois Delahaut of Belgium; Caroline Gudenhaus of Austria. The Egyptian ambassador, Abdel Mawgoud Elabashy, is a good friend, and Mrs. Clinton again could find his advice useful in the months ahead. He has two very talented daughters, Hannah who did her undergrad at Harvard and Farrida who just started at Grinnell. Of special note is Gabriel or Gabi Taweel of the Palestinian Authority; he is sharp, witty, a good friend of the U.S., anxious to get a genuine two state solution in place, and he is also the brother of Suha Arafat, the widow of Yasser, who is in residence in Malta.

The new building: is of course magnificent, and the construction delays were all US in origin; when I got there, the project had slipped because of the absence of a confirmed ambassador, because there was a nepotism problem with the project manager, who in turn

had problems keeping engineers. I quite frankly made a nag of myself at OBO until they helped me put people in place that could finish the project to the quality and specification of high standard both because I conceive of Malta as an important regional north-south facilitator of important security and trade information, and because Malta allowed us to build – on 10 acres no less – in the heart of their national park which is very popular. We compensated in part by building well (the quality of the construction will be obvious) and several Maltese business men (Winston Zhara and James Satariano) helped me solve the so-called labor shortage (which really was just a product of the prior bad management). If there is a luncheon to include pro-American business types, they should be thought of.

At the embassy, Mrs. Clinton will remember that while the mechanicals won a LEEDS award designation for efficiency; we had expected, and to some degree, made known our plan to build a sun shade over the parking lot which would serve as a platform for solar cell technology which could pick up as much as 30 percent of the power need. I again nagged poor Deputy Secretary Kennedy to get the funding, which we got for the cells, but not the sun shade platform. I hope my Charge has kept up the encouragement of this funding, since if there is a place on earth that should not be dependent on carbon fuel, since it has none, and dependent on wind and solar – since it has this in abundance – it is Malta.

The largest part of our US team in the embassy is the navy/coast guard/ ncis contingent that has established a Maritime training program with the AFM to good success. The defense attaché there now is new

1.4(D) beloved and hardworking – and to good effect, patrolling the waters and the ports for B1 drugs, traffickers, and terror related figures.

B3 CIA PERS/ORG

Our biggest LES component is the local guard. They take great pride in working for the US embassy, and they deserve special praise; Joe Cordina and Ray (sorry forgot the last name) are the chief and deputy. There are a number of women guards who we hired again as a matter of gender outreach (Jo Micallef; Sandra; Evelyn; Dorianne; Mary Grace) – if there is a photo op with personnel, they deserve notice.

Well, Cheryl, I hope you find this helpful. As you can see, I took great pride in my work for President Obama and the Secretary, and even greater pride in how well our country had come to be regarded under President Obama's leadership. I never anticipated that I would not be there on the tarmac at Luqa when the Secretary arrived, but my happiness is great knowing that it is going to happen. I am a bit surprised, of course, that the President accepted my offer to resign when I was simply carrying forward what Josh Dubois in the White House called the "special presidential logic" of my assignment, but I fear there was just some very unfortunate miscommunication which gave the Secretary the sense that we were swimming in a direction that would have raised constitutional issues. I know that wasn't the case, and for the last weeks had anticipated returning to duty when the President and/or the Secretary had time to see that what we were doing -- as the intimate knowledge of this letter written by memory I think reveals – was the full complement of work for Embassy Valletta, plus. The plus is still well worth undertaking, since the ideas that will need to be explored to promote inter-religious harmony in the Arab democracies still need great attention. We can rest assured that those who would provoke difficulty by fostering religious division will do so.

Forgive me for having a Mr. Smith goes to Valletta moment, but I believe deep down Mrs. Clinton and myself having emerged from the same Edgewater beach cradle, walked the same WPA sidewalks in Park Ridge, and had similar parental perspectives – though my Dad

was a Kennedy Democrat through and through, and I got the sense that Mr. Rodham was of a different mind – we nevertheless with similar origin, and cultural formation, feel about the same love of country.

All this is likely surplusage to the fine advance work and briefing supplied by the highly capable Rick Mills and his excellent assistant, Rebecca.

Do let me know if I can help by returning to post or in any other way.

Very respectfully,
Doug

PS not knowing the Secretary's remarks, here is a short Maltese passage; wherever possible I have chosen words that with a little study can be pronounced easily and look somewhat like our own vocabulary:

The following which includes some endearing self-deprecating humor may fill the bill nicely:

Malta is a good friend of the United States because it is a good friend of peace. Malta knows the price of war and the price is always too high. Malta's influence as a highly stable democratic Republic, as a knowledgeable trading partner, and as a geographic link to better north-south and interfaith understanding (did my good friend Doug Kmiec help with this translation?). I am very pleased to see this excellently completed new embassy. It is a sign of our confidence in Malta and our gratitude for helping Ambassador Kmiec and Charge Mills come to the aid of our Tripoli staff caught in the crossfire in Libya and the role it has played in giving humanitarian relief.

Malta huwa habib i-istati uniti minhabba ilhuwa habib ta paci. Malta jaf il-prezz tal-gwerra u ;-prezz huwa deje, gholi wisq. Influenza Malta bhala repubblika demokratika hafna stabbli, bhala msiehba kummercjali infurmati u bhala rabata geografika ghall-fehim tramutan a-nofsinhar ur-religjonijie t ahjar (ma habib tieghi Doug Kmiec taghmel din it-traduzzjoni ?). (I am) kuntent hafna li tara dan ambaxxata gdida eccellenti tlestew huja sinjal ta fiducja taghna f'Malta u gratitudni taghna ghall-ghajnuna ambaxxat ur Kmiec waslet ghall-ghajnuna tal-persunal Tripoli taghna maqbuda fil-crossfire fil-Libja ur-rwolo li kellha taghtighajnuna umanitarja.