

**Update Note for the Secretary-General
Wednesday, 2 April 2014**

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1. Middle East Peace Process

USG Feltman writes that following the latest meeting between Secretary Kerry and PM Netanyahu on 31 March, it became clear that the negotiations have reached a critical point. In what is largely perceived as a pressure tactic, President Abbas announced yesterday the signing of 15 international treaties and conventions in response to what he said was Israel's failure to release the last tranche of 26 pre-Oslo prisoners, including 14 controversial Arab-Israelis such as Marwan Barghouti. DPA understands from both the Palestinian and US missions that these conventions and treaties do not include UN agencies and therefore will not trigger the US funding issues as we saw when Palestine joined UNESCO in October 2011.

The conventions and treaties signed were: the Convention on the Rights of the Child, the Convention on the Elimination of Racism and Discrimination, the Vienna Convention on Special Missions, the Vienna Convention on the Law of Treaties, the Vienna Convention on Consular Relations, the Vienna Convention on Diplomatic Relations, the four Geneva Conventions, the Convention on Corruption, the Convention against Torture, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights, the International Covenant on Economic and Social and Cultural Rights.

Abbas' move was in advance of what was meant to be Secretary Kerry's return to the region today for meetings with President Abbas. Kerry stated in his press briefings from NATO headquarters yesterday that it was premature to make conclusions at this point on the state of the talks but that both sides had committed to continue the negotiations until the end of April. Media reports speculated before Abbas's announcement that Kerry had secured from Netanyahu a partial settlement freeze on settlement approvals for the issuing of government tenders for housing in the West Bank only. This settlement freeze would not apply to projects currently underway and institutional projects like schools could still move forward. The Israelis also reportedly agreed to release the 14 Arab-Israelis, plus 400 Palestinian prisoners, in exchange for the release of Jonathan Pollard, the former Navy intelligence analyst, imprisoned since 1987 for espionage on behalf of Israel (and eligible for parole next year). However, media sources report that Israel stood by its refusal to release the last tranche of prisoners unless Abbas agreed to extend negotiations and argued that its original commitment to release them was bound on the continuation of the talks, for which they argued had not taken place since

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November. The timing of the concession appears to have been too late for the Palestinians.

Today, SC Serry met with chief Palestinian negotiators Saeb Erekat and Palestinian FM Malki, who told him that they are approaching the Swiss about acceding to the Geneva conventions and to the Dutch on a 1907 convention (a precursor to the Geneva conventions). Serry said that the Palestinians told him that they were intentionally avoiding at this moment accession instruments to the ICC and to UN agencies. They explained their actions as entirely justified, given that they had refrained to take such actions in an understanding with Israel brokered by the US which Israel had abrogated with the failure to follow through on prisoner releases. The Palestinians claimed to want to avoid either causing the collapse of the talks or a fight with the US.

Serry says that the Israelis (as well as the Americans) seemed truly surprised by the Palestinian action [*a surprise which astonishes Feltman, frankly, given the information the Israelis always seemed to have regarding Palestinian intentions*]. Serry saw Livni just before she was to go into cabinet consultations. Livni was "apoplectic," asking questions about the reversibility of this step. She asked how this step could be explained "when they make this move an hour before this right-wing Israeli government was about to take a historic step, by signing off on a deal, which included release of prisoners, a settlement freeze, plus additional prisoners, and more?" The Israelis were consulting with the lawyers and urged the UN, as a depository, to find a technical delay to buy them some time. Serry cautioned that they make no rash moves, that it was important that the Israelis help us help them by avoiding provocative reactions. Livni seemed to nod, "at least I can tell my PM that you may be looking for a way."

In terms of the envoys' meeting, convened by US envoy Indyk and attended by all four envoys, Serry said that they were mostly engaged in "stock taking." Indyk confirmed that convicted spy Pollard had indeed been part of the mix in a deal being put together by Kerry. He speculated that there would be a pause in US diplomatic activity, with Indyk himself returning to Washington in a few days for consultations. He acknowledged that perhaps the Americans had become too deeply engaged in recent weeks and now needed to step back a bit. As a way of explaining the sudden Palestinian move, Indyk said that the Israelis had been dragging out decisions on the U.S. package, whereas the Palestinians had indicated that they wanted answers within 48 hours. The Quartet envoys agreed to meet again the week after next to compare notes.

Serry said that he did not see any reason to rush action on the 13 letters he is carrying, nor did he think the Palestinians really wanted or expected quick action. He thinks the Palestinians have thrown down this gauntlet to see what happens next,

rather than to rush into accession to the conventions. *Subsequently, this afternoon, the CDC was also given copies of the letters by the Palestinian Permanent Observer.*

Feltman expresses his concern about Washington's reaction, which may take a few days to reveal itself. He says he has never been persuaded that President Obama had invested himself in Israeli-Palestinian peace; it always appeared to him as though the White House was indulging or humoring Kerry, without really believing this could work. If his analysis is correct, then we should expect Washington disengagement from this file, just as has happened so many times in the past when negotiations have broken down.

