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programs, and stabilization efforts when you determine that conflict or instability challenges the capability of civilian providers to deliver such assistance. The assistance proposed here is for the security sector. Congressional notification will be required before funds are transferred to GSCF and before initiating any activity.

Attachments:

- Tab 1 – Country Designation Memo for Libya
- Tab 2 – Country Designation Planning Guidance
- Tab 3 – Scoping Paper
- Tab 4 – Secretary of Defense Concurrence on Country Designation

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**Global Security Contingency Fund
Country Designation for Libya and Certain Neighboring Countries**

Strategic Context: Libya is a nascent democracy in a geo-strategic location at the intersection of the Mediterranean, African, and Arab worlds. As Libya transitions from an authoritarian regime to one that is governed by the people through democratically elected civilian leaders, it is important that the security institutions are reformed or built anew to reflect this transition. The United States and other donors can play an important role in assisting the Government of Libya to organize its security institutions as the new government continues to establish itself. Our primary U.S. interests are seeing that the Government of Libya is able to quickly establish competent security institutions that will counter terrorism and the proliferation of conventional weapons and weapons of mass destruction (as well as their components), primarily through effective border security institutions. We will provide support through the Global Security Contingency Fund (GSCF) and other security sector assistance authorities as necessary to assist an important regional partner while it is in the immediate transition phase.

Country Designation under the Global Security Contingency Fund:

I hereby designate Libya as a GSCF country to receive assistance under section 1207 (b)(1) of the National Defense Authorization Act, 2012 (P.L. 112-81). In addition, I designate Tunisia, Algeria, Niger, Chad, and Egypt as GSCF countries only for the purpose of receiving assistance to improve border security collaboration with Libya. These designations have the concurrence of the Secretary of Defense and are to be carried out in accordance with the attached planning guidance.

8/23/2012
Date


Hillary Rodham Clinton
Secretary of State

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**Global Security Contingency Fund
Planning Guidance for the
Designation of Libya**

Scope of Planning:

1. (SBU) The primary focus of the effort will be to address Libya's border security and integrated border management to build an effective, cross-ministerial border security management capability, with a primary focus on land borders. Planning may incorporate cross-border training/cooperation components as they relate to improvement in border management.
2. (SBU) Global Security Contingency Fund (GSCF) efforts in Libya should complement existing U.S. strategic efforts in the region.
3. (SBU) Assistance should focus on (but not be limited to) training in the following areas related to border security: ministerial capacity building; strategy development; delineation of ministry responsibilities; interagency cooperation; force development; counterterrorism; intelligence collection, analysis, and dissemination; and command and control.
4. (SBU) Acquisition of critical equipment by U.S. funds may be considered as long as such acquisition is low-cost and high-impact, and falls within the guidance of the U.S. arms transfer policy and is consistent with the UN Security Council arms embargo for Libya. The Government of Libya will be expected to sustain the equipment.
5. (SBU) Planning should consider how to best leverage existing and planned projects and complement other security sector assistance efforts undertaken by the United States and other donors, and will be in accordance with applicable UN guidance.
6. (SBU) Border management assistance for Libya should encourage regional border security cooperation and collaboration with neighboring countries.
7. (SBU) GSCF-funded assistance will not exceed \$20 million and should conclude within three years.

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Specific Instructions:

1. (SBU) The Libyan government will be a partner in planning and implementing GSCF security sector assistance efforts. It will be expected to play a major role in funding and sustaining major equipment purchases.
2. (SBU) The Deputy Assistant Secretary of State for NEA and the Deputy Assistant Secretary of Defense for African Affairs, as chairs of the GSCF project steering group, will provide policy oversight and guidance to the GSCF planning effort. The project steering group will include, as members, representatives of relevant State and Defense Department offices, and from the country team in Libya and U.S. Africa Command. The chairs may invite additional members to the project steering group.
3. (SBU) The GSCF program core staff will form a surge staff composed of regional and functional experts to develop an implementation plan under the guidance of the project steering group for the use of the GSCF in Libya.
4. (SBU) The project steering group may determine that assessments of border security institutions and capabilities are warranted. If so, it will determine the most appropriate means to conduct the assessment in support of the GSCF planning effort.
5. (SBU) The surge staff will align GSCF plans with other current or planned U.S. government security sector assistance efforts, as well as the efforts and plans of other bilateral and multilateral donors, to ensure efficient use of resources with no program overlap or redundancy.
6. (SBU) Managers of other U.S. security sector assistance programs active or planned in Libya are expected to collaborate with the GSCF surge staff.
7. (SBU) The project steering group will provide a plan to develop Libyan security sector capacity per the scope outline above to the Secretaries of State and Defense for their approval no later than 60 days from the date of country designation.
8. (SBU) Staffs are directed to identify and prepare to transfer to the GSCF the funds necessary to implement the prospective Libya plan fully, not to exceed: \$4 million from the Department of State, and \$16 million from the Department

