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Permanent Mission of Eritrea to the United Nations New York, NY

Statement by

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during an informal consultation with

the Security Council Committee established pursuant
to resolution 751 (1992) and 1907 (2009) concerning
Somalia and Eritrea

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**Mr. Chairman,
Distinguished Delegates,**

Good afternoon! Let me take this opportunity to express my delegation's appreciation to You, Mr. Chairman, and through you to the members of the UN Security Council Committee established pursuant to resolutions 751 (1992) and 1907 (2009), for arranging this informal consultation. Eritrea greatly values its engagement with the members of the Committee and looks forward to regular consultations in the future.

The delegation of Eritrea has noted that the Somalia Eritrea Monitoring Group has issued its latest annual report on 26 June 2012. However, Eritrea has not as yet received a copy of the report. This contravenes the fundamental legal principle of the “equality of arms”. As a country of concern, Eritrea has an inalienable right of respond to the allegations made by the Group; and for this to occur Eritrea must be provided with all the relevant documents that purport to establish its culpability. But in the case of the “Monitoring Group” reports, which are almost always leaked to the press before the Security Council considers them-including the present one, the pattern has invariably been to bloc Eritrea’s access to the accusations levelled against it, while it has granted access to others. It is worth recalling, last year the Monitoring Group report was presented by an international civil servant to the meeting of IGAD Heads of State in an attempt to sway their opinion towards calling additional sanction against Eritrea. Similarly, this year, a news agency was granted access to the report as well as an interview with the coordinator of the Monitoring Group.

Apart from this legal aspect of the matter, one wonders why unwarranted pressures are exerted to deny Eritrea access to the reports if their contents were really the product of rigorous, professional, balanced, and verifiable investigative processes? The inordinate secrecy that has shrouded the reports cannot be explained by exigencies of “confidentiality” although this may conceivably be invoked to conceal the real truth. The real reason lies in the fact that the accusations are essentially political and are not based on solid evidence. In the circumstances, Eritrea deplors this untenable method and pleads for appropriate remedial action.

As Eritrea presents this incomplete preliminary reply, it reserves the right to file a comprehensive response when it receives, as it is entitled to, the full report and its annexes.

Several portions in the latest report are not new but simple regurgitations of innuendos peddled in earlier reports. These refer to: the 2% recovery tax; revenue from mining; Eritrea’s “continued involvement in harbouring, training, and financing armed opposition groups in the neighbouring countries, especially Ethiopia”; and Djiboutian POWs.

Mr. Chairman,

Eritrea has adequately refuted these allegations in its earlier communications. To recap the salient points:

1. The 2% recovery and rehabilitation tax is levied in accordance with the legislative act of the National Assembly that was passed in 1994. One wonders why the Monitoring

Group persists in its misnomer to dub it “Diaspora tax”, and in this particular report as “extraterritorial tax”, when it knows full well that its correct appellation is “2% recovery and rehabilitation tax”. In any case, it must be acknowledged that the tax predates the baseless portrayal contrived now to link it with purported “acts of GOE regional destabilization”. Revenues from this tax are not substantial and they are funneled, as the proper appellation indicates, for developmental programmes in a country that had bled for three decades during the national war for liberation. The developmental burden in the country has not certainly been mitigated in the last 13 years of Ethiopian occupation of sovereign Eritrean territories and the myriad hostilities that principally emanate from US Administrations. These taxes have never been enforced extra-territorially and they are not collected through “threats, harassment and intimidation against individuals concerned or their relatives in Eritrea” as the SEMG report falsely claims. Indeed, the presumed evidences on “coercive measures” of collection are based on interviews with “42 Eritreans living abroad”. But, is this a representative sample? Who are those interviewed? How can the SEMG ascertain whether the testimonies are not lies peddled for political purposes? And, how can denial of services to those who fail to pay their tax obligations be misconstrued as harassment and intimidation?

Furthermore, it must be noted that Eritrea’s detractors, particularly certain US and Ethiopian officials, have always been obsessed with finding ways and means of stopping both remittance to individual households and the recovery tax. Indeed, during Ethiopia’s third offensive against Eritrea in May 2000, some senior US officials - the current US Permanent Representative to the UN chief among them – were mulling over taking these precise unilateral measures. In this regard, this is what Jane Perlez reported in the 22nd May 2000 edition of the New York Times: “... As the Ethiopians step up their assault by bombing targets near Eritrean Red Sea ports, the diplomats say they are still talking to both sides. But they are also considering more severe sanctions, like limiting the ability of the Eritreans to collect remittances from friends and relatives in the United States”. So the theme remains constant.

2. The “Monitoring Group” computes the presumed maiden earnings to the Government of Eritrea that may have accrued from the Bisha Mining Plant in 2011, and jumps the gun to recommend various intrusive measures ostensibly to ensure that “these revenues are not spent in violation to UNSC resolutions”. The “Monitoring Group” does not provide a shred of evidence that the Government of Eritrea has in the past diverted revenues from mining to “acts of regional destabilization”. It does not even care to know how the capital expenditure of the investment was financed. In any case, sheer speculation and groundless presumptions cannot surely be standards for imposing financial restrictions that impinge on a country’s sovereign budgetary rights. And why single out the mining sector? Or are these unwarranted intrusive measures designed for creeping application to other prospective sectors in the Eritrean economy? Unless checked at the outset, this perilous road will ultimately end up mortgaging the sovereign decisions of the country on budgetary and financial matters and cannot possibly be justifiable or acceptable.
3. The “Monitoring Group” finally admits that “it has no evidence to support the allegation of direct Eritrean support to Al-Shabaab during the current mandate”. The admission is

