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LETTER DATED 11 JANUARY 1996 FROM THE PERMANENT REPRESENTATIVE OF
THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

With reference to the letter of the Permanent Representative of Ethiopia to the United Nations (S/1996/10), dated 9 January 1996 and its enclosures, the allegations of the Ethiopian Government against my country regarding the assassination attempt on the life of the Egyptian President, His Excellency Hosni Mubarak, and upon instructions of my Government, I have the honour to enclose herewith the response of the Government of the Sudan to these allegations.

I request that this response be distributed as a document of the Security Council.

(Signed) Ali M. O. YASSIN
Permanent Representative

Annex

Response dated 11 January 1996 by the Government of the Sudan to the Ethiopian allegations before the Security Council concerning the assassination attempt against the Egyptian President

1. On 18 and 19 December 1995, an ordinary meeting was held at Addis Ababa, at the ministerial level, of the Central Organ of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution. The creation of that mechanism, which you are well aware of, was prompted, *inter alia*, by the need to deal with African problems in an African context, as stipulated in the Cairo declaration establishing the said Mechanism. The aforesaid meeting of the Central Organ dealt with several conflict situations in Africa, and examined as well item 6 of its agenda on the assassination attempt against President Hosni Mubarak of Egypt. The outcome of the deliberations on that item reaffirmed the handling of that specific issue in an African framework through the Central Organ, and urged the continuation of efforts by the Sudan to "look for, locate and extradite the three suspects", featuring also the need for cooperation by all, which was an essential ingredient in the OAU Secretary-General's report presented to that meeting. Two days after the conclusion of the Central Organ's meeting, Ethiopia, which is also the current Chairman of OAU, opted to disregard the letter and spirit of the outcome of the OAU Mechanism on the issue by unilaterally resorting to this august body. Such a move by Ethiopia, which came as no surprise to us, explains the motives behind the whole affair. The Ethiopian move reflects the essence of the current hostile campaign against the Sudan with a view to tarnishing and smearing its image, serving the propaganda purposes of some quarters on alleged sponsorship of terrorism by the Sudan, and ultimately destabilizing the whole country through an orchestrated scheme. Indeed attempts to use the Security Council for the achievement of certain political goals, or indulging it in issues that are already being seized by other regional forums, not only have the effect of eroding the Council's credibility or of sending negative signals, but will undoubtedly further complicate an already complicated situation of conflict, thus escalating tension and threatening peace and security of the world over.

2. The Minister for Foreign Affairs of the Sudan extensively addressed the Addis Ababa meeting of the OAU Central Organ on the issue. The Central Organ clearly recognized that contribution by the Sudan, and referred to it in the preambular part of its communiqué as additional information. Although the Sudan has been disappointed at the outcome of the OAU meetings, it has loyally accepted the verdict, as it has always said it would do.

3. The Sudan had been particularly disappointed that one of the first actions to be taken by Ethiopia sought to condemn the Sudanese efforts. The Sudan has not only taken measures that faithfully reflected the Ethiopian claims, but it has been scrupulous in policing and enacting new legislation at great cost to its relations with other countries.

4. The statement by the Deputy Foreign Minister of Ethiopia before the informal meeting of this Council on 21 December 1995 is similar to that of his Foreign Minister in the course of the Addis Ababa meeting. The Ethiopian

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statement is based wholly on what Ethiopia claims as evidence from the suspects in custody. No doubt such approach is riddled with serious problems that renders the whole account unconvincing and legally unsound. The Ethiopian account cannot be treated as a credible legal deposition before it is verified by a competent judicial body as norms and rules require, considering also that this forum is not a tribunal.

5. The Ethiopian allegations from that point cannot withstand the test of credibility and admissibility. What evidence is there that the accounts attributed to the suspects are correct? Has the so-called evidence come voluntarily or as a result of pressure on the suspects? Have they been given the right to meet with their legal counsel?

6. The Sudanese Government and people were deeply shocked and disheartened by the statement of the Ethiopian Government issued on 1 September 1995, launching this current hostile campaign by allegedly linking the Sudan to the assassination attempt against the life of President Mubarak of Egypt that took place on 26 June 1995. Our position on the unjust and unsubstantiated claims was made clear in the various statements issued by the Government of the Sudan, including our response to the 11 September meeting and statement by the Central Organ (see S/1996/10, annex I) and our statements in the General Assembly of the United Nations in its fiftieth session.

