

Update Note for the Secretary-General
20 October 2010

1. Lebanon

On 18 October¹, Asarta chaired a tripartite meeting with the LAF and the IDF at Ra's Naqoura. The LAF delegation was led by General Shehaitly, and the IDF delegation was led by General Orion.

At the meeting both parties presented well known positions and engaged in lengthy exchanges on the Blue Line, leaving little room for flexibility. The parties did not show their usual pragmatism – an indication of the extent to which the level of trust between the parties has been affected by the 3 August 2010 fire exchange.

On the 3 August exchange of fire between LAF and IDF in El Adeisse, Asarta informed the parties that UNIFIL had reviewed the detailed comments received from both parties on the investigation report. However, neither the LAF nor the IDF comments provided any new evidence, information or facts that would change the findings, conclusions or recommendations of the report.

It was revealing that in the context of discussing the 3 August exchange of fire, the IDF expressed their dismay at having seen on the LAF website that a ceremony had been held to award medals to the LAF personnel involved in the event saying that it was difficult to understand why the squad opening fire was decorated. The LAF explained that it was important to recognize the first time in over 30 years that the LAF was called upon to defend the country's border. This recognition would avoid having others take over the country's defense from the Army.

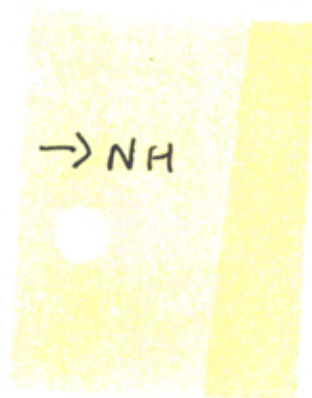
Acknowledging Lebanese domestic reasons for such a ceremony, the IDF reiterated that, in the absence of a clear statement by the Army's leadership that the opening of fire had been a mistake, such a ceremony, in Israel's view, sent the wrong message.

2. Middle East

Serry comments² that any new move by Israel to reinstate settlement restraints is unlikely to come before US mid-term elections in early November,

¹ (NAQ-910 of 20/10/10)

² (CJX-088 of 19/10/10)



→NH

and it is unclear what any new restraint would entail. A high intensity period can be expected between any new Israeli "offer" and a meeting of Arab leaders around 8 November. Israel believes third parties should stop giving the Palestinian alternatives to negotiations (such as Quartet or Security Council action on the 1967 lines or settlements). But Jordan stresses that a two month extension of the moratorium without international guarantees on the 1967 lines is unlikely to be sufficient for President Abbas to move forward. Meanwhile, the US remains committed to handling this impasse with the parties and indicates there is "nothing new" to discuss in the Quartet at this time.

3. Afghanistan

De Mistura reported, during this morning's VTC, that the IEC today published the preliminary results of the parliamentary elections, which indicate that 5.6 million votes were cast, of which nearly 25% (1.3 million) were invalidated. Comparing this with 1.5 invalid votes in last year's presidential elections, De Mistura explained that the results so far could be considered as representing better, though not perfect, elections (just as UNAMA and its partners had aimed for) and also demonstrate that the electoral institutions are functioning. De Mistura has issued a press release this morning, which cautiously keeps a balance between maintaining constructive pressure and reserving room to be critical.

Also discussed at the VTC the concern over the continuing inappropriate media appearances by Richard Barrett, a consultant to the UN Al Qaeda-Taliban monitoring team, despite De Mistura having personally warned him against such action. Most recently, Barrett has written an op-ed in NYT this Monday, which advocated positions far beyond his mandate and also contrary to UN positions (e.g., his suggestion that the Constitution might have to be changed). Though Barrett is an independent expert reporting to the Security Council (and not to the Secretariat), his general association with the UN may lead to confusion. Indeed, De Mistura has already been asked whether Barrett was being used as a "secrete channel" to convey the SG's views. Le Roy will raise this issue with the Austrian PR (Chair of the SCR 1267 sanctions committee), both verbally and in writing.

4. Chad

Mahmoud informs³ that the Force effectively commenced the Recovery and Repatriation phase of the withdrawal plan from Chad and CAR on 15 October, as scheduled. As of today, the Force strength in theatre stands at a total of 1,936 with 72 MSOs, 22 MLOs and 1,842 troops.

³ (CAN-136 of 20/10/10)
10-09976

5. Côte d'Ivoire

Choi relays⁴ that a communiqué dated 19 October was jointly issued by PM Soro and the Independent Electoral Commission (IEC), announcing that the distribution of national identity and voters' cards will end on 21 October in Abidjan, 27 October in the rest of the country, and, on 29 October for Ivoirians living abroad.

