



## 安全理事会

Distr.: General  
25 October 2011  
Chinese  
Original: English

## 2011 年 10 月 20 日厄立特里亚常驻联合国代表给安全理事会主席的信

谨此附上厄立特里亚对索马里和厄立特里亚问题监察组报告(S/2011/433)的全面回复(见附件)。

关于我国外交部长奥斯曼·萨利赫 2011 年 10 月 7 日的信(S/2011/623, 附件), 我想借此机会表达我国代表团对加蓬代表团最近所提决议案的深切关注。厄立特里亚强烈认为, 加蓬的立场并不代表非洲的立场, 此行为本身将使得非洲之角不稳定的局势进一步复杂化。埃塞俄比亚在安全理事会所推动的是本区域所关注的事项, 首先应当在非洲联盟一级加以讨论。

我敦请安理会成员对比厄立特里亚对监察组所提指控的回复, 认真审查埃塞俄比亚为其自身政治目的、而欲藉由安全理事会此份决议破坏厄立特里亚经济基础设施的企图。此刻, 人们需要的不是会进一步导致本区域不稳的孤立主义措施, 而是增进本区域各国间信任和信赖的外交和政治努力。在此方面, 我迫切希望安全理事会积极审视本区域紧张和冲突的根源, 尤其是埃塞俄比亚不遵守边界裁定, 这已成为改善双边关系、增进稳定和安全之区域合作的障碍。这一事项得不到解决, 已对两国和整个非洲之角的和平、安全与发展实际构成严重威胁。

请将本函及其附件散发给安全理事会成员, 并作为安全理事会文件分发给荷。

常驻代表

大使

阿拉亚·德斯塔(签名)



# 2011 年 10 月 20 日厄立特里亚常驻联合国代表给安全理事会主席的信的附件

## 厄立特里亚对索马里和厄立特里亚问题监察组报告的回复

2011 年 10 月 17 日

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## 执行摘要

在索马里和厄立特里亚问题监察组履行其任务规定方面，厄立特里亚充分给予了合作。厄立特里亚在其境内两次作为东道主接待过监察组，在欧洲还参加了一次非正式讨论，并一秉诚意，答复了监察组的书面询问。

监察组的报告在所据资料不全、认识肤浅的情况下，对厄立特里亚的局势、政策和机构做了冗长、累赘的评论和分析，与厄立特里亚国内的实情截然不符。报告提到许多似乎很严重的指控——有一些被认为是“可信的”，另外一些则“无法确证”，但监察组承认，这些指控并没有得到任何确凿证据的支持；这就又给报告蒙上了阴影。

如果去粗取精、认真审视监察组的报告，以安全理事会第 1907(2009) 号决议通过时的 2009 年 12 月这一截止日期为参照点，就必然会得出昭然若揭的结论：厄立特里亚绝对没有违反该决议。

报告中没有任何确凿证据表明厄立特里亚在索马里和吉布提问题上，以及在厄立特里亚的军火禁运方面，有任何违反行为。这一点意义重大——有人指控厄立特里亚在索马里(尤其是支持青年党)和吉布提问题上有错失行为，而这正是对厄立特里亚实施制裁的依据所在。要秉持公正，就必须承认这一事实，并作出取消对厄立特里亚制裁的决定。

就索马里而言，有人指控厄立特里亚向青年党提供军事支助，这一指控成为安全理事会重要关注问题而且是第 1907(2009) 号决议所定制裁的重要动力，因此，值得一提的是，报告中证实：在向青年党或索马里境内任何武装团体提供军事支助方面，厄立特里亚没有违反该决议。报告中提到有不明消息来源称厄立特里亚向基斯马尤运送了军火(其实埃塞俄比亚公开提出过此种指责)，但报告强调指出，它不能独立地核实这些说法。

就财政支助而言，监察组指出，它有证明材料显示厄立特里亚不是向青年党、而是向与该组织“有联系的个人”支付款项，但承认这只是 2008 年的事，在截止日期之前整整一年。监察组提到财政支助仍在继续，不是给青年党，而是给监察组认为与青年党“有联系”的“个人”，有一个消息来源称资助额为每月 80 000 美元，但没有提出任何证据。向青年党提供财政支助，与向监察组认为同青年党有关系的个人提供财政支助，两者之间有着微妙但意义重大的区别。例如，监察组所提到的人员之一，乌格斯·阿布迪·达希尔，是一个有名的部族人物，就厄立特里亚所知，他同青年党没有关系。还值得一提的是，监察组肯定地声称，青年党年创收 7 000 万至 1 亿美元，来自其控制区内的税收和勒索，尤其是向肯尼亚出口木炭及走私违禁品。

就吉布提而言，报告提出了两项它称为厄立特里亚有限支助的指控。其中第一项指控来自一个可疑的消息来源，涉及 2009 年 12 月前期间。第二项指控涉及在吉布提一个洞穴内发现一批苏联时期的爆炸物，监察组就此明确指出，它“无



法追溯其产地或保管链”。所以，很清楚，没有任何证据说明厄立特里亚在吉布提问题上违反了第 1907(2009)号决议。

有人耸人听闻地指称：在 2011 年 1 月非洲联盟首脑会议期间，曾有在亚的斯亚贝巴进行爆炸的“密谋”——这是针对厄立特里亚提出的中心指控，是要求实施额外制裁措施的依据。在此，必须指出，在对厄立特里亚提出谴责方面，攻击方向已从索马里和吉布提转到埃塞俄比亚，而埃塞俄比亚既是罪犯，是谴责者，又是一切“证据”的来源。此外，破坏非洲联盟首脑会议，对厄立特里亚来说毫无利益可言，尤其是当时它正在同非洲姊妹国家开展有富有成果的接触，其驻亚的斯亚贝巴代表团刚刚重新开张，而且在长期缺席后、首次出席首脑会议。厄立特里亚也不会肆无忌惮或愚蠢到考虑实施这一恶毒攻击的地步。

厄立特里亚在回复中，对监察组有关“爆炸密谋”的指控作了全面回应。厄立特里亚认为埃塞俄比亚关于在非盟首脑会议期间有密谋要在亚的斯亚贝巴进行爆炸的指控根本不可信。埃塞俄比亚政府长期以来惯常谴责厄立特里亚和若干反对派团体制定“恐怖主义密谋”，再从这些指控的时机来看，这很可能是埃塞俄比亚政府为强化对厄立特里亚制裁找“理由”而进行的捏造。维基泄密网(WikiLeaks)最近公布的文件显示，2006 年 9 月在亚的斯亚贝巴发生了一系列爆炸，埃塞俄比亚政府声称，这些爆炸是“奥罗莫解放阵线(奥阵)和沙阿比亚(厄立特里亚)为破坏民主发展而协调实施的恐怖攻击的一部分”，实际上，这很可能是埃塞俄比亚政府安全部队干的。在这两起指控中，奥阵和厄立特里亚都受到责备，第一起是企图“破坏民主发展”，第二起则是要“破坏非盟首脑会议”。这种措辞显然说明是埃塞俄比亚在散布假消息。

然而，即使我们承认是有一个爆炸的密谋，那么，监察组的推论(爆炸密谋是由厄立特里亚国家安全局构想、策划和指挥的，但表面上却打着奥阵行动的旗号)也是完全没有依据和站不住脚的，因为厄立特里亚的答复确凿地表明了这一点，而监察组的文字无意中透露了这一点。

因此，很清楚，厄立特里亚没有在任何方面违反第 1907(2009)号决议。相反，自那时以来，发生了许多积极的事情。厄立特里亚和吉布提接受了由卡塔尔埃米尔进行的调停，厄立特里亚还同意了调动其部队的请求。厄立特里亚在区域、非洲大陆和国际舞台上积极和建设性的参与得到了广泛承认和鼓励。

第 1907(2009)号决议没有为对厄立特里亚实施制裁提供任何依据，更不用说采取直接要让厄立特里亚人民挨饿的额外措施了；埃塞俄比亚正在努力争取实施这些措施，作为其同厄立特里亚战争的一部分，而这将会进一步导致区域不稳定。

所以，厄立特里亚吁请安全理事会全面审议本答复，承认厄立特里亚没有任何违反行为，而且已有长足的进展，取消两年前实施的长期制裁。厄立特里亚吁请安全理事会采取紧急、有力的行动，确保埃塞俄比亚遵守安全理事会决议，结束对厄立特里亚领土的非法占领，停止其破坏非洲之角区域稳定的做法。

## 一. 引言

1. 索马里和厄立特里亚问题监察组是 2010 年 3 月 19 日按照安全理事会第 1916(2010)号决议第 6 段成立的；监察组于 2011 年 7 月 18 日向安全理事会提交其报告。在该报告正式提交安理会时，却不给厄立特里亚接触该报告；这样做违反了所有既定的准则。在此事件期间，厄立特里亚代表团 2011 年 7 月 19 日以“非正式和互动形式”在安理会发言，被置于尴尬境地。结果，厄立特里亚代表团不得不依据以简报形式提供的不完整信息为基础，对报告所载的主要指控即席作答。
2. 厄立特里亚在着手通过本答复提出其全面回复时，想表明其对此种谬误和不公正待遇的强烈反对，并希望将这一点记录在案。出于公正和正义的目的，厄立特里亚应当不受阻碍和迅速地看到任何方面对它提出的一切指控和指责。这是进行任何司法进程或严肃调查时任何被告方的基本权利。还应当向厄立特里亚提供原告和各种各样“证人”（假设是他们煽动对厄立特里亚提出荒唐谴责或对此种谴责加以佐证）的完整身份。
3. 令人遗憾的是，监察组却公然无视这些基本程序，进而汇编了这份文件，其中不过罗列了厄立特里亚的公开劲敌和诋毁者对厄立特里亚的一切谩骂。在此情形下，厄立特里亚坚持认为，整份报告的可信度已受到严重损害，它达不到客观、中立的起码标准。
4. 此外，出于不为厄立特里亚所知的原因，监察组成员费尽周折，对厄立特里亚政府、人民民主和正义阵线（人阵）、厄立特里亚侨居海外的受人尊敬的、守法的侨民以及厄立特里亚的外国朋友（包括一些荣誉领事）发动了讨伐。
5. 监察组成员在两次访问厄立特里亚期间，在厄立特里亚滞留总共不到 15 天。然而，他们却对这个自己知之甚少的国家和人民不负责任、毫无道理地大发议论。
6. 事实上，监察组成员不遗余力地攻击厄立特里亚政府及人阵高级成员的合法性，把他们说成是罪犯。首先，这不是其职权范围内的事。其次，这种卑劣的行为构成严重的判断失误或蓄意的政治议程，置其专业精神、能力和品格于不顾。此外，他们对遵纪守法的厄立特里亚公民和厄立特里亚的外国朋友进行无端指控，严重损害了个人名誉，受害方可以受诽谤为由提起个人诉讼。
7. 监察组的报告不限于嘲讽厄立特里亚国家机构和人阵。他们以最居高临下的方式对厄立特里亚的外交政策、双边和多边关系、经济和金融机构表现出肆意的轻蔑，但他们做得不够专业。在这里，除了任务规定和管辖权所涉的法律和程序问题之外，监察组的总体行为也使人们对其专业能力及其在公正和正直方面的品格产生严重怀疑。
8. 另外，监察组搜集和验证证据的方法使得整项工作更加显得草率。报告常常提到同下列各方进行面谈或讨论：外国执法机构、厄立特里亚政府在职的联系人、