7. The Sudan condemned the assassination attempt against President Mubarak that same day. The President of the Sudan reiterated our strong condemnation during his press conference held during the summit. The Sudanese Foreign Minister met with his Egyptian counterpart during the summit and conveyed to him our sincere sentiments. Since then the Sudan has followed, as you did, the accusations and counter-accusations between Ethiopia and Egypt on this issue. Indeed some Egyptian officials and newspapers have raised certain thoughts on the possible complicity of the Ethiopian security forces in the attempt as the Ethiopian authorities were the only ones to know the exact arrival time of President Mubarak. Moreover, some official and unofficial Egyptian circles threw doubts on the capabilities of Ethiopian authorities to provide the necessary security measures for the safety of the OAU headquarters, officials and delegates. Others raised some questions about the loopholes observed in the subsequent Ethiopian statements. We have also followed the press statement issued on 4 July 1995 by the Ethiopian Ministry of Internal Affairs in which Egypt was asked, according to the statement, to stop what was referred to as its campaign of lies.

8. On 28 August 1995 Sudan received an Ethiopian envoy, Mr. Hagos Gebre-Wahid, of the Ministry of Foreign Affairs, who presented to President Albashir a written message from the then President of the Transitional Government of Ethiopia, H.E. Meles Zenawi. That message, which came 32 days after the assassination attempt, dealt with three suspects allegedly sheltering in the Sudan and requested their extradition in accordance with the 1964 Treaty between the two countries. Despite our surprise at what appeared to be a new Ethiopian attitude, which came 32 days after the attempt, the Sudan dealt with the request with all seriousness. It is important to note here that the Ethiopian Foreign Minister told the Central Organ that they had all the information about the Sudan's involvement as early as three or four days after the event, but now he

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is talking about two weeks. The Government welcomed the cooperation with Ethiopia and confirmed its commitment under the Extradition Treaty, as it did in an earlier case of the hijackers of an Ethiopian plane, and indicated its full readiness to extradite the suspects if found within the Sudanese territory. That was so despite the sketchy, very general, scarce, scanty, inaccurate and misleading information accompanying the request. Going over the attachments will reveal, for example, that the name "Yassim" was given to one of the three suspects, whereas in Arabic there is no such name at all. It is not at all serious on the part of Ethiopia to talk now about typographical errors in such an important and official document issued by a head of State requesting the extradition of specific persons. There is also a description of an imaginary residence the message said was in Arkawit city behind Al-Suk Al-Arabi. For anybody who visits the Sudan, including the OAU delegation whom we asked to take note of these inaccuracies, such a description is only a joke, because there is no proximity between the two areas as they are far from each other. One of the descriptions given is that the man does not wear glasses. Another description is that he wears a Casio digital watch on his left hand. Most striking is that we were told in the message to contact the first suspect to give information about the second. That means the reference goes from one obscurity to another and from unknown to unknown. Regarding Mustafa Hamza, you can refer to Al-Gamhoria, which is an official daily published in Cairo on 15 December 1992 to testify to that early propaganda.

9. It is clear from the foregoing that the particulars given in the Ethiopian message merely echoed what used to appear in the Egyptian media from time to time, bearing in mind that an Egyptian team of inquiry was deployed to Addis Ababa on the day following the incident. The Government formed a high-level committee of all competent authorities that studied the Ethiopian message and circulated the particulars to all police stations in the country as well as airports, seaports and border checkpoints in the Sudan. The committee further reviewed the arrival and departure lists of passengers at all airports and seaports and checked the records of passports and immigration. It inspected taxi services and hotel residents' lists, in addition to issuing warrants for the search of a number of houses in various parts of the capital, interrogating the occupants and proprietors. The investigation committee recommended the reintroduction of the visa requirements that was lifted in the past for some nationalities, including Ethiopia, in order to control the movement, arrival and departure of aliens, and that recommendation has become operational since.