He also informs that the local office of the *Rassemblement des Republicains* (RDR) in Abengourou was attacked during the night of 18 October. The attackers fired shots on the main door of the office before fleeing. Local RDR officials have complained of physical threats after they dumped the *Front populaire Ivoirien* (FPI) for the RDR.

6. Cyprus

Buttenheim reports⁵ that the Legal Affairs Committee of the European Parliament voted 18 to 5 that the legal basis for the Direct Trade Regulation (DTC), regarding duty-free direct trade between the north and the EU, should be Protocol 10 to the Accession Treaty of the Republic of Cyprus.

This latest decision – at the heart of which is the status of the north - is a victory for the Republic of Cyprus, who maintains that since joining the EU in 2004 trade with any part of the island should not be considered external trade. The DTC was one of three instruments proposed by the EC in 2004 to bring the north to similar socio-economic levels as the south. The Turkish-Cypriots, with the EC, have argued that the north should be considered as a third country.

Buttenheim comments that for the time being this decision brings the issue of Direct Trade back to square one. It is to be hoped that the victorious Greek-Cypriots will refrain from gloating in a manner which may provoke the disappointed Turkish-Cypriots and thus negatively impact the talks.

7. Serbia

The Serbian Mission wrote to the SG⁶, requesting the issuance of a corrigendum of the recently-released SG report on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights, which listed Kosovo “without any distinction from UN

⁴ (Daily sitrep of 20/10/10)

⁵ (UNFICYP-CSY-058 of 19/10/10)

⁶ (10-09969 of 18/10/10)

member states.” This report was drafted by OHCHR, and, like many such reports, EOSG approval was not sought. The letter has been forwarded to OHCHR for action.

8. Thailand

Ahead of the upcoming SG visit Pascoe has sent the SG a note⁷ providing an update on the status of the reconciliation efforts in Thailand and on the Thai-Cambodia border dispute. (*Attachment #1*)

Separately, Heyzer/ESCAP wrote to Mr. Nambiar⁸ on her recent meeting with Thai FM Kasit Piromya. Regarding the Thai-Cambodia border issue, Piromya reassured that despite the Thai parliament’s abrogation of the Joint Communiqué, Thailand holds no ill will towards Cambodia and the MOU signed in 2000 remained in force. Piromya reiterated the concerns that UNESCO should not taking political factors into account while considering cultural issues. Also expressed was the concern that, according to a recent unconfirmed report, a secrete “Red Shirt” squad had used the Cambodian city of Siem Reap as a training base for guerrilla warfare.

Heyzer forwarded the government briefing paper on the political situation in Thailand, stating that the overall situation has returned to normalcy albeit with sporadic incidents as investigations into the April/May 2010 incidents continue. The priority focus is on reconciliation, and the Independent Fact-finding Commission is expected to complete, in two years, its work to ascertain facts and address underlying causes, such as inequality and the urban-rural divide. The Government expects concrete results on the different components of the reconciliation plan by the end of the year, e.g., measures to address socio-economic grievances and political reforms to amend the Constitution and electoral rules.

9. Haiti

Mulet reports⁹ that Senator Edmonde Beauzile echoed the allegations of presidential candidate Jacques-Edouard Alexis, in claiming that illegal firearms were being distributed by Inite supporters in the run-up to the elections. Mulet comments that despite persistent rumours to this effect, MINUSTAH has not yet received any tangible evidence of firearms distribution. The Mission issued a press release on 12 October calling on those with specific details to share these

⁷ (10-09982 of 19/10/10)

⁸ (10-09965 of 18/10/10)

⁹ (Weekly sitrep of 08/10/10-15/10/10)

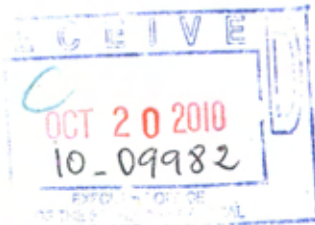
with the Haitian National Police-UNPOL and the OAS-CARICOM Electoral Observation Mission.

Mulet further adds that on 15 October, the second and main phase of the electoral campaign began. Following two weeks of "silent" campaigning from 27 September to 14 October, public rallies, meetings and the transmission of messages by megaphone and all forms of media are now permitted until 26 November. A number of opposition politicians criticized the ruling Inite coalition for organizing public rallies before 15 October and utilizing state resources to support its campaign. On 12 October the OAS-CARICOM Electoral Observer Mission issued a press release pointing out that any abuse of state funds and resources is strictly prohibited by Article 121 of the Electoral Law.