前军事或外交官员、直接参与人口走私行动的厄立特里亚个人等等，并将这些模糊的消息来源列为其自以为是的调查结果和结论的依据。他们是对厄立特里亚人民和政府怀有恶意的外国情报机构、身为武装叛乱团体积极成员的厄立特里亚国民，显然是非法领取监察组薪金或由其他外国实体发工资的“联系人”，甚至是臭名昭著的罪犯。监察组完全听信这些人的“证词”，对政府或任何遵纪守法的厄立特里亚公民所给的解释则置之不理；这个中的原委，令人匪夷所思。监察组对政府结构、经济、外交政策，以及国家与人阵之间的体制联系和关系的笼统叙述，全都来自这些模糊的消息来源，却没有认真参考其他观点和解释。必须强调的是，监察组在忙着查找有关厄立特里亚及其人民和政府的资料时，差不多是忽略了正式的政府渠道。

9. 在此情形下，厄立特里亚的答复将不限于仅对报告所载的各种指控加以驳斥。为了提供适当角度和观点，答复的第一部分将侧重于：(a) 国家机构以及国家与人阵之间的体制关系；(b) 厄立特里亚的区域政策；以及(c) 厄立特里亚的经济、金融和货币政策以及适用于侨居海外的厄立特里亚公民的 2%复苏税的理由和范围。答复的第二部分将讨论监察组报告所载的具体指控。

## 二. 治理和区域政策

### A. 国家结构、决策过程以及与人阵的关系

10. 建国和国家结构的构筑及演进是一项艰巨的任务，不可能在几年中就完成。故此，年轻的厄立特里亚国显然仍处于活跃的建设过程中，国家的最终建成还需要若干年。即使存在着这些体制规范上的困难，厄立特里亚在独立仅仅 20 年后取得的成就确实是相当可观的。而且这是在面临外部阴险敌对势力和物质资源不足的情况下实现的。

11. 事实上为在独立后早期迅速建立可行且可履行职能的国家体制和结构发挥关键作用的一个重要的因素是，消灭了埃塞俄比亚在厄立特里亚殖民存在的厄立特里亚人民解放阵线不仅仅是一支作战力量。解阵动员了厄立特里亚各界人民，从训练有素的专业人员到普通农民，让他们以各种辅助方式直接参与武装斗争或支持解放战争，因此早在国家于 1991 年 5 月 24 日获得独立之前就从微观上设立和发展了一个影子国家的结构和职能。在 30 年的武装斗争过程中获得解放的农村地区和主要城市及城镇实行基于持久战战略的持久的民政管理，提供医疗服务和教育，裁决民事纠纷和刑事案件，执行有关土地保有权、妇女平等权等方面的过渡时期法律，这些是解阵从 1970 年代中期就开始并继续实施的一些重要措施，并由此产生了国家结构和建国理念。在此后的 20 年中，这些结构和理念逐步得到完善，从而使解阵在 1991 年完全解放厄立特里亚时，已具备了一个完整的国家结构。

12. 厄立特里亚的合法民族解放事业理应得到国际支持和承认，但厄立特里亚的斗争几乎没有外部支持，而且存在外部敌对，不过，这些因素却也有助于在解阵

的政治方向 and 实践中形成一种强烈的负责任的风气和草根民主。解放战争完全是在厄立特里亚人民自愿参与和物质捐助的基础上发动的，这些主要是通过各种民间社会组织实现的。这肯定会巩固解阵与厄立特里亚人民之间的社会契约，培养一种透明、负责任的风气和双向交流以及建立共识的深厚政治传统。

13. 因为有了这样的武器，解阵得以在厄立特里亚于 1991 年 5 月 24 日获得独立后马上成立一个能够行使职能的临时政府，并在 1993 年 4 月在国际监督之下举行了获得广泛称赞的全面投票，给厄立特里亚人民来之不易的独立更增添了国际合法性。同时，依据继承的、但经修订的过渡民法典和刑法典，建立了司法机构。没有同时在国家一级组建作为政府三足之一的立法机构，因为关键的行政和政治工作需要更长期的过程，不过在 1992 年通过选举成立了县和省级议会。厄立特里亚被划分为六个具备地方行政和立法机构的行政区，这些机构具有下放的地方发展政策和方案的管辖权，而解阵则在新的条件下并根据修订的《宪章》以及新选出的决策机构，于 1994 年举行大会进行改组，脱胎换骨，成为人民民主和正义阵线(人阵)。此后在这些省级机构的基础上组成了 150 人的国民议会，人阵则成为一个临时国家立法机构(或议会)。

14. 在采取这些措施的同时，厄立特里亚政府紧锣密鼓地认真展开了《宪法》起草和批准工作，在此过程中尽可能与人民广泛协商，包括在国内以及在散居国外者中进行协商，并开展了为期三年的严格的公民教育方案。这些工作以及此后颁布的一系列促进善治的补充法律——关于新闻自由、劳工、宗教活动、投资和土地保有权等方面的法律，其目的是巩固和扩大解阵在武装斗争的艰苦岁月期间达成的社会契约，当时就设想这一契约将成为一个现代而民主的厄立特里亚国的基础。

15. 埃塞俄比亚在 2008 年 5 月 13 日公然决定展开新一波的敌对(附件 1)，使厄立特里亚在仅仅几年中取得的这一进步势头和良好开端面临危险。战争延续了两年，直到 2000 年 6 月 18 日双方签署了阿尔及尔和平协定；更严重的是，埃塞俄比亚拒绝遵守厄立特里亚-埃塞俄比亚边界委员会的“最后和约束性”决定，继续占领主权国家厄立特里亚的领土；而且国际社会，包括联合国安全理事会，没有采取任何补救行动，这不可能不影响厄立特里亚在经历了三十年武装解放斗争后相对和平的阶段中正热切进行的政治、经济和社会发展的步伐。

16. 然而，新的半永久紧张状态以及战火再次爆发的可能性实际上没有改变厄立特里亚政府基于人阵《宪章》中明示的对社会正义和真正的民主价值观的深切信念和承诺而开创的政治和发展路线。事实上，通过定期的职能审查和积极努力以及对国家人力资本的投入，国家机构得到了加强和完善。更好地阐明了内阁部级职能，使其权力限于：(一) 制定部门政策；(二) 制定并推行部门规章；(三) 人力资源发展；(四) 研究。各行政区和选出的省级议会对其各自辖区内的部门政策实施具有管辖权。

17. 全国独立司法机构在人力和服务推广方面都得到加强，这方面包括创新地设立社区法庭来裁决所涉损害不超过 100 000 纳克法的民事纠纷(132/2003 号通告)，而且司法部还对过渡时期民法典和刑法典进行了全面审查，以起草一套新的法律，从而改进司法，并且更好地响应《世界人权宣言》和厄立特里亚签署的其他公约所载的人权基本信条。本着对官员腐败和贪污公款的零容忍态度并将这类可能的弊端消灭在萌芽状态，政府已在 1996 年采取了开创性措施，设立了一个特别法庭(85/1996 法律通知)。上述措施现在已得到加强，增加了一个就这类具体案件行使上诉法庭职能的二级机构。

18. 但前面已提到，尽管取得了所有这些成就，然而工作日程上的一些重大事项，特别是在国家法规架构和有关法律的一些显要部分的实施方面，由于外部力量所造成的新现实而受到不利影响。引起这些挫折的是外部力量强加的好斗的外部环境，而这些挫折同时也构成了针对这一环境所进行的切合实际的调整，不能将此误解为厄立特里亚政府和/或人阵的政治承诺、价值观和做法上的一些退步。

19. 索马里和厄立特里亚问题监察组显然无视这些情况和事实。这或者是由于它对厄立特里亚近期历史的愚蠢无知，或者是它居心叵测，有意对此历史视而不见。它对厄立特里亚竭尽诋毁之能事，声称：“很难想象有什么国家比索马里和厄立特里亚反差更大了：前者是一个已经崩溃 20 多年的国家，没有正常运作的国家机构；后者则拥有非洲大陆中央集权程度最高的军事化专制政府系统……在这两个国家中，权力都集中在个人而不是机构手中，而且主要通过非正规、常常是非法的政治和财政控制网络来行使。两个国家领导人通常更多地依靠外国政府和侨民网络而不是自己国家的人民来提供政治和经济支持……”（第 11 页）。

20. 监察组在报告中对厄立特里亚政府肆无忌惮的谩骂不止这一处。例如，在第 12 页，它声称：“只有从厄立特里亚与埃塞俄比亚有未获解决的边境争端的角度，才能理解厄立特里亚对这些集团的支持。但它也象征着，人数相对较少的政治、军事和情报官员在有系统地颠覆厄立特里亚政府和政党机构，他们宁愿通过非正规且往往是非法的机制来处理国家事务，包括偷运人口、贩运军火、洗钱和勒索”。它在另一处叫嚣：“宪法被暂停实施，选举无限期推迟，实施了事实上的国家紧急状态。厄立特里亚执政党，人民民主和正义阵线重新成为军事阵线，事实上控制通常由国家行使的职能。因此，国家，甚至党的机构萎缩了，权力和资源日益集中到了少数个人手中，在很大程度上是由政府以外的机构和渠道管理”（第 256 段）。

21. 监测组对厄立特里亚政府在过去 20 年中的结构、决策过程以及成绩记录连看都不看。它没有就这些问题寻求会晤政府当局、人阵官员，或普通民众。它居然鹦鹉学舌，重复埃塞俄比亚和其他恶意诋毁厄立特里亚的人，对厄立特里亚政府和人阵公开抹黑，如此肆无忌惮、不负责任，而却心安理得，实在令人厌恶。对这种不负责任的行为不能接受也不能容忍。

## B. 厄立特里亚的区域政策

22. 厄立特里亚的区域政策有诸多层面，不过可简单地概括为以促进安全和合作的邻国关系为基石。

23. 这一政策产生于并且基于经济、政治和安全等方面的重要考虑。经济理由很明显，无需长篇大论的说明。不可阻挡的全球化趋势下区域经济互补的现实、建立区域共同市场以吸引大规模国外直接投资的紧迫需要以及在本区域各国人民之间形成的超越地理分界限制的历史和贸易联系，这些情况均要求组成和巩固有效的区域经济集团。政治上的必要性也同样显而易见，因为几乎所有这些国家都具有相同的跨越国界的语言群体和族裔群体。事实上，非洲之角区域的各国人民具有深厚的历史和文化上的联系。最为重要的是安全考虑，因为任何国家的动乱或不稳定都会产生有害的蔓延效果，反对派运动往往会在邻国寻求庇护，并且最近历史上发生了内战悲剧。

24. 厄立特里亚政府通过一项三足鼎立的战略来实施这一政策原则：(a) 推动构建一个能够在预防、管理和解决冲突方面发挥关键作用的区域安全框架；(b) 严格遵守有关解决冲突的国际法和公约以及相关文书；(c) 同各邻国建立牢固的双边关系。

25. 为此目的，厄立特里亚在取得独立后不久于 1993 年加入了政府间发展管理局(伊加特)，并为促进上述各项目标在 1995 年为伊加特的重振做出了一份贡献。当时厄立特里亚还同埃塞俄比亚和乌干达一起组成了当时通常所称的“前线国家”，那时苏丹正寻求向非洲之角及其之外的地区传播宗教激进主义意识形态。