10. As for its findings, the investigation committee observed that the Ethiopian message did not provide any information or evidence pertaining to the date and means of the alleged entry into the Sudan by the first and second suspects. The thorough investigation conducted by the committee did not prove entry of the said suspects into the Sudan at any time before or after the incident. Regarding the third suspect, the investigation indicated entry into the Sudan of a person bearing one of the three names attributed to him on a regular flight of Sudan Airways arriving from Addis Ababa. Contrary to the allegation by Ethiopia that the Sudan Air flight was delayed in order to take him on board, we have a document that proves that the delay came at the instructions of the Ethiopian authorities themselves because of VIP movements at the airport, as the document explained. Furthermore, by the admission of the Ethiopian Government itself, the man is an Ethiopian national, born in

Dire Dawa, holder of passport No. E411054, married to an Ethiopian, and was habitually domiciled in Ethiopia and engaged in the real estate business. Our conviction is that the said person had been smuggled out of the Sudan in the same manner by which he was earlier smuggled into the country in order to implicate the Sudan.

11. It is worth mentioning that he is also the same person whose name was announced by the Egyptian President a few hours after the incident, immediately upon his arrival in Cairo. Was that a matter of mere coincidence?

12. On 7 August 1995 (just 10 days after receiving the Ethiopian request) the Sudanese Government dispatched a high-level delegation to the Ethiopian Government with the results of the investigations that had been conducted, explaining also the difficulties encountered due to the weakness and insufficiency of the information provided. The delegation asked the Ethiopian Government to provide any additional information, and also requested the dispatch of an Ethiopian investigation team to the Sudan. The Sudan has also given, through its special envoy to President Zenawi, the disembarkation card of the alleged suspect. Instead, the Ethiopian Government issued on 1 September 1995 a statement containing measures that have not even been attempted during the Dergue regime, including closure of a children's school and the elimination of all Sudanese presence in Ethiopia. The peak of events was the heinous and cowardly assassination of two Sudanese nationals working in an international non-Sudanese relief agency. The Sudan has demanded the intervention of OAU in this issue with the Ethiopian authorities in order to unmask the killers of the two Sudanese nationals who were earlier asked to leave Ethiopia and were preparing to leave the country with their families.

13. Coming back again to the submission of Ethiopia before this august Council, the chronology and sequence of its statement reads:

1. Those in custody were arrested within the two days following the attempt.
2. The remaining three who had managed to escape arrest were killed five days after the failed attempt.
3. Within three to four days of the terrorist act, the Ethiopian authorities concerned had gathered most of the necessary information and facts concerning the plot and those directly or indirectly associated with the crime.

14. The Sudan would like here to draw to your attention that this knowledge about the plot and its masterminds, or to put it differently, the "mountains of evidence" in their own records were gathered only in one day or maximum two days according to the chronology provided by the Foreign Minister of Ethiopia and his deputy.

15. The Sudan had already raised a question about being notified 32 days later while the issue was clear, according to the distinguished Deputy Minister, in three or four days. However, our second legitimate question is about the reason why the Ethiopian security forces insisted on eliminating the three who managed

to hide at a time when there were possibilities for their surrender or capture. Why did the Ethiopian authorities get rid of some of the accused and keep others?

16. The Sudan would also like to observe that, while Ethiopia is fully concentrating on three suspects allegedly linked with the Sudan, it decided to keep silent about the remaining eight: how did they come to Ethiopia? What entry points did they use? What passports did they hold? What are the countries in which they were living?

17. Another important point would relate to the Ethiopian attitude vis-à-vis OAU. The Ethiopian submission talked much about the attempt at targeting OAU. However, Ethiopia totally ignored OAU in this process and did not seek to involve the Organization throughout its inquiries. It only came to the Central Organ when it needed to use, without success, the umbrella of OAU against the Sudan to serve its own goals and interests. This concern about Africa and OAU could have been better demonstrated and served by involving OAU. That was not the case when certain foreign investigating teams came to Addis Ababa.

18. In his statement before the informal meeting of the Security Council held at United Nations Headquarters on 21 December 1995, the Deputy Foreign Minister of Ethiopia made very serious and unacceptable allegations. He said:

"It was a very sophisticated plot in which subsequent investigations have shown the security organs of the Republic of the Sudan were involved ..."

19. Later in his statement, he said:

"... our investigation into the terrorist crime had shown conclusively that Sudanese security organs and the leadership in the Sudan were involved in assisting, facilitating and supporting the assassination attempt on the life of the Egyptian President".