acknowledged with obvious resentment and uncalled-for caveats, omissions and “rationalizations”. But it remains a very critical piece of information. We must indeed recall that the principal reason why Resolution 1907 was imposed against Eritrea in December 2009 was its presumed support to this group. The bogus accusation of Eritrea’s “delivery of three plane loads of arms to Al-Shabaab through the town of Baidowa” was also deliberately peddled in November/December last year just weeks before the imposition of Resolution 2023. In effect, the “Monitoring Group” does not have a case against Eritrea. Eritrea enjoys good neighbourly ties with the Sudan, South Sudan, Uganda and Kenya. Its border dispute with Djibouti is being addressed through a process that both parties have consented to. By the “Monitoring Group’s” latest report, “Eritrea is a marginal actor in Somalia, with little, if any influence, either positively or negatively on the course of events”. So, how does the charge of “regional destabilization” hold? We shall address the changed emphasis on Ethiopia that the “Somalia Eritrea Monitoring Group” tries to desperately introduce in later sections. The Monitoring Group also alludes to “continued relationship of Eritrea with arms dealers and facilitators in Somalia that has been known to have provided services and support to Al-Shabaab”. This is ridiculous as it clearly contradicts the SEMG’s own earlier admission. It also magnifies the realization of the “Monitoring Group” that its case is hardly tenable.

4. As addressed in previous communications, Eritrea is ready to discuss in good faith all pending issues with Djibouti within the framework of the Qatari facilitation process.

Mr. Chairman,

We now proceed to address the new additions in the Report.

5. The Monitoring Group falsely accuses Eritrea of “violating the arms embargo through the smuggling of weapons and ammunition for commercial sale via Sudan”. As usual, it heaps insult on General Teklay Kifle and alleges that he “receives at least US\$ 3.6 million per year in proceeds”. The arms smuggling that the Monitoring Group attributes to this General is then mingled with “the more lucrative activity of human trafficking”. As we explained in detail in our response last year, Eritrea is the victim of organized and targeted human trafficking that has been pursued deliberately by its adversaries to weaken its human resources. There are also individual criminals and fugitives from the law who are embroiled in this act. The Monitoring Group clearly lacks ingenuity when it tries to accuse the Government of Eritrea for a violation of the arms embargo and simultaneously claims that it is also an accessory to human trafficking.
6. The “Monitoring Group” gives away its game when it tries to associate Eritrea, albeit indirectly, with the killings of the tourists in Ethiopia on 17 January 2012. This is despite its earlier assertion which reads: “The SEMG has seen no evidence to suggest that the Government of Eritrea bears direct responsibility for the killings of Erta’ Ale with respect to the planning or conduct of the operation”. But then, it speculates that since “Eritrea continues to host, train and support ARDUF, some recent ARDUF trainees may have been involved in the incident”. How the “Monitoring Group” can deduce Eritrea’s “indirect responsibility” from these flimsy circumstantial and speculative considerations

is difficult to understand. The critical question is: does this emanate from professional ineptness and very low standards, or, does it betray ulterior political motivations?

7. In our view, the main reason why the SEMG has invented this “remote” connection between Eritrea and the tragic episode in Erta’Ale is because it has instructions to absolve Ethiopia from its recent acts of regional destabilization by rationalizing its provocative acts of aggression against Eritrea. Indeed, what is curious in the MG report is the total omission of any reference of the repeated and publicly announced attacks that Ethiopia has unleashed against Eritrea in the past six months. But as its unfounded but principal case on “Eritrea’s role in destabilizing Somalia” has evaporated in thin air, it has changed tack to fabricate new allegations focused on Ethiopia. The problem with this narrative is Ethiopia’s well-known practices and publicly stated agendas. Ethiopia is arming and supporting Eritrean armed groups; it pursues a policy of regime change; and, it continues to occupy sovereign Eritrean territories in flagrant violation of international law.
8. The Monitoring Group asserts that the arms embargo has severely “affected the operational readiness of the Eritrean Air Force”. On the one hand, this is not consonant with its accusations of Eritrea for violating the arms embargo through organized smuggling. But more importantly, one wonders why and for whom this information is proffered. Does assessment of Eritrea’s Air Force and inclusion in its report of aerial photographic analysis of the ERAF really fall within its purview? Especially when we recall that in the original accusations of Eritrean destabilization of Somalia, the Air Force was not implicated in any way. And when sovereign Eritrean territories remain occupied by a belligerent Ethiopia which may be contemplating additional acts of aggression, is the SEMG oblivious to Eritrea’s legitimate rights of defense as enshrined in Article 51 of the UN Charter?

Mr. Chairman,

Eritrea had registered, on various occasions and through several communications in the past, its strong reservations on the workings of the Monitoring Group and especially in regard to its untenable reliance on testimonies of subversive groups and elements as well as other adversaries who harbor ill will to the people and Government of Eritrea. As illustrated above, the latest report only reinforces our well-founded conviction on the lack of neutrality, integrity and professionalism of this Monitoring Group. As we continue to place importance on constructive engagement with the Security Council, I wish to take this occasion to renew our earlier invitation for the Security Council Sanctions Committee to visit Eritrea for extensive discussions with the Government.

Let me also renew our consistent call on the Security Council to lift the unjust and unfair sanctions imposed on Eritrea as i) the initial and principal accusation of Eritrean support to Al-Shabaab has now been proven to be non-existent; ii) Eritrea remains committed to the facilitation by the State of Qatar to overcome its differences with the Republic of Djibouti; iii) the events over the past year have clearly shown that it is in fact Ethiopia that is actively engaged in destabilizing Eritrea in addition to its continued occupation of sovereign Eritrean territory in

violation of the UN Charter; and iv) Eritrea enhances its positive contributions to regional peace and security.

I thank you, Mr. Chairman.