26. 1995 年，也门将哈尼什群岛称为己属，并在岛上建立定居点，厄立特里亚被迫与之发生了小规模冲突。这些岛屿一向是厄立特里亚的一部分(在意大利、英国临时管辖和埃塞俄比亚殖民统治期间均为如此)。不幸的是，也门新的索求在两个姐妹国家之间造成了紧张和对立，尽管只是小规模 and 短暂的紧张和对立。根据由法国政府调解促成、并由双方签署的一项协定，很快将两国的基本争端以及海洋界限的划定提交国际仲裁。仲裁结果对厄立特里亚不利。但厄立特里亚按照严格遵守国际法的方针，大度地接受了裁决，很快将部队撤离这些岛屿。

27. 从 1991 年至 1998 年，厄立特里亚与埃塞俄比亚密切合作，以求解决索马里危机。当时厄立特里亚的温和作用得到广泛承认，而埃塞俄比亚则往往带着固有的对索马里任何中央政府的不信任以及寻求肢解和巴尔干化索马里的倾向(现在也一样)介入区域努力。

28. 在与埃塞俄比亚战争之后的年月里，厄立特里亚在索马里发挥的建设性、不偏私利的作用没有减弱。厄立特里亚继续以其有限的能力并主要通过最合适的途径伊加特论坛，推动索马里危机的永久解决。厄立特里亚真心力求对这一看来无法解决的问题作出诊断并达成区域共识，以找到最切实可行的解决办法，为此，

厄立特里亚不加犹豫地顶着国际潮流，诚实坦率地公开声明其观点和想法。特别是在 2006 年快结束时，一些伊加特成员国在美国行政当局的推力之下携手联合，审议并居然同意了埃塞俄比亚的军事入侵，厄立特里亚慷慨陈词，反对这一草率、无理的措施，因为这种做法只会使索马里和非洲之角陷入更深的危机。伊加特在 2006 年 8 月举行特别峰会，会上厄立特里亚陈词反对将“反恐战争”与索马里复杂的氏族冲突混为一谈，并反对纯粹军事解决办法，认为采用这种办法是不理解或有意误读索马里困境的多元特征。在这一重要的论坛上以及在此后的其他一些场合，包括 2010 年在土耳其举行的会议上，厄立特里亚根据其不同的视角和对现实情况的评估，尽力阐述另一种切实解决办法的框架并为此寻求支持(附文二-六)。自此几乎五年过去了，索马里令人困惑的局势仍然没有改善，厄立特里亚不祥的预感也没有减少，事实上在过去五年中索马里遭受了前所未有的破坏、生命损失和苦难。

29. 厄立特里亚也努力在促进切实和持久解决苏丹问题的区域和国际努力中发挥自己的作用。厄立特里亚在起草伊加特《原则宣言》过程中所发挥的关键作用已载入史册。它是此后各方在 2005 年签署的《全面和平协定》所依据的基本思想框架。厄立特里亚通过派遣特使，同其伊加特伙伴们一起积极推动最后导致签署上述协定的谈判。厄立特里亚为促使喀土穆中央政权和东部反对派运动之间达成协议发挥了作用(附文七)，并同区域其他国家——乍得、利比亚和卡塔尔——作出各种联合努力以促成一种有利的环境，让苏丹人解决达尔福尔问题，这些都符合其上述安全的邻国关系的政策原则。由于这种长期的建设性接触，今天厄立特里亚同苏丹政府和新独立的南苏丹共和国均有着热诚而全面的睦邻与合作关系。

30. 厄立特里亚与吉布提的双边关系一直大致平顺，尽管当前存在困难，但厄立特里亚并不相信这些困难源自诚意方面的误解(附文八)。鉴于各方已同意将争端提交卡塔尔埃米尔调解，厄立特里亚不想在此详述。关于监察组报告中所载具体指控，厄立特里亚将在本文件第二部分作出详尽回应。

31. 埃塞俄比亚通过其议会，于 1998 年 5 月 13 日对厄立特里亚宣战。埃塞俄比亚之所以这样做，是误解了发生在厄立特里亚小镇 Badme 的小规模边界冲突，而该镇一直由埃塞俄比亚占领。在此事件数月前，埃塞俄比亚悄悄占领了中心区属于厄立特里亚的 Adi-Murug 镇，并企图于当年 1 月进一步染指厄立特里亚在阿萨布地区的领土。尽管埃塞俄比亚最初接受了若干协议，但后来又横加阻挠，使战争还是打了两年。由联合国安理会担保，双方终于签署了《阿尔及尔和平协定》。由于埃塞俄比亚一再违反先前诸项协议，并以卑鄙行为违背作出的郑重承诺，厄立特里亚坚持在该协议加上明文规定。2002 年 4 月，通过厄立特里亚埃塞俄比亚边界委员会的仲裁决定，从法律上解决了问题的核心所在。但埃塞俄比亚再次违反其条约义务和国际法，拒不执行具有“最终和有约束力的”仲裁决定，继续占领厄立特里亚主权领土。因此，埃塞俄比亚是区域动乱的重要来源，并将继续是主要根源。

32. 自 1998 年以来，埃塞俄比亚一直积极扶植厄立特里亚的颠覆性武装集团，以实现破坏稳定之险恶目的以及其总理最近公开宣称的“改朝换代”目标(附文九)。厄立特里亚不愿意专注这一小规模冲突，因为这样做只能忽略埃塞俄比亚应受惩处的、更严重违反国际法行为和占领埃塞俄比亚的行为。不过，厄立特里亚的确向监察组提及冲突的这一方面，并指出厄立特里亚愿意提交详细证据。但监察组不愿讨论或接受证据，声称“这并不在其任务权限范围之内”。

33. 从上述情况，可明显看出，厄立特里亚奉行的区域政策是完完全全、坚定不移地促进睦邻友好与合作的有利环境。对于厄立特里亚这样一个面积狭小而年轻的国家来说，常年对抗和边缘政策的动荡气氛对于我们的国家利益有害而无利。厄立特里亚没有在地区称王称霸或领土扩张的狂妄野心，而历史上，埃塞俄比亚历届政权包藏的就是这种野心。厄立特里亚从来也不主张、也不急切地以救世主般的热情向本区域输出一些疯狂的意识形态。具体而言，虽然厄立特里亚被不幸卷入与埃塞俄比亚、吉布提和也门或大或小的对抗，但这些新的领土要求以及推动重新确定殖民边界的始作俑者并非厄立特里亚。厄立特里亚一贯和公开阐明的立场是：恪守继承的殖民边界神圣不可侵犯；恪守非盟及厄立特里亚参与的其他区域组织制定的各项原则。在所有这些情况中，厄立特里亚从一开始就主张国际法至高无上；并根据《联合国宪章》第三十三和第九十五条，诉诸仲裁办法，并将其作为解决方案的首选机制。此外，厄立特里亚忠实和严格遵守这些机构作出的判决，无论最终结果对于厄立特里亚的得失如何。不仅在关于哈尼什群岛的仲裁裁决案件是这样，厄立特里亚接受厄立特里亚-埃塞俄比亚索赔委员会的裁决亦是如此(附件十)，虽然厄立特里亚有令人信服的理由认为，委员会已经越权，竟然对根据《阿尔及尔协定》第 3 条交由非洲统一组织处理的冲突诉诸战争权的问题作出了裁决(附文十一)。

34. 然而，监察组显然被一种痴迷的愿望所麻醉，以最负面的语气描绘厄立特里亚的情况，在描述厄立特里亚外交政策时，也掉进同样的陷阱。因此，监察组称：“厄立特里亚自独立以来与邻国的关系一直动荡不安。在划定新的国家边界过程中[原文]，厄立特里亚与三个邻国——埃塞俄比亚、也门和吉布提——发生冲突，与苏丹则保持复杂、有点纠缠不清的关系”。监察组进一步指出在当前任务期间，监察组获得证据表明，厄立特里亚在整个区域支持武装反对派团体，包括在吉布提、埃塞俄比亚、索马里和苏丹。

35. 尽管早在 1990 年代初期，厄立特里亚就为推动持久解决索马里危机尽绵薄之力，但监察组将厄立特里亚在索马里发挥的合法作用归结于与埃塞俄比亚的代理战争的简单延伸。监察组除了对厄立特里亚进行大量指责外(我们将在第二部分详谈此问题)，还错误地声称，“此外，没有证据显示，无论是通过单方面举措，还是通过多边政治论坛，厄立特里亚利用了与青年党或其他反对派团体的特殊关系[原文]来推动对话或和解”。(第 259 段)



36. 在苏丹，厄立特里亚长期和建设性的接触被监察组歪曲，监察组没有任何可信的依据，就影射厄立特里亚最近为“破坏新成立的南苏丹国，开展了颠覆活动”。监察组依靠来路不明“苏丹人民解放运动的政治人物和众多厄立特里亚人士”，对厄立特里亚的基本动机进行诽谤，含沙射影，无端揣测：“这一新的紧张局势背后主要原因是[原文]，厄立特里亚担心，苏丹南方独立的平稳过渡可能导致喀土穆和一些西方国家政府之间的关系更加密切。有些苏丹解官员也将与阿斯马拉之间关系越来越多的摩擦归结到苏丹南方领导人与埃塞俄比亚的密切合作。”

37. 报告其他部分充斥监察组一连串的肆无忌惮的诽谤。监察组出于险恶用心，说什么与利比亚现状存在不为人知的联系，侮辱厄立特里亚政府并断言：“阿拉伯利比亚民众国也早已成为厄立特里亚领导人的靠山，提供直接财政援助和实物捐助，据称其中包括石油产品。”厄立特里亚的发展援助立场众所周知，不必在此详加阐述。但人们不禁要问，监察组评判捐助国成为受援国靠山的标准是什么？我们确实好奇，按照监察组的标准，谁又是埃塞俄比亚的靠山呢（例如，埃塞俄比亚每年都获得数十亿美元的发展援助）？

38. 监察组还试图把厄立特里亚与本地区据推定具有军事野心的伊朗联系在一起。因此，监察组声称：“……监察组多次获得关于厄立特里亚和伊朗伊斯兰共和国在 2009 年开展军事合作的可靠报告……监察组认为，制裁委员会应当在本小组协助下，继续密切监测这一关系。”（第 338 段）。联合国安全理事会第 1907(2009)号决议是 2009 年 12 月 23 日通过的。因此，除了与事实不符外，报告所涉提法包括了在联合国武器禁运制裁之前发生的事件。鉴于厄立特里亚有权与任何其他国家建立军事关系，单单挑伊朗来说事，是别有用心的，而且也有动机恶毒之嫌。

39. 事实上，在监察组强迫症似地陈述此案和其他案情时，其明显意图是把厄立特里亚描绘成一个无赖国家。在监察组关于厄立特里亚外交政策的大多数描述和解释中，人们有种不安的感觉，即读到的东西几乎是逐字套用了埃塞俄比亚政权和其他公开诋毁厄立特里亚的对外宣传公告上同样的措辞，如出一辙。可悲而不幸的是，监察组完全没有认识到其受委托调查的环境具有多方面因素和复杂性，进而无意中沦为长期对厄立特里亚充满敌意的人的喉舌，用美国非洲事务助理国务卿詹达伊·弗雷泽的话来说，这些人的目的就是要牵制和惩治厄立特里亚，早在人们利用索马里最近动乱局面之前，他就阐明这些问题了。