20. The Deputy Foreign Minister is totally wrong and perhaps malicious. The incoherent, precariously manufactured information that he had described as evidence cannot by any means justify the serious allegation he has unashamedly directed to the leadership and security organs of a neighbouring State. It is therefore our duty to reveal the malicious nature of the exercise, and it is incumbent on you as a member of this august body to fairly and impartially evaluate both points of view and not to drag this body into the dilemma of issues mistakenly wielded as a matter falling within the jurisdiction of the Security Council according to the Charter of the United Nations.

21. The Government of the Sudan wishes to place on record that neither the leadership in the Sudan, nor the Sudanese security organs or any Sudanese individual were ever involved in the assassination attempt at issue. It is pertinent therefore to question also the political motive of Ethiopia in spearheading this vicious campaign against the Sudan, in the absence of a substantiated prima facie case justifying the foregoing serious allegations. Obviously and evidently the Ethiopian presentation does not have substance because:

(a) According to the Ethiopian presentation, their investigation has confirmed that the terrorists who staged the attack on the life of the Egyptian President were 11 Egyptians, member of Al-Gama'a Al-Islamia, a well-known Egyptian group that has no link whatsoever with the Sudanese Government;

(b) The unfolding of events demonstrates unequivocally that five of the passports found with the suspects were forged documents. Intensive investigations carried out by the Government has clearly shown that the numbers of these documents do not conform to the official serial number of passports issued by the Sudanese passports and immigration authorities. Fake Sudanese passports cannot stand as proof of the involvement of the Sudanese leadership or its security organs, as represented. By the same token, the Ethiopian passports carried by the terrorists can equally be regarded as proof of the involvement of the Ethiopian leadership, its security organs or any other issuing authority, in the plot;

(c) The Ethiopian claim also maintained that the terrorists who were captured by the Ethiopian Government admitted to having worked at a farm managed by their organization in the Khartoum suburb of Soba. The Sudanese Government wishes to emphasize here that, according to Sudanese investment law, aliens, whether individuals or corporations, are entitled to carry on business in every part of the country, including the Khartoum area of Soba. The Sudanese Government has no reason whatsoever to believe that any of these lands are used or intended to be used for any terrorist or any other unlawful activities;

(d) It has been surprisingly alleged by the Ethiopian Government that the Sudanese Government wanted Ethiopia to engage in a cover-up of the crime. It is legally absurd and factually untenable to represent the matter in such a way that the cooperation required from Ethiopians within the context of the incident appeared a cover-up as alleged;

(e) It is naive to assume that weapons and explosives used in the assassination attempt were sent from Khartoum in a box with a label giving the addressee as the Sudan's General Security Bureau. The plot as described by Ethiopians was a very sophisticated one. Thus the working out of a plan for it cannot be accomplished by such oversimplified methods;

(f) Ethiopia presumed that the three terrorists were "sheltered" in the Sudan. (Compare the word sheltered in the statement of the Deputy Foreign Minister of Ethiopia with the word "sheltering" used in the resolution of the OAU Central Organ.) Ethiopia did not show, as explained earlier, when, how and where those terrorists were sheltered or sheltering in the Sudan. Ethiopia did not cooperate with the Sudan in providing the information it claims to have on the fugitives. It did not respond to the requests of the Sudan regarding the compilation of information. The attitude of Ethiopia during its investigations was secretive and suspicious. The first information Ethiopia had provided was inaccurate, mis-spelt and insufficient. During the second meeting of the OAU Central Organ, the delegation of the Sudan was surprised to know that the Ethiopian delegation is basing its argument in a new set of information that is inconsistent with that given to the Sudan earlier. The Ethiopian account, supposedly all correct, does not at all point to any involvement by either the security organs or the leadership of the country.

22. The Sudan wishes to draw your attention to the crux of the matter behind all this. It is the declared design of a certain world Power to destabilize my country using some of the neighbours under what they termed "dual containment" policy against "an outlaw of the new world order".

