

Strictly confidential

**Notes of the Secretary-General's telephone conversation with
H. E. Mr. Ahmet Davutoglu, Foreign Minister of Turkey**

On Tuesday, 16 August 2011, at 8:11 am (NY time)

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[The call was initiated by the Secretary-General.]

Summary of the discussion:

- The Foreign Minister briefed the Secretary-General on his discussions with President Assad and a number of other Governments about the situation in Syria.
- He asked the Secretary-General to call President Assad to encourage him to publicly announce on Wednesday the measures they had agreed to.
- The Foreign Minister informed the Secretary-General that there had been an agreement with Israel on the flotilla for a month, but that some were blocking it in the Israeli Government. If the Cabinet meeting of Wednesday didn't approve the agreement, Turkey would take the next steps once the Palmer report would be published on Monday.

Discussion:

The Secretary-General thanked the Foreign Minister for taking his call. He knew he had been very busy and he wanted to talk to him about two things: Syria and the flotilla panel report.

On **Syria**, the Secretary-General expressed his concern that the Syrian authorities continue to ignore calls of the international community to halt violence. Following the Security Council presidential statement on 3 August, he took note of the strong statements from the King of Saudi Arabia and other states in the region. He had noted with great interest the Minister's extensive discussions with President Assad and Foreign Minister Mouallem the previous week, and his statement yesterday. He asked whether the Minister could tell him more about these meetings. Prime Minister Erdogan had mentioned a deadline for progress within 10-15 days. He enquired about the Foreign Minister's assessment of the situation on the ground and of the thinking and strategy of the Syrian Government. The Secretary-General further asked what the Minister saw as the next steps and what the international community could do to stop violence in Syria and advance reform that would meet the legitimate demands of the Syrian people. He indicated that he had talked to the President also, and that just the day before, the Syrian authorities had agreed to allow access to a UN humanitarian team. He hoped the team would be granted access to all areas affected by violence and would be able to assess the humanitarian needs of the Syrian people and provide assistance as needed. He regretted that the human rights mission had still not been agreed to, although it had been mandated by the Human Rights Council. The human rights team had nonetheless met with refugees and witnesses in third countries. Their findings are extremely worrying

and could suggest that the scale and nature of the abuses over the past months may be tantamount to crimes against humanity. Through public statements and in his latest phone call with President Assad, the Secretary-General had reminded the Government of Syria that it was accountable under international human rights law for all acts of violence perpetrated by its security forces against the civilian population. The High Commissioner for Human Rights would brief the Security Council on the following Thursday [18 August]. This was a situation of mutual concern, and he therefore wanted to talk to the Foreign Minister.

Foreign Minister Davutoglu replied that he was very happy to talk to the Secretary-General, and that his call was very timely. He had intended to call him after his recent trip to Syria. He believed the Secretary-General could play an important role and the crisis was becoming more internationalized. The Foreign Minister recalled that in January, he had gone to Syria with the Prime Minister and that they had predicted what would happen. They had urged President Assad to implement reforms. Assad had agreed, but had not done anything. In April, Davutoglu had gone again to Syria and had given Assad a list of reforms that he needed to implement immediately. The President had agreed, and had even made a public speech describing the reforms he would take. But again, he had done nothing.

During his last visit the previous week, the Foreign Minister had met with President Assad for six hours, three and a half of which were spent in tête-à-tête. Davutoglu had told Assad that the reforms were too slow and that this had created mistrust in the Syrian people, in the region and in the international community. He had made promises that he had not fulfilled and Davutoglu intimated to Assad that the time to act was now. He also underlined that there was no more patience in the region or in the international community. He also mentioned that the pressure in the Security Council was rising. Davutoglu said that nobody could understand why Assad would launch a military operation on Hama, a densely populated town, during the holy Muslim month. When Assad explained that the operation was in response to armed groups operations that had killed several police officers, Davutoglu had replied that it was fine to take measures to protect the police, but that he needed to choose more appropriate means of doing it. He reminded Assad that today, the humanitarian and human rights situation were not matter of national sovereignty. He also pointed out that nobody believed Assad's narrative on the Hama attack and that the only way for him to regain credibility was to let in an international commission.

During the tête-à-tête, the Foreign Minister had told the President that he had been worried for a while, but that he was even more worried then. He told Assad he had two alternatives: The first alternative was to implement reforms that he needed to announce immediately, with a strict timetable. The Turkish Government was ready to support such a process – not the President but the process – and to talk to the opposition. The second alternative was to continue like this, but that this would lead to the international community isolating him, like Saddam Hussein and Colonel Kaddafi were isolated. The Security Council was worried. Several members had been calling Turkey seeking their advice. So far, they had been told to hold off, but there was a limit and Turkey would not tell them to wait anymore. Turkey could not tolerate such violence right next door. Davutoglu specified measures that Assad would need to take: withdraw tanks from Hama – Assad agreed; let international media in – Assad agreed, but Turkish media first. At this point, the Foreign Minister objected

to the idea of Turkish media being allowed first and insisted that all the international media should be allowed at the same time. Mr. Davutoglu also suggested that the President undertake significant legal reforms, based on a draft that Turkey would provide; conduct elections for a new Parliament that would draft a new constitution. At the end of the process, a referendum would be held. Assad would need to be ready to leave power. He also reiterated that Assad would need to make a public speech very soon explaining these measures and committing to a specific timeframe. Assad agreed, but asked that Turkey refrain from making any announcement before he had a chance to talk to the Baath part and to the opposition. He didn't want to look like he was making these reforms under pressure from Turkey. Davutoglu and Assad had then agreed on clear roadmap along these lines. The Turks had then been in touch with a number of countries, such as US, France, Russia and Egypt, to tell them about the agreement and to hold off further measures for a few days.