### 三. 厄立特里亚的经济、金融和货币政策

40. 令人遗憾的是，监察组关于经济、金融和货币的指控都基于道听途说、影射和捏造，充其量算是一种旁证，其中大部分甚至根本不值得回应，因为回应无异于使这些说法获得信誉和不应得到的合法性。通过这些指控，报告试图将厄立特里亚合法的金融和货币交易指为非法并定为刑事罪，以便证明安全理事会对厄立

特里亚采取的不公正措施是合法的。监察组还打算为可能进一步采取的限制措施加以铺垫，而这些限制措施可能是那些提出对厄立特里亚政府和人民进行制裁的提案国所期待的。如前所述，在本文件第二部分将对主要指控做出详尽的回应。在本章节，厄立特里亚将广泛强调的是其经济、金融和货币交易的合法性和真正目的，而厄立特里亚作为一个主权政府和国家，为实现其政治和经济目标，过去进行了这些交易，今后还将继续进行。

41. 首先必须重申，并为准确起见，厄立特里亚对于打击恐怖主义、极端主义、所有形式的非法和腐败的金融做法所具有的不妥协立场，这是众所周知的。厄立特里亚相信并致力于开展合法和透明的金融交易。此外，与监察组的指控相反，厄立特里亚政府不容忍走私或贩卖人口。为此而被捕的公民将送交法办，并依法处以最严厉的刑罚。监察组声称厄立特里亚政府鼓励贩运人口以调集资源，而事实上，厄立特里亚的发展战略以加强人力资源为前提，因此，上述说法是可笑和荒谬的。厄立特里亚政府和人民如此重视实现本国发展的愿望和目标，与热衷于支持和鼓动恐怖主义的政治和社会秩序这种丑化风马牛不相及。事实上，如上所述，厄立特里亚具有在国内外打击恐怖主义的光辉历史。

42. 为准确起见，厄立特里亚的发展战略，其金融机构的作用以及移民社区的情况简述如下。

#### A. 厄立特里亚发展战略

43. 厄立特里亚致力于依靠自力更生和人民充分参与，建立一个开放而有活力的经济。建立有复原力的经济是厄立特里亚经济发展战略的最终目标，这一经济的基础是运作良好的公共部门和私营部门的伙伴关系，而私营部门又具有竞争力和社会责任感。正如在长期争取独立的斗争中那样，人民的参与，无论在国内还是国外侨民社区，都是十分重要的。因此，要动员群众推动加快实现这一公认的国家目标，并最终从中获益。这一战略的核心是保持一种可预见的政策和监管框架，借以促进区域和部门平衡的经济增长和效率。厄立特里亚的财政、货币、外汇、投资、贸易、人力和基础设施发展政策和投资方案的制定、设计和实施，就是为了实现这个目标。该战略的目的还在于，促使社会经济快速转型，同时保持财政和货币稳定。对这一发展战略和政策议程十分重要，厄立特里亚着力建立有效的公共服务提供系统，对腐败采取零容忍态度。

44. 在解放后短短 20 年内，厄立特里亚政府一贯奉行这一战略，并出台相关政策，设立机构，以帮助实现人民的愿望。政府已投入巨资，提供重要的社会服务，包括医疗、教育、能源、清洁水和环境卫生。政府还对具有战略意义的基础设施进行了投资，包括港口、机场、道路和通讯设施，这些都是可持续发展和消除贫困的先决条件。与监察组报告捏造的说法正相反，由于所有这一切，厄立特里亚的经济复苏和增长表现令人满意。

45. 尽管受到边界战争以及来自埃塞俄比亚长期敌对态度的影响，尽管特别是在1999年到2004年，陆续出现旱情，我国一直保持社会经济发展的动力和势头。1991年解放以后，对人力资源开发、战略基础设施、使经济各部门生产能力现代化等方面的投资一直有增无减。正如厄立特里亚的千年发展目标报告所指出的，在以下方面的投资取得了相当的成功：扩大和深化初级和二级医疗保健服务以及教育、改善获得清洁水和卫生设施的情况、城市和农村电气化以及确保粮食安全。在进行所有这些投资时，均特别重视让妇女和少数族裔社区充分参与国家发展进程。

46. 厄立特里亚有关重要的经济和社会部门的政策指导思想和组织结构的目的的是：人力资源开发、消灭传染病、保障粮食安全并消除贫穷，这些均开始产生红利。学校总入学率从1991年不到20万人增至现今的60多万人。厄立特里亚是被世界卫生组织认证的消灭脊髓灰质炎的少数最不发达国家之一。实际上，疟疾已经灭绝。现在，75%以上人口能获得清洁水。卫生服务已延伸至本国最偏远的村庄。发电量从1991年的30兆瓦增加到目前的130兆瓦。厄立特里亚实现千年发展目标综合报告指出，厄立特里亚在2015年目标日期之前，有望实现8个千年发展目标中的6个。厄立特里亚是非洲大陆唯一实现千年发展目标的四个国家之一。

47. 说明以上所有这一切，并不是否认战争、不规律的降雨模式、世界能源和粮食价格居高不下等因素对经济业绩以及我国人民的福利所造成的明显不利影响。事实上，这些因素在延缓经济增长、加剧宏观经济不平衡情况(包括通货膨胀)等方面均产生了巨大影响。埃塞俄比亚的侵略和持续的“不战不和”状态，对资源分配和经济进展造成不利影响。世界能源和粮食价格不断上涨引发外汇短缺，特别是对执行我国投资方案造成严重的负面后果。为减轻外汇短缺对基本商品的供应和战略投资的影响，我们已采取外汇管制和集中采购进口品的办法。已成立监督委员会，与厄立特里亚银行一道监督和分配外汇，对优先进口需求予以特别照顾。与此同时，给予红海公司充分授权，有效采购公共部门的进口物资。由于作出这些安排，尽管在1998至2010年期间，发生了战争以及埃塞俄比亚采取长期敌对态度，厄立特里亚的整体经济表现并没有像报告所提到的那么糟糕。为了准确起见，再次提供有关宏观经济表现指标并归纳如下：

- 国内总产值平均增长2%左右，而1992-1997年期间增长率为7%-8%。
- 通货膨胀率介乎9%和12%之间，主要是由能源和食品价格所驱动，本国货币疲软。
- 财政赤字在国内总产值的比重从8%升至19%。

48. 厄立特里亚为捍卫国家主权历尽艰辛，并依赖本国金融资源维持发展势头，尽管如此，我国的经济业绩记录一直良好。监察组出于卑劣用心，在报告中将这一笔抹煞，这是不应该的。尽管公共债务和财政赤字增长较快，但仍保持了宏观

经济基本平衡的态势。这使得投资者对厄立特里亚经济前景保持信心，对一直指导厄立特里亚经济活动的发展政策框架和战略的稳健性保持信心。

## B. 厄立特里亚的经济前景

49. 厄立特里亚的经济增长前景正变得越来越光明。厄立特里亚采取了健全的经济政策和监管框架，为使经济迈上持续增长道路对关键部门进行了战略投资，这些努力开始结出成果。尤其是自 2002 年以来，为处理宏观经济失衡，采取了财政与货币紧缩措施，以便创造刺激增长的条件，这些紧缩措施正在见效。现在，大部分经济部门将开始起飞，迈上比过去 13 年高得多的增长轨迹。

50. 2011 至 2015 年期间，为实现并保持更高的增长，厄立特里亚将注重提高使用现有资产和可供投资资源的经济效益。此外，为继续恢复宏观经济平衡，将一贯采用谨慎的财政和货币措施。将继续采取创造生产力的措施，并在厄立特里亚具有相对优势的领域进行新的战略投资。特别是将下大力气提高效益，扩大农业、渔业、建筑业、采矿业、制造业和基本服务业的产出，以促进增长。

51. 将特别关注在农业、渔业以及旅游、电信、空运和港口装卸服务业改进进口替代和以出口为导向的投资与管理，以促进增长，并产生所需的外汇收入。近期开始对采矿部门进行大量投资，这些投资目前仍在进行，预期将生产大量矿产品并带来出口收入。这些措施综合在一起，预期将使经济迈上强劲、有力和可持续的增长道路。在三管齐下战略的基础上，即提高要素效益、进行新的速效战略投资并继续实施财政和货币紧缩措施，国内生产总值可望稳定实现 7-10% 的增长率。

## C. 厄立特里亚的金融体系

52. 厄立特里亚的金融体系包括厄立特里亚银行、厄立特里亚商业银行、厄立特里亚住房和商业银行、厄立特里亚发展和投资银行、Himbol 外币兑换服务公司、厄立特里亚国家保险公司以及一些小额信贷机构。这些机构在促进社会经济发展方面一直发挥着至关重要的作用。厄立特里亚银行是监管金融体系的中央银行，总部位于阿斯马拉，在马萨瓦设有分行。厄立特里亚商业银行是国内最大的银行，目前有 17 家分行，遍布国家不同的中心城市。总部位于阿斯马拉的住房和商业银行在主要城市有 10 家分行。发展和投资银行位于阿斯马拉，在阿斯马拉以外地区设有 3 家联络办事处。至 2010 年底，在厄立特里亚金融部门工作的人员约为 1 150 人。

53. 金融体系的主要职能是调动储蓄，并将其分配给竞价用户。厄立特里亚金融体系的活期存款和储蓄存款一直稳步增长。这些储蓄约有 80% 存入厄立特里亚商业银行。两家商业银行发放的信贷也大幅增加。厄立特里亚发展和投资银行为支助私营部门发展发放了 6 亿多厄立特里亚纳克法。金融中介业务稳步改进，农业、建筑业、商业、采矿业、制造业和旅游业的投资、生产和消费活动从中受益。自

解放以来，金融服务的可及性、效率和可靠性稳步提高，改进了实现更快经济增长和发展的前景。

54. 在现代化小额金融服务方面，厄立特里亚的经验有限。目前，一些小额金融方案向无法从正式金融部门获得贷款的个人和实体提供小额贷款。政府所有的储蓄和小额信贷方案规模最大，目前，这一方案为 40 000 多客户服务，提供数量从 3 000 至 40 000 厄立特里亚纳克法的个人贷款和集体贷款。在促进社会经济发展方面，小额信贷方案很有潜力成为有效的金融中介服务机构。现在，在部门各部总体监管和指导下的各指导委员会负责监督小额信贷机构。换句话说，小额金融机构仍有待纳入厄立特里亚银行或其他任何适当监管当局的监管职能内。

55. 厄立特里亚国家保险公司实际垄断了国家的保险业务。国家保险公司是一家股份公司，政府依照第 144/2004 号通告撤出了投资，国家保险公司总部在阿斯马拉，在其他主要城市设有若干分支机构。国家保险公司提供机动车辆、火灾和事故、海上、航空和定期人寿等领域的风险保护。国家保险公司与区域和国际再保险机构合作，在厄立特里亚内外提供以本外币计价的风险保护产品。在厄立特里亚向企业提供风险管理产品和服务方面，国家保险公司是一家效率高、信誉好的领头企业。国家保险公司还很有潜力成为非洲之角和东部和南部非洲共同市场(东南非共同市场)区域一个具有竞争力和实效的风险管理产品与服务提供者。