The other pattern of behaviour Washington usually demonstrates at moments like these worries Feltman more than disengagement (which, after all, can be easily reversed): the proclivity of Washington to blame the Palestinians. It is inevitable that the US Congress will do that, but he hopes the Administration can resist the temptation. Still, in an election year when the Senate is predicted to go Republican and where Obama's Iran policy will be a target of Republican criticism, the White House may very well repeat the past, echoing the Clinton and Bush finger-pointing at the Palestinians. If that happens, the Palestinians are likely to take further actions, to prove they cannot be ignored. While the outbreak and then ferocity of the second intifada at the end of September 2000 had many causes (including, most immediately, Ariel Sharon's walk on the Temple Mount/Haram ash-Sharif), Feltman believes that Clinton's fingering of Arafat as the villain behind the July 2000 Camp David failure played a significant part. He says he is sure Indyk is cautioning Washington against unleashing a cycle that will make matters worse.

As appropriate, Feltman concludes, the option remains available for the SG to call Abbas and Netanyahu in due time to encourage them not to stall and move forward with continued talks. Separately, Serry proposes to discuss internally during his visit this month options for a potential 'Plan B' for the UN.

2. West Africa

80 fatalities – out of 122 suspected cases from a rapidly evolving outbreak of Ebola virus disease (EVD) – have been recorded in Guinea and three have been confirmed in Liberia. Sierra Leone is currently investigating two suspected cases. The highly contagious virus first appeared in the southern forested region of Guinea, but in a region marked by high mobility (including across borders), poor sanitation systems and ill-equipped health facilities, it has easily spread. National authorities in all three countries are working closely with international partners in mobilizing expertise and material support. WHO has so far brought in 3.5 tons of protective material to Guinea to support the Ministry of Health's response to the outbreak.

Although WHO has so far not recommend the precautionary application of any trade or travel restrictions to any of the three affected countries, panic and fear has prompted Senegal to close its borders with Guinea on 31 March. Other countries may follow suit. At the ECOWAS Summit in Abidjan, the attending Heads of State and Government dubbed the spread of Ebola as a "serious threat to regional security".

SRSBs Koenders, Landgren and Mindaoudou have all reported¹ that their respective Missions are currently in a heightened state of monitoring and contingency planning, in close cooperation with national authorities. MINUSMA has put on hold the planned rotation of the Guinean contingent based in Kidal scheduled for April and is in the process of screening an advance party of 20 Guinean troops which arrived in the country on 21 March. UNMIL has halted joint operations along the Guinea and Sierra Leone borders until further notice.

3. Myanmar

SA Nambiar proposes² that the first meeting of the SG's Partnership Group on Myanmar (formerly the Group of Friends of the SG on Myanmar) be held on 24 April. The meeting could be chaired by the SG and attended by the USG DPA and Nambiar. The participating Member States, at PR level, would be comprised of Australia, China, France, India, Indonesia, Japan, Norway, ROK, Russia, Singapore, Thailand, UK, US, Viet Nam and the EU. Myanmar is also aiming to participate (as confirmed by the President to the SG during their 30 March telcon).

In the last meeting of the SG's Group of Friends of Myanmar (held on 26 September 2013), the SG and members of the forum unanimously welcomed Myanmar's first-time attendance as a reflection of the overall positive transformation taking place in the country. The GoF also highlighted the need for constructive and coordinated international support which adds value to the reform process. There was agreement on the need to reconfigure the Partnership Groups's own role and functions so that it could support Myanmar in addressing its many challenges.

The forthcoming meeting of the PGM will be an opportunity for Member States to review efforts – mainly UN – designed to support Myanmar help address key challenges relating to peace talks between the Government and Armed Ethnic Groups towards: a nationwide ceasefire and political dialogue; communal tensions in Rakhine and elsewhere in the country; the census; preparations for elections in 2015; constitutional reform; and Myanmar's current Chairmanship of ASEAN.

Nambiar seeks SG's approval in regard to the above so that his office can begin preparations for the meeting on 24 April.

¹ CMB-53 of 30 March 2014; MON 041 of 24 March 2014; and, CCN-059 of 28 March 2014.

² (14-02500)

4. Afghanistan

SRSB Kubiš reports³ that the preparations for the 2014 Afghan Presidential and Provincial Council elections this Saturday remain on track despite the two latest security attacks, which forced two international observer missions to leave the country. A third organization which was providing technical assistance to the Independent Electoral Complaints Commission (IECC) has also withdrawn its staff as they were resident at the Serena Hotel where the first attack took place. It is now supporting IECC remotely.

Despite the effort and improved quality of security preparations, fears among the population of retribution by the Taliban for voting, or of intimidation by illegal armed groups remain. UNAMA has explained to the Afghan security agencies that there is a need for better public explanation of the extensive security preparations underway, in order to reassure voters. Interior Minister Daudzai assured DSRSG Haysom that strong public messaging will occur once the deployment of Afghan security forces is completed. In addition, the possibility of electoral fraud is also a source of discouragement to voter participation. A robust set of anti-fraud measures has been developed by the Independent Electoral Commission.

Kubiš believes that the importance of the 2014 elections is not lost on the Afghan population, and this is seen in an overall increase in public interest in the election. He writes that the coordination between government institutions, including the electoral management bodies and the security agencies will now be critical for smooth conduct of the elections while the soundness of the technical process and political dynamics between the candidates will be important to the acceptance of the outcome. Looking forward, amidst the continuing expectations that the election will not deliver an outright winner in the first round, there are reports that the run-off might be avoided through some form of a political deal and power-sharing arrangement after the candidates' test of strength on 5 April.

AK

Political, Peacekeeping, Humanitarian
and Human Rights Unit
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cc: DSG, CDC

³ (CFN-044 of 28/3/14)