For the first few days, Assad had implemented the measures they had agreed to. He withdrew the tanks from Hama (the Turkish Ambassador had been able to go and witness it for himself); and the media had been allowed in Syria, even to Hama. This had led him to make a positive statement. However, since then, there had been reports of tanks being deployed to Hama again, and of a new operation in Latakia that was even worse than the one in Hama. Secretary Clinton and President Obama had been in contact with the Turkish Government to inform them that President Obama was about to make a speech on Thursday in which he would call for Assad's departure. Prime Minister Erdogan had called President Assad to express his concerns about the situation and to encourage him to make his speech as soon as possible. Assad said he would talk to Baath on Thursday and make his speech on Sunday. The Prime Minister had indicated that Sunday was too late, and that he would not have any credibility after Obama had made his speech.

Foreign Minister Davutoglu said that it would be good if the Secretary-General could talk to President Assad to encourage him to make his speech tomorrow [Wednesday]. He could tell Assad that he had been briefed on the agreed roadmap by Davutoglu, and that the pressure in the international community was rising. Davutoglu indicated that if Assad didn't make his speech and didn't implement the roadmap, he was worried. Turkey would not stay silent anymore. The credibility of the international community was on the line, the Syrian people was suffering. Their Ambassador had heard very sad stories when he had visited Hama. The human rights situation was very serious throughout Syria. He was also very concerned about the attack on Latakia, as it was apparently even worst than the attack on Hama (Turkey had sent people there). Davutoglu said he didn't believe any statement or information that came out of Syria anymore, as they issued contradictory information. He also didn't believe that President Assad knew all the details of all the operations. Davutoglu reiterated his concern about the human rights situation throughout the country and encouraged the UN to send a mission to the refugee camps that were in Turkey. The Turkish Government would allow access to such a mission – they were not allowing access to anybody else to the camps.

The Secretary-General undertook to call President Assad and thanked the Foreign Minister for all his efforts. He turned the conversation to the **flotilla**. He reminded the Minister that the Panel on the 31 May 2010 incident would transmit its report to him on 22

August. He had been working hard for one year to find a solution. He had agreed to postpone twice the submission of the report because of the importance of reaching an agreement. The Secretary-General believed that in the current regional context it was critical that Israel and Turkey salvaged their relationship. He very much looked forward to a full restoration of Turkey's relations with Israel. He enquired whether there was progress in the private talks with Israel and if the Minister saw any chance for a successful outcome in the next few days before the Panel submitted its report.

The Foreign Minister thanked the Secretary-General for his personal efforts in this case. In the current context, it was even more important to keep a positive atmosphere in the region. Turkey wanted to be able to keep mediating between the Israeli and Palestinians. They had reached an agreement with Israel a month ago, but it had been blocked by some in the Israeli government. Mr. Netanyahu had called the Mr. Erdogan the day before to inform him that there would be a cabinet meeting on Wednesday. The situation was clear for Turkey: if Israel accepted the agreement, made apologies and compensated the victims, they would send their Ambassador back to Israel and would not talk about the incident anymore. On the other hand, if Israel didn't accept the agreement, they would take the next steps, which were very clear: they would challenge the legality of the blockade in the ICJ, support the victims in any tribunal in the world, close the Embassy in Tel Aviv, send their navy to the Mediterranean "to show the Israelis that the sea didn't belong to them". The US State Secretary and President were both working hard to convince the Israelis to accept the agreement.

The Secretary-General hoped that these measures would not be necessary. Foreign Minister Davutoglu replied that Turkey was a country of dignity that could not accept that his citizens be killed. The international community had not reacted, the Government had to react. "If it had been Iran or Syria killing people, the international community would have reacted", he said. The international community was weak, but Turkey would show Israel that it was not weak. On Monday, when the Palmer report would be issued, Turkey would take the next steps. "Nobody can stop us. We know what to do", Davutoglu concluded. The Secretary-General recalled that it had not been easy to convince Israel to the establishment of the Panel. He had personally been involved in convincing them. He underlined that he had no influence on what the Panel would say. Foreign Minister Davutoglu appreciated the efforts of the Secretary-General, but informed him that Turkey would challenge the legality of the blockade in the ICJ if Palmer said it was legal. The Secretary-General concluded by stating that the most important was to improve the relations between Israel and Turkey.

[The conversation ended at 8:52 am]



Astrid Melchner
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