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of Defense, pending availability of resources and subject to compliance with relevant congressional notifications.

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**Global Security Contingency Fund
Designation of Libya
Scoping Paper**

(SBU) Proposal Summary

(SBU) This paper lays out the justification and proposed way forward for the Department of State and Department of Defense to use the Global Security Contingency Fund (GSCF) to support U.S. objectives to address the threats of terrorism and proliferation of conventional weapons and weapons of mass destruction in Libya. Upon designation of Libya under section 1207 of the National Defense Authorization Act for 2012, we propose to use up to \$20 million of the GSCF transfer authority to assist the Libyans in building an effective and integrated cross-ministerial border security management capability – with a primary focus on land borders – and assist in establishing the related institutions necessary to address our counterterrorism and counterproliferation priorities. Assistance will focus on training and technical assistance and may include some equipment. Planning will consider, where appropriate, cross-border training/cooperation to improve cooperation and collaboration between Libya and its neighbors, although Libya should remain the primary focus of this assistance.

(SBU) Status of Border Security Management in Libya

(SBU) Libya's border security and management apparatus are in disarray. The interim government is attempting to control its land, air, and maritime borders but is challenged by minimal customs and border patrol staff, emerging, inexperienced justice system, and nascent security institutions with limited trained forces. Security institutions are particularly ill-prepared to provide border protection as former leader Qadhafi relied primarily on his personal forces and using divide-and-conquer tactics among tribes to secure the borders, or simply ignored them until a flare up.

(SBU) With little expertise and equipment, and virtually no inter-ministerial coordination among the entities responsible for border security, militias and a few prominent tribes have largely assumed the role of securing the ports of entry – to the detriment of the nation and the region. This phenomenon, along with continued internal instability caused by the revolution, has led to an increase in the smuggling of arms, illegal immigration and trafficking in persons, an uptick in other illicit trade, and an increase in outbreaks in violence along the borders. The United States, the UN panel of experts, the Libyan government, and our

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international partners have all stressed publicly and privately that the overall border security situation is a grave threat to Libya's transition and to regional stability, and that outside assistance will be required to remedy the situation. All parties agree that the Libyans cannot meet this challenge alone; yet, outside assistance is minimal at this time.

(SBU) Rationale for Supporting Libyan Border Security Management

(SBU) Supporting the Libyan government in its efforts to improve border security management is in the U.S. national interest for several reasons.

(SBU) Geostrategic Importance

- (SBU) The United States is committed to supporting Libya's transition to democracy given its geostrategic importance at the intersection of the Mediterranean, African, and Arab worlds. Libya's oil is particularly valuable to the world economy given its ease of extraction and export, and overall quality.
- (SBU) Libya is a resource-rich country. As such, the United States wants to see Libya become an engine of growth for its neighbors, such as Tunisia, which also is going through a challenging democratic transition that the United States actively supports. Without a capable border security management mechanism in Libya, U.S. interests in neighboring countries are jeopardized.
- (SBU) Libya's internal security vacuum exacerbates problems along its land and maritime borders. The Libyan government appears committed to building the Ministries of Interior (MOI), Justice (MOJ) and Defense (MOD), along with Customs, to improve internal security as well as to tackle border instability along its long, porous borders. It lacks, however, the capacity and expertise to meet the challenge effectively. Libya is essentially building all its national institutions from scratch after 42 years of dictatorial government and control, where state institutions are kept deliberately weak. By providing expertise and technical advice in border security management, the United States could greatly assist the Libyans in this area to advance mutual security goals.

