Retired Navy Rear Admiral Charles Kubic Presentation transcript Citizens' Commission on Benghazi Press Roundtable National Press Club, April 22, 2014

Today, I just wanted to talk briefly about what happened after the bombing started. This would be the bombing the U.S. and other countries that started on, I guess it was March [19] of 2011. About that time, I, you know, through intermediaries, became aware that Gaddafi was ready to step aside, that he was willing to go into exile to be defined—whether that was internal or external exile—and to end the hostilities. And people who knew me as a businessman also knew that I was a retired Admiral, and they came and they asked me, "How could this be arranged?"

And I knew that there was a lot of distrust still within Gaddafi's inner circle. And, by the way, I chose not to work with him or any of his sons or any of his inner circle because, again, he wasn't really a good guy. But people, you know, were looking for help. And I said, well, let's keep the diplomats out of it, let's keep the politicians out of it. Let's just have a battlefield discussion under a [flag of] truce between the opposing two military commanders pursuant to the laws of war. And let's see if we can, in a short period of time, come up with the terms for a cease fire and a transition of government.

After some discussion, and, by the way, there was a lot of back and forth over about a three-day period starting on the 19th and the 20th, 21st, 22nd of March 2011. They came back and communicated to me that, "Yes, they were receptive to that." I then, through again, people that I knew, contacted the command center at AFRICOM, U.S. Africa Command in Stuttgart, Germany, and was put in in touch with Lieutenant Colonel Brian Linvill. Brian was a former attaché in Libya. He knew many of the Libyan generals, and he would have been pulled into the command center as their action officer to deal with all communications back and forth with the Libyan military.

And so he became my point of contact, and he passed this information quickly up his chain of command to General Carter Ham, who was the commander of AFRICOM, that the Libyans wanted to talk, and they wanted this to be a battlefield discussion between military commanders. When he came back he very quickly, he said, "Yes, there was interest, in setting up a direct line between military commanders. In order to coordinate this, could we have a phone call between the Libyan command structure and the U.S. AFRICOM command structure?"

I then went back through my intermediaries and asked them to consider how we would do this. They then asked for my help in giving them what amounts to talking points that they could use to both translate for their leadership and then to use to basically guide their proposal during the phone call.

Exhibit 6

I then helped them put together four simple points. And the points were that they would propose a 72-hour truce for the purpose of conducting negotiations of the terms of a formal ceasefire, that they would propose that the talks would be held in Tripoli, to be determined whether they would be ashore possibly at the former U.S. Air Force base there or afloat in Tripoli harbor. But the discussions would be between Major General Abu-Bakr, and [] [Yunis] Jabr, who was the Libyan Defense Minister, and General Carter Ham. And then the third point was, that if the U.S. agreed to these conditions, the Libyans would stop all operations immediately, withdraw the military forces to the outskirts of all cities, and assume a defensive posture. And then the fourth point, to ensure credibility with the international community, the Libyans recommended that observers from the African Union be invited into Libya to ensure the truce is honored.

When I then went back to Africa Command, and I told them that the call was going to be set up, again they were doing their own due diligence. They said, "We need some proof that this is real. Will he pull back his troops now from the outskirts of Benghazi?"

And, so I communicated that back, and the Libyans complied. They pulled their troops back. And then that night, which would have been on the 21st of March, General Carter Ham went on [NBC] News, issued a statement assuring that the U.S. military was not targeting Moammar Gaddafi. And again, to anybody watching the news they would assume that this was just part of his statement, but that was a signal back to the Libyan government that they would act in good faith.

And then Gaddafi began to pull back from Benghazi and Misrata, and we were set to, we had the phone call. The phone call went well. They actually, uh, repeated almost word-for-word the points that had been proposed to them. And there was a lot of enthusiasm that we were going to be able to stop this crisis before it really got out of hand. The Libyans then after they saw General Ham's show of good faith, they came back and said, "Well, as a part of the negotiations we would like to ensure that stability remained in the country, and so even though Gaddafi would leave, one or two of his top generals would basically continue to command the military forces, particularly to ensure that Al Qaeda in the Islamic Maghreb didn't take over the country." And he also, of course, asked to have sanctions removed against himself, his family and any of those loyal to him.

However, despite the willingness of Africa Command and how things were set for the 72-hour truce to discuss the cease fire, the idea was shot down above AFRICOM. When I got the phone call saying it was off, immediately, you know, I was shocked. And I went back and pushed back and said, "At what decision [level] was this made?" And the answer came back, "Well above General Ham, and that we now are told to, effectively, stand down from organizing the truce talks." And at that point in time the window of opportunity closed. And, I guess, as I step back from that, I thought to myself, number one, we were so close. Number two, it was beyond me

that we couldn't give 72 hours for a cease fire, particularly when we had a leader who had won a Nobel peace prize and was unable to basically give peace a chance for 72 hours.

So again, as you look at this the story begins to start then as to what created chaos, and that chaos then ultimately culminated in Benghazi and the assassination of our Ambassador.