56. 综上所述，厄立特里亚金融体系进行的所有金融活动和资金转移都受到厄立特里亚银行通告(93/1997)和金融机构通告(94/1997)的管理和监管，这些金融活动和资金转移是合法、透明的，与监察组报告含沙射影的指控恰恰相反。

#### D. 厄立特里亚侨民的作用

57. 散居在非洲、中东、欧洲、北美洲和亚洲的厄立特里亚移民社群规模较大。这一社群像在国内的厄立特里亚人一样，是厄立特里亚为赢得独立进行 30 年武装斗争的一个不可或缺的重要部分。历届埃塞俄比亚政府交替从当时的两个超级大国得到帮助，对厄立特里亚进行迫害，在此期间，大多数国际社会成员拒绝支持厄立特里亚。在那些艰难时期，厄立特里亚侨民坚决支持祖国及其合法斗争，他们是厄立特里亚在海外的声音。

58. 厄立特里亚赢得独立后，厄立特里亚侨民对祖国的支持同样十分巨大。厄立特里亚侨民通过个人和集体投资，以及提供必要的专业技术专门知识，为国家建设和重建以及经济发展作出贡献。厄立特里亚侨民既以公民私人身份，也同政府合作，以无私奉献的精神，慷慨提供汇款，支持孤儿、战争和干旱受害者以及他们的亲属。监察组报告把厄立特里亚侨民的高尚行为曲解为恐怖行为的筹资来源，这是无根据、不公平和蓄意地歪曲事实。恰恰相反，进行不懈努力，调动自己的资源实现发展，这是厄立特里亚自力更生的经济重建与发展战略的基石，这

样的战略应得到应有的承认。厄立特里亚政府和人民坚定不移地致力于走自力更生之路，而不是屈辱地依赖援助并接受其极为有害的条件。

59. 此外，监察组需要认识到，厄立特里亚侨民旨在加强厄立特里亚政治、经济和社会发展的捐款是自愿的。如前所述，这种做法历史悠久，可追溯到为争取国家独立而进行的武装斗争的早期。在厄立特里亚侨民居住的所有区域，他们对国家事业的捐助一直是自愿、合法和正当的。同样，要求居住在海外的厄立特里亚公民向厄立特里亚国库支付 2% 的“Mehwey Gibri”（恢复与复苏税），这一税收的合法性与正当性也不应受到质疑。这一适度的规定颁布于 1994 年，远早于最近将这一规定曲解为恐怖主义筹资来源的阴谋企图，构想这一规定主要是为缓解厄立特里亚政府承担的沉重社会负担和安全网，并部分用于支付为侨民及其受扶养人提供社会、法律和领事服务产生的费用。其他许多国家也采取这一作法（附文 12），绝不应如报告所述，将这样的作法解释为非法或别有用心。必须明确指出，与监察组无根据的指控恰恰相反，2% 的侨民税通过适当渠道收取，并存入国库，用于为厄立特里亚的重建和发展努力提供资金。

#### 四. 厄立特里亚对具体指控的答复

60. 本节将答复监察组报告载列的所有重要具体指控。为简明起见，将按报告指控的时间顺序作出答复。

##### A. 支助参与暴力、破坏稳定或恐怖行为的武装团体

61. 监察组在报告第 258 段称：“在当前任务期间，监察组获得确凿证据，表明厄立特里亚在整个区域支持武装反对派团体，包括在吉布提、埃塞俄比亚、索马里和苏丹这样做。”然而，我们将在以下各段说明，监察组没有提供确凿证据来支持其指控。实际上，监察组的指控（如苏丹的情况）有时令人费解，它自己也承认证据不够可靠，无法支持提出的指控。

62. 在与监察组讨论期间，厄立特里亚不仅向其提供了相关资料，还强调了正确理解厄立特里亚政策与作法所需的更广泛政治历史背景。

63. 就埃塞俄比亚反对派运动而言，众所周知，厄立特里亚人民解放阵线（解阵）在武装斗争期间与若干埃塞俄比亚武装反对派运动建立了牢固的军事政治合作关系，其中包括组成埃塞俄比亚现政府的埃塞俄比亚人民革命民主阵线。推翻亚的斯亚贝巴的压迫政权，迎来区域和谐与合作的新篇章，这些共同的理想和目标是支撑并巩固上述关系的政治目标和期望。解阵不仅在缔结这些广泛同盟中发挥中心作用，在召开建立把埃塞俄比亚人民革命民主阵线、奥阵、欧加登民族解放阵线（欧阵）以及报告引述的其他团体团结在一起的埃塞俄比亚过渡联邦政府的历史性会议期间，解阵还推动于 1991 年 6 月 7 日在亚的斯亚贝巴商定了分权方案。

64. 然而，尽管解阵和厄立特里亚新政府在 1991 年后终止了与联合政府内外所有埃塞俄比亚反对派运动的一切此类军事联系，即便 1994 年埃塞俄比亚人民革命民主阵线和奥阵之间关系破裂并爆发武装冲突也是如此，但在两国政府和两支政治运动力量结成牢固和睦友好关系的这年中，埃塞俄比亚人民革命民主阵线持续庇护少数厄立特里亚分裂团伙并向其提供培训。在此期间，厄立特里亚一再向亚的斯亚贝巴当局明确指出并恳请其注意，厄立特里亚认为煽动并维持两国之间的低强度冲突没有任何实际意义。

65. 1998 年埃塞俄比亚向厄立特里亚宣战，随后，埃塞俄比亚政权开始加倍努力推行这项政策，并为此倾注更多资源。埃塞俄比亚试图分解厄立特里亚未遂后，建立了库纳马解放阵线和厄立特里亚红海阿法尔运动。埃塞俄比亚很快开始向激进圣战团伙等十多个厄立特里亚颠覆集团提供军事、政治、资金和外交支持。这些团伙开展了大量恐怖活动，其中包括 2004 年在庆祝独立活动期间，在巴伦图发动恐怖袭击，造成 3 人死亡，另有 50 人受伤；以及分别于 2003 年和 2010 年 3 月 8 日，袭击了加拿大和中国采矿公司(附文二十一)。

66. 如前所述，在 2011 年 1 月监察组访问期间，厄立特里亚曾提出更深入地讨论这些问题。监察组予以拒绝，理由是这不在其任务授权范围内。

67. 这就是低强度冲突的背景，这些冲突主要是埃塞俄比亚一手造成的，并令人遗憾地渗透于两国关系之中。这些低强度冲突没有任何实际意义，但除非埃塞俄比亚更大并严重得多的违反国际法行为得到纠正，在此之前，不太可能消灭这些低强度冲突。

68. 监察组对这一重要事实视而不见，为把厄立特里亚牵连到恐怖主义中，它决定提出耸人听闻的指控，称厄立特里亚谋划在 2011 年 1 月召开非洲联盟首脑会议期间，在亚的斯亚贝巴制造炸弹袭击。这是监察组(也是埃塞俄比亚)指控厄立特里亚参与恐怖阴谋与破坏区域稳定行动的核心，揭穿这一指控应平息监察组的各项指控。

69. 监察组称，“虽然这表面上是奥阵的行动”，但所指控的阴谋是厄立特里亚国家安全局构想、策划和指挥的。监察组的结论是，“这次行动实际上是厄立特里亚的一项情报活动，但表面上却打着奥阵行动的旗号”。关于这次行动的描述生动离奇，洋洋洒洒数页纸，令人费解、自相矛盾、漏洞百出。以下解释说明，监察组对厄立特里亚的指控是完全没有根据的。至于指控奥阵所发挥的作用，该组织可为自己辩护。

70. 首先，支持指控的信息来源与“证据”非常可疑和不可信。监察组承认，提出如此严重和重要指控的唯一信息来源是埃塞俄比亚安全当局及其拘留的被指控犯罪者。埃塞俄比亚政府敌视厄立特里亚，积极游说对厄立特里亚实施更多制裁措施，该政府希望并有办法篡改、夸大、歪曲甚至捏造证据，这是显而易见的。

众所周知，埃塞俄比亚政府经常动用酷刑，被该政府拘留的人的任何证言当然无法与埃塞俄比亚政府的官方解释相抵触，因为若产生不一致，被拘留者将面临严重后果，这也是显而易见的。

71. 众所周知，对在国内实际发生或杜撰的爆炸事件，埃塞俄比亚过去曾毫无根据地蓄意指责厄立特里亚以及埃塞俄比亚反对派团体，鉴于这一点，监察组决定全盘接受埃塞俄比亚当局和被其拘留的人提出的指控，这让人更难以理解。仅举一例，维基解密公布的一份文件表明，美国驻亚的斯亚贝巴大使馆认为，2006年9月16日在亚的斯亚贝巴听到一连串爆炸，埃塞俄比亚政府报告说，“这些爆炸事件是奥阵和 Sha'abiya 组织(厄立特里亚)为破坏民主发展而策划的恐怖袭击的一部分”，但实际上可能是埃塞俄比亚政府安全部队的所作所为。埃塞俄比亚当局为其杜撰遭受的袭击可能找出不同理由，如“破坏民主发展”或“破坏非盟首脑会议”，但其撒谎和欺骗的模式是清楚的。

72. 监察组指控的信息来源(即经常被当场捕获的埃塞俄比亚情报官员)缺乏可信度。不仅如此，监察组的重要“事实”是完全错误的。监察组急于含沙射影地说明亚的斯亚贝巴爆炸阴谋是厄立特里亚情报机构策划和指挥的，因此提出，一名厄立特里亚情报官员——Gemachew Ayana 上校——在所指控的阴谋中发挥了关键作用。我们遗憾地告诉监察组，Gemachew 上校是一名埃塞俄比亚公民，而且曾经是埃塞俄比亚国防军的一名成员(附文 13)。2003 年，像其他很多奥罗莫族军官一样，他被指控秘密参加反对派力量奥罗莫解放阵线(奥阵)并被解职，在此之前，他是埃塞俄比亚军队机械化师的一名指挥官。大约三年后，他加入了奥阵。要核实这些事实并不困难，因此，令人费解的是，监察组为什么在报告称此人是一名厄立特里亚对外情报官员(见 S/2011/433, 附件)。

73. 报告不仅搞错了其声称发挥关键作用的人的身份。其核心指控——厄立特里亚官员在阴谋中发挥关键作用——也是完全错误的，与报告自己的描述相互矛盾。

74. 监察组声称，只有一名奥阵被拘留者，即小组组长 Omar Idris Mahamed 似乎与奥阵领导层保持经常联系。其他小组成员则从招募之时起就与奥阵组织结构完全隔绝，而是直接接受厄立特里亚官员的培训和指挥。监察组还说，按照 Omar (小组组长)的说法，只有奥阵主席 Dawud Ibsa 了解特别行动的存在及其目标，但似乎并没有指挥或控制它的各项行动。这并未给上述指控增加任何可信度，监察组自己承认小组组长与奥阵主席保持经常联系，这一事实本身就与指称这只不过是厄立特里亚打着奥阵旗号开展的行动的说法相互矛盾。在看完报告中叙述的这个故事之后，人们就会断定，如果监察组的说法符合事实——对此我们仍然是不相信的——被指称发挥了重要作用的人就是奥阵官员。

75. 报告中是这样说的。早在 2008 年，奥阵在肯尼亚的一位同伙人介绍第一小组组长 Fekadu 与名叫 Gemachew Ayana 的厄立特里亚上校取得联系(如前所述，Gemachew 实际上是奥阵官员，而不是厄立特里亚人)。Gemachew Ayana 也接触过