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National Security Importance

- (SBU) Since the revolution, the Libyan military's considerable small arms and heavy weapons stockpiles have been looted and dispersed largely within Libya, but to an extent beyond its borders, creating local and regional security concerns. Authorities in several countries, including [redacted] [redacted] have expressed concerns about the smuggling of Libyan weaponry across or towards their borders. Continuing smuggling incidents and arrests reflect the broad scope of the threat. Particular concern has been focused on the potential smuggling of shoulder-fired anti-aircraft missiles (MANPADS). UNSCR 2017 specifically addresses this threat.
- (SBU) U.S. Government officials and regional counterparts remain focused on the potential for Libya's weakened border conditions to provide opportunities to al-Qaida's regional affiliate, al-Qaida in the Lands of the Islamic Maghreb. Some press reports suggest al-Qaida personnel have obtained weaponry from looted Libyan military stockpiles, including surface-to-air missiles. The [redacted] governments continue to express to us their concern that weakened security along Libya's long borders could allow al-Qaida operatives and criminal networks that provide services to al-Qaida to move more freely and operate from within Libya.
- (SBU) Libya has declared chemical weapons material that has not yet been destroyed. Although the United States considers the material secure at this time, the weakened border situation gives added incentive to those interested in such material to seek to obtain it from Libya.

Regional Security Importance

- (SBU) Libya's neighbors – Algeria, Tunisia, Egypt, Niger, Chad, and Sudan – have long struggled with their own border security issues. The aftermath of the Libyan revolution has exacerbated those challenges. (NOTE: Tunisia and Algeria lie to the west of Libya, and Egypt to the east; while the Sahara stretches across Libya's southern frontiers with Niger, Chad, and Sudan).
- (SBU) With vast desert in its south, Libya has for years served as a destination and transit country to European shores for hundreds of thousands of African immigrants. The vast and porous desert borderland in the south

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has long been described as a major hub for smuggling and human trafficking.

- (SBU) Recent news reporting of weapons flowing from Libya to Egypt and the Sinai is a clear indication of the growing threat posed by Libya's unprotected borders to Egypt's own democratic transition and to Israel.

Complementing Existing Programs

- (SBU) The proposed GSCF planning effort to improve border security would complement the current U.S. non-proliferation program with the Libyan government to retrieve, inventory, and disable certain types of weapons, including Man-portable Air Defense Systems.
- (SBU) The GSCF border project, where appropriate, would complement a UN Support Mission in Libya (UNSMIL) border security program.
- (SBU) The GSCF project would build on the current Export Control and Related Border Security Assistance (EXBS) program that is providing a series of basic interdiction training courses to Customs, MOI, and MOD staff.
- (SBU) To the extent feasible, this GSCF border-focused project will be coordinated with and support U.S. Special Operations Forces efforts to help develop Libyan special operations forces.

(SBU) Rationale for using GSCF for Libyan border security

- (SBU) The GSCF is designed for emergent challenges and opportunities. The Libyan government, the United States, and international partners have identified the development of an efficient and effective cross-ministerial border security management capability as among the highest priorities for the Libyan government. Without such a capability, the establishment of a secure, stable, and democratic Libya will be difficult to achieve, and the risk to the northern Africa region already struggling with security issues will likely worsen.
- (SBU) The Libyan government has stressed its interest in support from the international community on this issue and has taken a number of

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independent steps to tackle the problem. Using the GSCF is an opportunity to strengthen U.S. relations with an interested and committed key partner.