Political Unit
20 October 2010

cc: DSG, VN, KWS



Confidential

Note to the Secretary-General

THAILAND ✓

76 ✓

1. The domestic situation in Thailand and the continuing tensions with Cambodia over the border dispute remain a source of concern both from the perspective of Thailand's stability and the possible implications for regional peace and security.

Thai-Cambodian border dispute

2. Bilateral efforts to resolve the dispute have not so far yielded results. Prime Ministers Abhisit Vejjajiva and Hun Sen have continued to meet and discuss the issue. Earlier this month, they vowed to de-escalate tensions by building checkpoints and ending the movement of forces at the border. They are expected to meet again in Ha Noi on the margins of the ASEAN summit. But no substantive progress has been made in these talks.

3. With sentiments still running high, particularly in Thailand, where according to a recent poll, nearly 70% of Thais agreed that the government should push Cambodians out of the disputed area, the risk of unintended clashes escalating into a conflict remains. Moreover, there is a real or perceived interplay between the border dispute and the internal situation in Thailand. While the resignation in August of fugitive former Thai Prime Minister Thaksin Shinawatra as economic adviser to Phnom Penh had somewhat brought down tensions, recent allegations that Cambodia had trained a group of Red Shirts arrested for plotting the assassination of Prime Minister Abhisit and other key Thai officials has been a further complicating factor. These allegations add fuel to the speculation that should the Red Shirt movement (or parts of it) turn violent it could find succor in Cambodia.

Peace and reconciliation in Thailand

4. Domestically, Thailand is faced with a dual political challenge. On the one hand, it has to deal with the aftermath of the April-May violence through what was promised to be an impartial, credible accountability mechanism. At the same time, there is a need, through an inclusive, transparent reconciliation process, to address the grievances that in the first place led to the violent protests if similar destabilizing events are to be avoided in the future. The Truth Commission for Reconciliation of Thailand (TCRT), established by the Prime Minister to investigate and uncover facts surrounding the incidents of April-May, has earned some respect, but faces serious challenges in meeting competing demands for accountability and amnesty. Although the Government's reservation about any external assistance remains unchanged, the TCRT has been seeking international assistance, and the UN system is currently engaged in consultations with the TCRT regarding potential UN support to it.

5. Reconciliation talks have been taking place in parallel, including reportedly with Mr. Thaksin, but these seem to have largely dissipated in the past several weeks and words and pledges have not translated into serious, substantive dialogue. A "Friends of Thailand" group made up of Thai nationals and a few international figures has been formed at the initiative of the Centre for Humanitarian Dialogue and meets infrequently in Thailand.

Your visit

6. Your upcoming visits to the two countries affords an important opportunity to discreetly but firmly underline international concerns and explore what preventive role you could usefully play in this regard. Thailand, in particular, remains highly sensitive to external involvement in these matters, and the Foreign Ministry has indicated its strong preference for the border issue not to be discussed in Bangkok as there was already media speculation that the Prime Minister might be asking you to carry a message to Prime Minister Hun Sen. Nevertheless, it would be highly unusual if these matters were not discussed when you are visiting both countries. Also, given that you are making a stop in Bangkok in response to the strong wish of Prim Minister Abhisit, you would be well placed to raise these issues while saying little to the media and the public.

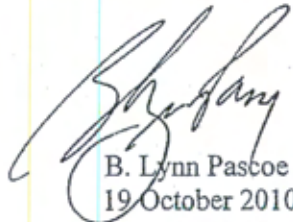
a) On the Thai-Cambodia border dispute

Towards the end of your meeting with Prime Minister Abhisit, you may want to indicate that you would expect the border issue to be raised in your meeting with PM Hun Sen; is there any new development you should be aware of or is there a particular point that you should raise with Hun Sen?

b) On the domestic situation in Thailand

You may want to remind PM Abhisit that in your telephone conversation at the height of the violent protests he had indicated that the UN might assist in dealing with the investigation of the violent events last April-May. The TCRT has been seeking UN assistance in some aspects of its work. How can the UN be of assistance in the accountability and reconciliation efforts? Based on the PM's reaction, you may want to suggest sending one or two people after your visit to follow up in concrete terms.

7. I would be happy to provide further advice should you wish to discuss these issues in further detail.



B. Lynn Pascoe
19 October 2010