全奥阵小组领导人 Omar Idris Mahamed, 后者说奥阵主席 Dawud Ibsa 于 2009 年 8-9 月与他取得联系, 并说将交给他一项秘密任务。2010 年 3 月, Gemachew 指示 Fekadu 和他的小组返回亚的斯亚贝巴。Fekada 一直与 Gemachew 保持联系, 电话记录显示至少有 27 次通话。Gemachew 还作出安排向亚的斯亚贝巴的小组成员汇款。按照 Omar 的说法, 是 Gemachew 向小组成员提供了行动中所使用的设备和炸药。同样是 Gemachew 提供了最后指令和炸药。1 月初, Omar 要求 Gemachew 提供更多经费。在 1 月最后一个星期, 随着时间的迫近, Omar 认为有必要与 Gemachew 进行磋商, 电话记录显示, 他们共通话 39 次, 大多是由 Gemachew 拨打的。报告在论述中涉及到厄立特里亚人, 但都是作用有限的次要角色, 而且还是采用了在押的嫌疑人的证词。因此, 即使我们同意这种说法属实——厄立特里亚认为这种说法不属实——十分显而易见的是, 自始至终都是奥阵在设法制造所谓的企图。

76. 监察组使出浑身解数也找不到确凿证据证实厄立特里亚在“爆阴谋”中发挥了作用。监察组在报告中拿不出任何证据证实在指称的阴谋中要使用的主要设备和炸药是来自厄立特里亚。报告称, 经罗马尼亚政府证实, 据说最后落入小组一名成员之手的一支狙击步枪是罗马尼亚出售给厄立特里亚的。厄立特里亚确实向罗马尼亚购买过武器, 包括狙击步枪, 但即使我们假定这支步枪是来自厄立特里亚, 这依然不能得出结论认定它是如何及何时落入埃塞俄比亚政府之手。由一国(埃塞俄比亚)政府指出其来源但却未得到证实一把步枪——只不过是几个场所预谋制造爆炸案的一件非主要武器——是绝不能作为可信和公正的情报来源的, 将其作为厄立特里亚策划了这次所谓的行动的确凿证据, 是绝不能接受的, 更不用说将其作为不可改变的铁证。

77. 报告中的陈述还存在其他重大问题, 说明监察组甚至懒得对埃塞俄比亚政府及其控制的被拘留者提供的资料进行复核。报告明确指出, 这一行动中针对的不是非洲领导人, 然后又声称袭击目标之一是喜来登饭店, 这正是大多数领导人下榻之处。监察组提出的各种说法大多以奥阵在阿斯马拉的联络名单为依据, 但监察组随后又承认这一关键证据实际上是 2006 年的过时证据。在认识到这一证据缺乏说服力之后, 监察组苍白无力地试图为自己空洞的说词辩解, 声称未透露姓名的前奥阵成员(叛逃者)向其表示这一名单目前有效, 监察组忽略了一点, 目前与埃塞俄比亚政府合作的叛逃者的证词不能视为可信证词。

78. 这一情况推翻了关于所谓的亚的斯亚贝巴行动是厄立特里亚制定、策划和指挥的说法。而且还表明, 并没有无可辩驳的证据证实厄立特里亚的参与, 如果我们考虑到所谓主要人士的说法, 甚至不能确定厄立特里亚发挥了有限的作用, 那些据称拥有指挥权和控制权的人都不是厄立特里亚人。我们只能得出结论认为, 由于没有任何证据显示厄立特里亚须承担与索马里和吉布提相关的罪责, 监察组不得不利用这一耸人听闻的指控, 力求对厄立特里亚采取进一步措施。这使人想起早先监察组曾指责厄立特里亚向索马里派遣了 2 000 名士兵, 并附有详细资料说明他们“何时及如何抵达, 在哪些地方部署了多少人”。这是早先一份报告中

的一段“重头戏”，当时被用来作为游说对厄立特里亚进行制裁的理由，现已证实是毫无根据的。

79. 关于吉布提，虽然报告提出两项所谓厄立特里亚规模有限的支持的指控，但其消息来源至少令人质疑。很难想象一位被吉布提政府扣押的团结民主阵线前指挥官会成为可信的消息来源。如报告指称，虽然此人声称厄立特里亚为受伤士兵提供食物、医药和治疗，他否认收到过任何武器或军事装备。他说，团结民主阵线从也门购买制服、武器和弹药。这一说法否认了吉布提当局所称此人承认厄立特里亚曾提供武器。此外，监察组这一指控的所涉期是在 2009 年 12 月以前，而关于厄立特里亚参与的最新说法则是 2009 年 10 月。

80. 报告中只提出另外一项指控，声称 2011 年 2 月，吉布提军方在一个山洞中缴获隐藏的 50 公斤炸药。监察组说这批炸药是苏联时期的产品，而且“已无法追溯其产地和保管链”。既然没有指控厄立特里亚有任何关联，为何将其列在厄立特里亚被指称的违禁行为中呢？

81. 因此，从监察组自己承认的事实中清楚表明没有任何证据显示厄立特里亚在吉布提问题上违反了第 1907(2009)号决议。

82. 关于索马里，由于所谓厄立特里亚对青年党的军事支持一直是安全理事会主要关注的问题，而且是推动根据第 1907(2009)号决议实施制裁的主要原因，监察组的报告竟然证实了在向青年党或索马里其他武装团体提供军事援助方面厄立特里亚并没有违反第 1907(2009)号决议。报告提到了若干来源不明的消息称厄立特里亚向基斯马尤运送武器(其实是埃塞俄比亚公开提出这些指控)，但又明确表示无法独立核实这些报告。

83. 关于财务支持，监察组表示，已经掌握了厄立特里亚向与青年党有联系的个人付款的书面证据，不过承认这些证据只涉及 2008 年，即 2009 年 12 月截止日期的前一年。监察组提到“有人指控”这种资助仍在继续，有一个消息来源称每月达到 80 000 美元，但却没有拿出丝毫证据。

84. 关于苏丹，监察组报告再次承认不能得出结论说，厄立特里亚违反第 1907(2009)号决议向破坏南苏丹稳定的团体直接提供军事援助。

## B. 违反武器禁运

85. 监察组声称，它所收到的“可靠的独立报告表明，自安全理事会第 1907(2009)号决议实施以来，厄立特里亚继续购买武器并得到技术援助。”但是监察组也承认并未掌握“排除了一切合理怀疑的证据”。此外，监察组还承认它无法确定是否有任何政府直接参与了蓄意违反针对厄立特里亚的武器禁运的行为。尽管监察组自己都承认缺乏无可辩驳的证据，而这足以证明不能认定厄立特里亚违反了第 1907(2009)号决议，但是对间接证据进行审视以表明其何等的不足为信，也不失为有益的做法。

86. 关于 2010 年 11 月 19 日一批海运货物在厄立特里亚港口城市马萨瓦卸货的指控纯属不实臆断，完全不符合事实。监察组说，信息来源称，这批货物包括“99 挺 12.7 毫米重机枪、12 门 60 毫米迫击炮、36 门 82 毫米迫击炮、48 枚反坦克线导导弹以及 29 支狙击步枪”，监察组又说，“根据同一信息来源，这一行动的协调人是厄立特里亚国防军海军参谋长海军上将 Humed Karikare”。

87. 首先，厄立特里亚海军最高将领绝不会参与卸载军事货物和商品。此外，这项指控来源于“2010 年 11 月 24 日厄立特里亚国防军主动联系人通过厄立特里亚前军事将领和厄立特里亚军事突击队提供的信息”。我们在导言中已强调指出，该信息来源是厄立特里亚马上就想到的一名前将领，此人参与针对厄立特里亚的颠覆活动，并与埃塞俄比亚勾结在一起，因此有一切动机传播各种针对厄立特里亚的谎言和假情报。当初正是这名将领散布了关于伊朗在厄立特里亚设立海军基地的假情报。这些颠覆团伙几乎每天都在其网站上煞费苦心地炮制有关厄立特里亚的荒谬可笑的新闻。因此，上述信息的散布只不过是这些颠覆团伙开展的诋毁活动的一个重要组成部分。而监察组竟然如此轻易地被其牵着鼻子走，这既可悲，又说明监察组不称职。

88. 监察组还声称：“厄立特里亚政府没有充分回应监察组的要求，提供 2010 年 11 月 18 日至 22 日停靠或停泊在马萨瓦海岸所有船只的详细情况。”这显然是在撒谎。厄立特里亚政府与监察组进行了全面合作，对提出的一切具体要求如实作了答复。令厄立特里亚感到不快的是，监察组不指明具体时间，只笼统要求记录所有运往马萨瓦的货运的资料。厄立特里亚从一开始就试图清楚说明基本规则，并划一条界线，将连同具体指控一起提出的合理要求同监察组侵犯我国主权特权想要行使的武断和干涉性权利区别开来。

89. 监察组从下列信息中断定有第二艘船(在阿拉伯叙利亚共和国注册)，信号数据表明，“这艘船于 2010 年 11 月 19 日早上 8 时 24 分位于离马萨瓦海岸 16.8 海里处。2010 年 11 月 19 日，也有人在马萨瓦看到该船。接下来再一次收到信号则是 11 月 20 日上午 7 时 16 分，在阿萨布港以外 57.4 海里处。监察组曾试图进一步查询，但未得到会员国的积极合作。”厄立特里亚政府依然如实向监察组提供了 2010 年 11 月 18 日在马萨瓦卸货的船只的详情。在此期间没有任何其他船只停靠在马萨瓦。监察组不能将其收到的任何其他“因未得到会员国的积极合作”而无法核实的报告用来诋毁厄立特里亚的可信性。

90. 监察组提到属于朝鲜 Sinhung 船运公司的第三艘船 MV Ryu Gyoing 号不过承认与武器禁运无关。监察组称，船上的货物发自巴基斯坦，在摩加迪沙卸货，船上装载的是看似水泥和稻米的无害消费品。人们不禁要问，一艘从巴基斯坦启航、在摩加迪沙卸载水泥和稻米的船只怎么可能与厄立特里亚和武器禁运沾边。仅仅因为这艘船与朝鲜有关，监察组就以特有的形式恶意猜疑，称“虽然监察组没有具体证据表明，这条船的活动涉及违反制裁制度，但是认为其活动性质可疑，需要进一步监测。”

91. 厄立特里亚对这些指控做出了回应，因为它们都是不实之词，同其他“证据”一样，是以不可信来源提供的“证词”为基础的。此外，厄立特里亚也不接受第 1907(2009)号决议规定的武器禁运，因为这项规定违反了关于任何一个主权会员国在受到侵略和占领条件下行使自卫权利的《联合国宪章》第五十一条。

92. 监察组对以联合王国为基地的海蝎号船参与的卑劣事件的描述更突出了其偏见的处事方法。暗地附属外国情报机构的海蝎号船在厄立特里亚境内从事犯罪活动。该艘船侵犯厄立特里亚主权，非法进入其领水，将一批武器藏在岛上，并参与为可能发起的某些罪恶军事行动进行的邪恶的军事演习。在经过必要的调查后，已适当公布了其中的细节。然而，尽管监察组承认此事与武器禁运无关，但是还是对此问题紧追不放，从而对那些不太仔细的读者造成的印象是，这多少与厄立特里亚的违禁行为有关。