- (SBU) The broad authority of the GSCF allows for tailored and integrated planning across the security sector of a country partner. The GSCF can provide security sector assistance to national military and other security forces, as well as the government agencies responsible for overseeing these forces. It can also provide assistance for the justice sector including law enforcement and stabilization efforts. Border management is a cross ministerial challenge for Libya that requires an integrated funding strategy as offered through the GSCF. If Libya is designated for GSCF funding, we would intend, pending the availability of resources, to develop an integrated approach to support MOD, MOI, and Customs as they build their border security force management programs. No other U.S. funding stream features this innovative, multiple U.S. agency integrated approach necessary for building partner country border security management.
- (SBU) GSCF funds will remain available until September 30, 2015. Although improving border security is a priority for Libya and the United States, it will take time to develop and implement a well-informed assistance project. Libya will continue to have limited capacity for the next several years. The United States has little understanding of Libya's border terrain as bilateral security cooperation was minimal under Qadhafi. At this time, no one (including the Libyans) has done a comprehensive assessment of Libya's borders or developed a plan or list of requirements to improve security. Any project undertaken will be coordinated with international partners currently or planning to assist on border security. For these reasons, a deliberate approach will be necessary to develop appropriate projects. This fund gives us that needed flexibility.

(SBU) Parameters of Project

- (SBU) The project should include assessments of borders and identification of key borders on which to focus. The United States should incorporate the European Union border security scoping exercise and determine whether additional scoping is necessary.
- (SBU) The project should focus on land borders given European Union emphasis, particularly by Italy, France, and the United Kingdom, on assisting with maritime borders and security.

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- (SBU) The project planning should consider, at the ministerial level, how the management of maritime, air, and land borders should be synchronized.
- (SBU) The project should assist the Government of Libya in establishing clear delineation of border-related responsibilities between ministries and support the development of special capabilities within those ministries that allow them to carry out those responsibilities.
- (SBU) The overall project should include a cost-sustainment arrangement. Libya is a wealthy country that should contribute the majority of funds to improve its border security.
- (SBU) U.S. funding should support primarily U.S.-provided training and technical assistance, subject to the availability of resources.
- (SBU) The project should be designed in close coordination with the Libyan government and include participation from the Libyan MOD, MOI, and Customs.
- (SBU) The project should include participation by the Departments of State, Defense, Homeland Security, and Justice.
- (SBU) All programming should be done in collaboration with UNSMIL and de-conflicted with other international partners' contributions to border security.
- (SBU) Planning should incorporate Libyan regional partners as a way to build cross-border cooperation.
- (SBU) All programming should incorporate lessons learned from other U.S. programs and build on such program successes (as implemented, for example, by EXBS, U.S. Africa Command, and the State Department's PM and PRM bureaus).

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ACTION MEMO

DepSec Action
USD(P) *[Signature]*

AUG 15 2012

FOR: SECRETARY OF DEFENSE

FROM: Michael A. Sheehan, Assistant Secretary of Defense, Special Operations/Low-Intensity Conflict *[Signature]* POASD AUG 15 2012

SUBJECT: Global Security Contingency Fund Country Designation: Libya, Nigeria, and Republic of the Philippines

- The Global Security Contingency Fund (GSCF) is a new statutory authority that authorizes State and DoD to pool funds in order to formulate assistance programs jointly to meet emerging challenges and opportunities.
- The first step in providing an assistance program under the GSCF is your concurrence in the Country Designation Memos and Planning Guidance (Tabs A through C), to be signed by the Secretary of State.
 - The Country Designation Memos and Planning Guidance have been coordinated with State and will be delivered to the Secretary of State for approval when we notify State of your concurrence.
 - The Scoping Papers (Tabs D through F) provide background information, including assistance objectives, the rationale for GSCF designation, and a brief description of the primary lines of effort in each country.
 - Country designation, in itself, does not compel the transfer of FY12 funds.
- The Secretary of State has expressed her support for designation of:
 - Libya and certain neighboring countries (Tunisia, Algeria, Niger, Chad, and Egypt), only for the purpose of receiving assistance to improve border security collaboration with Libya;
 - Nigeria and certain neighboring countries (Niger, Chad, and Cameroon), only for the purpose of receiving assistance to improve border security collaboration with Nigeria; and
 - Republic of the Philippines
- Following country designation, we will commence interagency planning in accordance with the Planning Guidance.

Prepared by:



SD CA	<i>[Signature]</i>	ESD EA	
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SD MA		ESD MA	
ISA	<i>[Signature]</i>	ESD CA	
EA LADM	<i>[Signature]</i>		
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