23. It was the sincere hope of the Sudan that our brothers in Ethiopia were capable of understanding the lessons of history regarding the necessity of improving relations and the risks of undermining them in the region. In fact, the signals and "writings on the wall", continuously observed by us, were very revealing. That was so since Ethiopia unilaterally suspended the Standing Committee of the Horn on Somalia, which was a collective regional endeavour, and when it opted recently to delay the holding of the Joint Ministerial Commission with the Sudan throughout 1994 and 1995, in addition to many other hostile policies and practices. It is regrettable that Ethiopia is trying in the statement of its Deputy Foreign Minister to give the impression that it initiated the lifting of visa requirement for the nationals of the two countries. This is a big lie. That process was a jointly signed undertaking that Ethiopia decided to cancel unilaterally on 1 September 1995. The fact remains that the Sudan is host to large numbers of Ethiopians, refugees and others. Ethiopia knows very well the sacrifices that the Sudan undertook to help it to come out of its isolation in Africa following the entry of the Ethiopian People's Revolutionary Democratic Front into Addis Ababa and until recently when many African countries were sceptical about the threats posed by its ethnic democracy. We have repeatedly asked our Ethiopian brothers to refrain from talking about the National Islamic Front Government: it is not helpful for them to be called Tigray People's Liberation Front Government.

24. It is to be noted that, three days following the meeting of the Central Organ on 11 September 1995, the Foreign Minister of Ethiopia informed the Secretary-General of the United Nations, and through the latter the Security Council, about the outcome of the meeting of the Central Organ. They also insisted on coming here two days after the OAU meeting, thus confirming our conviction that the fabricated scenario was skilfully in progress.

25. While the Sudan is capable of defending itself against persistent moves of intimidation and provocation, it would like to assure this distinguished body that it is fully committed to dialogue, good-neighbourliness and the development of mutual cooperation beneficial to all. As regards the allegations against the country on the 26 June 1995 incident, we would like to reiterate that the Sudan has no link with the attempt that was intended to intensify the hostile campaign against the Sudan. Confident in its position and innocence, the Sudan is ready to cooperate fully with whoever would like to assist constructively in unmasking the real facts about the incident. In this regard, we fully support the recommendations of the OAU secretariat calling for dialogue and cooperation among all the parties in order to find a peaceful solution to the current problem.

26. In conclusion, the whole matter could be summarized as follows:

Firstly: There is no dispute at all about our commitment to the Extradition Treaty. Indeed the Government of the Sudan was the one who took the initiative to alert its Ethiopian counterpart about the existence of such a Treaty during the hijacking incident I have alluded to.

Secondly: The Sudan has done its utmost on the basis and in the light of the information given to it on the alleged suspects. It has undertaken a nationwide search and measures, and made its findings known to all.

Thirdly: The Sudan is, furthermore, ready to respond positively to any additional and helpful information on the alleged suspects in order to continue the search. It is ready to cooperate fully with whoever would like to assist in unfolding all the facts about the incident. For all to engage in and maintain constructive dialogue is of the essence.

27. The Sudan would like to inform this august Council that it has already communicated to the Secretary-General of OAU an important letter from its Foreign Minister. In that letter, the Sudan reassured OAU of its full commitment to cooperate in meeting the request contained in the decision of the recently concluded meeting of the Central Organ. The Sudan requested the Secretary-General of OAU to visit the Sudan to discuss ways and means of achieving that end and requested him to secure the cooperation of both Ethiopia and Egypt in order to furnish the Sudan with any additional information that can assist our authorities to look for the suspects. We have already requested both Ethiopia and Egypt to send to Khartoum investigation teams to that effect. Moreover, the Sudan has requested OAU to send a fact-finding mission to investigate the Egyptian allegations on the presence of training camps for terrorist elements from various African countries. We believe that this is the only direct and practical way to put the record straight. We have already distributed to you copies of that communication to OAU.

28. The Sudan regrets that the matter is being brought for Council consideration. Introduction of the issue in the Council can seriously limit the initiative of OAU, which seeks to bring about a peaceful end to the dispute.

First: Measures of such a sort can be counterproductive. Introducing the matter for Council consideration could seriously damage the reputation and credibility of OAU in the field of conflict management.

Second: The move on the part of the Ethiopians has been highly partisan and unbalanced and the introduction of the issue can only add more obstacles to starting serious negotiations between the parties concerned.

29. The Sudan is ready to reach understanding with whosoever seeks the truth. In fact, the Sudan has made proposals that can meet the purposes of the Ethiopians, but they were ignored.

30. We maintain that nothing has been done or is being contemplated that can remotely justify the Security Council's intervention on the ground that peace is being threatened.