93. 监察组指称，它“多次获得关于厄立特里亚和伊朗伊斯兰共和国在 2009 年开展军事合作的可靠报告”。如前所述，厄立特里亚同一些国家，包括安全理事会成员国都有过军事合作，而监察组单单提到伊朗，其用意显而易见。光从法律角度讲，厄立特里亚完全有权与它选择的任何主权国家建立军事合作，凡在第 1907(2009)号决议之前与伊朗之间已生效的防务协定均不在监察组的权限范围内。然而，厄立特里亚不明白为何在 2008 年冒出了一个与事实不符的宣传运动，指称伊朗在厄立特里亚阿萨布港建立了一个新的海军基地。厄立特里亚对此毫无根据的指控做了全面而明确的答复(附文 14)。但是，监察组却根据道听途说的传闻，以各种形式一再进行诬陷诽谤，给厄立特里亚的形象扶黑。

94. 监察组还另一次设法制造一个彻头彻尾的假象，指称厄立特里亚军用飞机的维修工作是在海外，即在俄国、乌克兰和瑞士进行的，这违反了武器禁运的规定，并附上了正在修理的这些飞机的“照片”。在乌克兰拍得的一组苏霍伊战斗机照片的说明中指出日期不详。人们不禁要问，如果没有任何资料显示这实际上是在第 1907(2009)号决议之后拍摄的，为何要将其列为证据。军事小组还下载了 2010 年 2 月“张贴”在俄罗斯一个网站上的在俄罗斯联邦 Krasnoda 拍到的一架厄立特里亚米格 29 战斗机的照片，而却不愿意打听一下张贴这些照片的时间是否更早。事实上，这些照片至少十年前就有了，监察组不努力查明事实就进行指控，必须受到谴责。还有一架厄立特里亚 Pilatus 民用机的照片是在瑞士拍摄的，监察组没有诚实地说明这其实是一架民用机，而是再次将其作为厄立特里亚和其他有关国家违禁行为的证据。

### C. 出口武器和弹药

95. 报告第 357 段称，“监察组还确定，厄立特里亚的高级政府官员也参与了经由苏丹和埃及的武器贩运活动，并获得了发生在 2008 至 2011 年间的几起此类事件的独立证人的证词及情报报告。报告还称这一获利很大的走私活动是由西部军区指挥官 Teklai Kifle 将军监管。他的这一跨境活动的主要苏丹对应方是苏丹

现任交通部长 Mabrouk Mubarak Salim，此人也是一名富有的商人，是以前厄立特里亚支持的苏丹“东部阵线”反对派联盟的组成部分、现已解散的“自由之狮”叛乱集团的前领导人。Salim 是 Rashaida 族人，与其他根基雄厚的 Rashaida 走私犯交往密切，这些人在边界两侧政府官员完全知情的情况下进行走私。

96. 如此若无其事地诽谤苏丹和厄立特里亚，进行这种粗鄙指控，这更加暴露了监察组调查工作的拙劣方式和低标准。此项指控更是影射未指名的也许级别更高的“边界两侧政府官员”，而我们却不知道这些官员是谁，有何证据证明他们有罪。除了信息来源具有误导性外，此一杜撰的故事也反映了跨越多个邻国的某些族裔群体孤陋寡闻或完全生活在无知之中。就此而言，Rashaida 是厄立特里亚境内一个非常小的少数群体，他们也居住在苏丹和埃及沿海地区。他们历来经商，直到最近有些人参与了非法贸易及人口贩运。这些非法活动非但得不到认可，还受到本区域各国政府的坚决起诉。在这些人所参与的一些非法贸易活动的广泛背景下，可能出现过武器贩运案例。但是，厄立特里亚无论哪一级政府官员都未曾参与其中。监察组毫无根据地指控厄立特里亚政府补偿 Rashaida 团伙的家属，实在是荒谬可笑。只要对这些罪行负有直接责任和/或有家属可能协从犯罪，都会受到起诉和惩罚，而不是像监察组愚蠢地根据犯罪集团提供的“证词”作出断言的那样提供“补偿”。

#### D. 人民民主和正义阵线的商业和金融业务

97. 虽然给予了监察组充分的时间和资源，以便其恰如其分地进行调查，但监察组对人阵商业结构和金融业务的描述却混乱不堪。以下是有关人阵金融业务起源、合法性、活动范围和问责机制的事实。

98. 人阵所有工商企业的控股公司 Hidri 信托公司于 1994 年阵线第三次代表大会正式成立，以促进明确的社会目标的实现。这些目标主要包括为在 30 年民族解放武装斗争中牺牲的烈士家属和在战争中受伤致残者提供社会保障网络，以及促进贫困地区和人口的贫困阶层进一步发展的工作。诚然，这些目标过去是，现在依然也是整个厄立特里亚政府的优先任务。但鉴于任务的艰巨性，厄立特里亚政府构想通过设立额外的机制，提供一种补充性的支持，减轻普遍面临的挑战。

99. Hidri 信托公司下属成立的公司都是当地企业——经过正式注册的私营企业。他们不享受任何形式的优惠待遇，其业务活动必须遵守本国《商业和投资法》的严格规定，并受其管理。

100. 如上所述，这些公司大多是本地企业，为国内的需求服务。他们在国外没有附属公司，没有大量的出口收入。

101. Himbol 公司持有依照 1997 年《银行通告》颁发的营业执照(附文十五)，为在本国和侨居地的厄立特里亚公民提供金融服务，主要是汇款转账业务。本国

其他银行，特别是本国最大的银行厄立特里亚商业银行持有相同的执照，并在汇率和其他货币政策的执行方面受到厄立特里亚国家银行的严格管理和监督。

102. 汇款通过规范、透明的程序进行。事实上，如附文十六所示，Himbol 公司与大约 10 家设在美国、英国、沙特阿拉伯和阿拉伯联合酋长国等国家的国际银行签有合约。红海贸易公司同样是一家正式注册的公司(附文十七)，其业务活动包括：(a) 一般贸易，包括货物的进出口；(b) 批发和零售业务；(c) 作为佣金代理商和制造商的代表；(d) 参与本地及国际招标(《备忘录和公司章程》)。1990 年代中期红海公司建立时的核心企业理念是保持重要商品市场一定程度的稳定。实现的途径是将其进口活动的重点放在选定的基本商品，首先是粮食和其它必需的食品上，并通过将利润率保持在绝对最低的水平，以低廉的价格出售。许多厄立特里亚私营部门的企业也活跃在贸易领域，并成功地与红海公司竞争。

103. 由于 1998-2000 年的战争，在过去十年的后半期，当贸易和工业部禁止指定处货款交换(franco valuta)进口时，政府对外汇交易采取严格的管制。由于规模经济的原因，红海公司被选为政府基本消费品的采购代理商。在所有这些交易中，通过与负责规范和确定价格问题的财政部签定的合同，红海的利润率被压至最低水平。红海公司从未涉及军事或政府大部分重型机械的采购。

104. 这些都是事实，但监察组却凭着“与在厄立特里亚经营的厄立特里亚商人进行的约谈”，捏造出虚无的情况，就此认定：“厄立特里亚实质上管理着两套平行经济：表面上由国家管理的正规经济范畴和一个由执政党及其支持者控制的不透明的、主要是境外的金融系统。……由人阵控制的非正规经济……涉及的硬通货交易比例比正规经济高得多，而且几乎完全由公司、个人及银行账户错综复杂的多国网络进行境外管理，许多公司、个人和银行账户并未宣称是人阵或厄立特里亚国家的任何附属，但常常参与‘灰色’或非法活动。尽管无法获得有关这一非正规经济的可靠数据，但它显然足以开展本报告中描述的外部行动。”

105. 监察组没有一丝一毫的证据，就做出如此严重的诽谤性指控，实在是十分草率。如上所述，人阵的商业活动都由正式注册的 Hidri 信托基金内的公司进行。所有子公司都持有有效的营业执照，照章纳税，透明经营，并由主管部监管。这些公司的数量不超过一打，相对于总数超过 60 000 家的本国工商企业而言，这些企业相当小。他们没有控制任何一个生产部门，事实上也不涉及经济中获利最丰厚的部门(矿业、渔业、商业性农业等)。由于解阵第三次代表大会所决定的市场稳定压倒一切的企业理念，这些公司的利润率都保持在较低水平。关于他们“几乎完全由公司、个人及银行账户错综复杂的多国网络进行境外管理”的断言纯粹是监察组或其被误导了的来源的凭空想象。此一断言的另一部分声称这些公司和个人中许多并未宣称是人阵或厄立特里亚国家的任何附属，但常常参与灰色或非法活动，这简直太可笑，根本不值一驳。如果这些人不是人阵或厄立特里亚国家的附属，为何要将他们所谓的罪行归咎于人阵和厄立特里亚国家？这些人和

公司究竟是谁？他们有名字吗？他们有地址吗？如果他们在国外经营灰色或非法活动，这些国家是哪些国家？这些人如何逃避这些国家的执法机构？我们可以继续追问下去……

106. 监察组一错再错，对 Hagos Gebrehiwot Maesho 的形象大肆歪曲。Hagos 先生是经代表大会选举的人阵经济事务部主任和 Hidri 信托基金首席执行官。他的姓是错的，完全是从埃塞俄比亚去年向联合国提交的禁止厄立特里亚高级官员旅行名单中出现的姓名复制而来的。由此可以推知其他误导性的信息大部分也来自埃塞俄比亚。正如第一节所述，复苏税的征收属于财政部的职权范围，不是监察组所错误声称的是 Hagos 先生的 Hidri 信托公司的职权范围。

107. 政府机构或私营部门的外汇分配不由 Hagos 先生决定。这方面公共部门是厄立特里亚银行和财政部的职权范围(因其与资本和经常预算拨款联系在一起)，私营部门主要是厄立特里亚银行的职权范围。然而，按照困难时期政府的标准做法，厄立特里亚政府成立了由财政部长、国家银行代理总裁、商业银行首席执行官和 Hagos 先生组成的专责小组，决定在旺盛的需求超过供给的情况下硬通货的最佳分配。这是 2004 至 2008 年间采取的权宜之计。Hagos 先生是该委员会的成员，不是被授权单方作出决定的唯一一个人。该委员会的主席也是财政部长。

108. 监察组掩盖美国国土安全部官员 2004 年在华盛顿对厄立特里亚文化中心的资金和其他资产的非法扣押。这种行为公然违反《维也纳外交特权及豁免公约》。厄立特里亚当时就对这一行为提出强烈抗议。而后美国国务院口头上承认这一措施不恰当，但以站不住脚的借口，推脱此事属于司法部的管辖范围。虽说厄立特里亚认为没有必要在本报告中深究与美国的双边关系问题，但 2007 年奥克兰领馆的关闭与上述事件没有关系。Hagos 先生没有像监察组在没有一丝一毫证据情况下依靠传闻所断言的那样，发布新的指令“掩盖人阵进行财务转移的方式”。

109. 不仅如此，监察组还将若干在各国拥有零售商店、小餐馆甚至当出租车司机的厄立特里亚守法普通公民都牵连进去，像是一场恶意的加害，随意将他们叫做参与不透明和非法转移资金和洗钱的人阵经济“特工”。厄立特里亚希望这些公民有机会到主管法院对监察组提出诽谤诉讼。他们大多可能在政治上附属于人阵，但这是他们的权利，无论采用什么标准，也肯定不能将其曲解为犯罪。他们中间有些人所拥有的小零售商店或出租车当然不是人阵的“企业”。只是为了让人们看清该报告是多么荒唐可笑，我们在这里说明下列人士的真实身份：(a) Haile Zerom 是一位普通公民，住在米兰。他当选国民议会中分配给侨民的少数职位。他不是报告所称的人阵特工；(b) Tsehaie Tukui 是另一位守法的普通公民，自 1970 年代初以来住在意大利。他与其他五个厄立特里亚伙伴共同拥有一家厄立特里亚餐厅。他们在阿斯马拉还拥有一家小旅馆；(c) Tesfai Bairies 同样是一位厄立特里亚守法公民，他在弗吉尼亚州拥有一个加油站；(d) 玛莎夫人在芝加哥拥有一家房地产公司。我们可以继续罗列下去，但这只会是浪费时间。

110. 监察组借助纯粹的影射，指控“人阵在意大利的财务网络显然与在瑞士的人阵小组有密切联系。根据同样的消息来源，若干住在意大利的人阵特工经常前往瑞士，在那里有人阵开设的类似生意。”监察组补充说，已见到这些被指为特工的人的照片。人们不禁要问照片中被称为特工的人长什么样子？是不是戴着特殊的帽子，穿着奇特的衣服，拎着会泄密的皮箱或其它什么怪异的物品，让自己的身份暴露在这些行家的面前？令人难以置信的是，就是这些靠捕风捉影的传言编造出来的最荒谬的谣言，监察组竟然照单全收。也许是在这种特殊的情况下，监察组因痴迷于将人阵与某个瑞士秘密银行账户联系起来，竟一叶障目，看不出这些荒谬谣言所存在的明显纰漏！不管因为什么原因，这种业余水准本身足以让监察组失去从事任何调查工作的资格。

#### E. 名誉领事和海外商业伙伴

111. 在没有一丝一毫证据的情况下，监察组错误地指控，“在国外的商人有些被任命为荣誉领事，他们在人阵的国外财务网络中发挥了至关重要的作用。在提请监察组注意的若干案例中，此类个人似乎密切参与了军事采购活动，在一些情况下甚至参与了犯罪活动。”

112. 独立后 20 年来，厄立特里亚已在几个国家任命名誉领事(附文十八的完整清单)。这是普遍的做法，并且只有经过标准的外交程序，在指定的领事获得东道国的法律认可后才能生效。在厄立特里亚，下列国家就有名誉领事驻在阿斯马拉：比利时、加拿大、日本、瑞典、土耳其、印度、奥地利、科特迪瓦。

113. 名誉领事由外交部任命，并向外交部负责。其正式工作包括促进投资、发放签证等。他们既不由人阵经济事务部任命，也不向人阵经济事务部负责，也不是人阵经济事务部的特工。

114. 监察组，大谈特谈 Pier Gianni Prosperini 被判罪一事。首先，Prosperini 先生并不是厄立特里亚的名誉领事，而是伦巴地区的区域文化部长。他大力促进意大利与厄立特里亚的投资和贸易。在这方面，Prosperini 先生促成了与一家意大利公司的初步接触，为厄立特里亚购买 8 艘渔船。这是 Prosperini 先生入狱很久前的事，至于 Prosperini 先生因何事入狱，厄立特里亚并不知情(附文十九)。监察组进一步指控他还涉及一起向伊朗伊斯兰共和国走私据称的两用设备案件，并因一起涉及厄立特里亚的类似案件正在接受调查。这后一种推测实在荒谬不过。即使他真的参与了厄立特里亚的两用设备采购，无论如何发挥想象力，这在当时也并不违法。那么，监察组究竟要说什么？难道监察组无知到不能看出这种情况与可能正在被欧洲或意大利实施武器禁运的伊朗的区别吗？或者说，这是一种故意却笨拙的企图，要将厄立特里亚和伊朗联系在一起，以得到某种戏剧性的效果？

115. 人们也无法明白关于厄立特里亚名誉领事这种怪异成见背后的逻辑。虽然这听起来可能有些夸张，但尼克松总统被弹劾总不意味着美国人民从此不该再选



总统吧。如果厄立特里亚将一位声誉良好者任命为名誉领事，并且这一任命得到接受国的批准(他是该国公民)，厄立特里亚是否要对他自己以后所犯下的任何罪行负责？难道因为二十人中出了一个坏蛋，厄立特里亚就应该停止任命名誉领事这一历史悠久的做法吗？

116. 由于讳莫如深的理由，监察组将 Shakil Kashmirwala 和 Abdullahi Matraji 单独列出。关于 Shakil 先生，监察组指控他“在 2006 年，招待了一个厄立特里亚高级军事代表团访问巴基斯坦，并宣称同代表团一道在巴基斯坦访问了弹药制造厂或‘军械设施’”。这些活动有什么错吗？这里的问题不在于这件事是否真的发生过。2006 年厄立特里亚被禁止从巴基斯坦购买武器了吗？这又是另一番胡言乱语，其用心不难察觉。至于 Matraji 先生而言，监察组说他的父亲 1997 年因制造美元假钞被判刑，1995 年因武器交易被起诉。不管这些说法的真实性如何，Matraji 先生不应该因他的父亲可能犯下的罪行而有罪。这正是为什么黎巴嫩政府认可他作为厄立特里亚名誉领事。

117. 监察组一边纠缠着关于名誉领事的琐事，一边抨击厄立特里亚商人 Asmerom Mekonen。监察组错误地将 Mekonen 先生描述为公司的法人代表和 Woldu Ghereyesus Barya 上校的商业伙伴。首先，Asmerom 先生是 Piccini 的所有者；Piccini 是一家工程和农业机械生产公司，市场遍及全球，包括厄立特里亚。Woldu Ghereyesus 上校(Barya 是他的绰号，不是他的姓)是厄立特里亚一家上市公司的经理，并不拥有 Piccini 的任何股份。多年来，农业部和政府车库从 Piccini 购买了几套机器。这些商业交易有什么错？Asmerom 先生何以引起监察组的关注，实在是令人费解！在第 403 段末尾，监察组补充说，监察组“得到一个执法来源的可靠情报称，Officine Piccini 的股东之一因洗钱而受到瑞士警方调查”。人们不禁要问，这与 Asmerom 先生又有什么关系？不管怎么说，正在进行的调查并不等于确凿无疑的罪证。所以，纵然暗指的就是 Asmerom 先生，监察组为何要匆忙地对这种按理才将展开的调查过程未审先判？理由何在？这种情况再次凸显了监察组固执地为加害而寻找污点，想方设法将其与厄立特里亚联系起来或归咎于厄立特里亚，已达到丧失理智的程度。

118. 监察组相当笨拙地试图确立关于通过个人账户“从美国经迪拜和内罗毕落入索马里和非洲之角的武装反对派团体手中”这一非法资金转移过程的文件追查线索。报告这一复杂操作过程的消息来源，竟是没有提供姓名的执法人员、一位无名的商人和一位人阵前金融官员。其蹩脚的证据有如“执法人员证实，住在弗吉尼亚的一名出租车司机卷入向迪拜转移非法资金，但没有提供此人的姓名。”监察组接着开列出一份十几人的名单，对于为什么所有“收款人都在渣打银行和迪拜商业银行开设账户”则语焉不详。然后投下炸弹，“在迪拜和美国的多个厄立特里亚来源告诉监察组，这一清单上的个人和企业与人阵有联系，在洗钱方面可能发挥作用。”这纯粹是诽谤，被中伤者应该到主管法院对其提出上诉。

## F. 违禁品贸易和人口走私与贩运

119. 监察组说到“厄立特里亚与苏丹之间有着数百万美元的违禁品贸易。”并进一步说“厄立特里亚驻苏丹使馆在这种非法贸易方面起着至关重要的作用。”这里有两个简单的问题：(a) 苏丹政府怎么会容忍厄立特里亚大使筹划数百万美元的非法贸易？苏丹会在很早以前就宣布他为不受欢迎的人并(或)向厄立特里亚政府提出抗议。监察组本来可以很容易就查清这些事实；(b) 在东南非共同市场、伊加特或萨赫勒-撒哈拉共同体条款基础上的贸易关系和(或)在补充的双边协议基础上可能出现的过境贸易不是也不应该是监察组关注的问题。

120. 在没有任何证明、也没有像通常那样提及模糊的来源的情况下，监察组进一步声称，“厄立特里亚情报部门还在很大程度上参与了苏丹南部朱巴的财务活动，人阵在那里伙同当地伙伴，把持着旅馆业、水的分送和保险市场。朱巴也是已知的若干厄立特里亚情报行动人员常去的目的地。”这真是令人作呕。所引述的商业活动都由厄立特里亚个人所拥有。厄立特里亚保险公司有一家合资企业，是这家企业的小股东，但如前所述，它不是人阵的公司。如果厄立特里亚情报人员常去朱巴，虽然这并不是事实，或者他们由于两国政府之间的双边安全安排而常去朱巴，这的确不是监察组的任务。

121. 监察组为厄立特里亚罗织罪名的强迫症及其低劣的证据标准在其关于人口贩运的离谱断言中充分表现出来。该报告说，“人口走私非常普遍，但没有政府和人阵官员、尤其是由 Teklai Kifle ‘Manjus’ 将军领导的西部边境地区军官的串谋，是不可能做到的。多个来源向监察组讲述厄立特里亚官员如何与 Rashaida 族的走私者联手，把人当成货物，通过苏丹运到埃及，甚至比埃及更远的地方。在大多数方面这是参与将武器走私到西奈和加沙的同一个网络干的。……直接参与向埃及走私活动的一名厄立特里亚人向监察组解释了如何要求家人通过汇款公司向在厄立特里亚驻埃及使馆和驻以色列使馆工作的厄立特里亚官员汇款，以使其亲人获释。……政府高级官员和(或)与 Kifle 将军指挥部有联系的人阵官员均从人口走私中获利。监察组取得了走私收益所存入的一个瑞士银行账户的详情，并已向瑞士当局提供了与这个账户有关的情报、这一贩运团伙在瑞士的协调人的个人和联系详情以及协调人在埃及的同伙的详情。”

122. 监察组可能不经意间已经用这最后一句话自掘坟墓。因为如果不存在什么瑞士的银行账户，或者该账户属于臭名昭著的罪犯或逃犯，那么就会十分清楚，监察组一直在寻求的只是海市蜃楼。

123. 这一结果出来之前，让我们先看看其他事实。首先，几乎所有指控的证据来自“与直接参与人口走私活动的厄立特里亚个人”的约谈。厄立特里亚要求得到这些人的详细信息，以依法对他们进行起诉，因为他们涉及严重犯罪。厄立特里亚认为针对 Tekle 将军和其他不指名的党政高级官员毫无根据的谩骂是故意挑衅、不可饶恕的行为。监察组无端诽谤政府高级官员，罪不可恕，应以惩处。

124. 其次，厄立特里亚强烈反对人口贩运。人口贩运有时竟涉及联合国难民事务高级专员办事处(难民署)和某个国家的人员，的确是一个破天荒的事件。厄立特里亚承认即使在正常时期中也存在促进移民的“推拉因素”。人们自然迁移，择木而栖。但最近五、六年间非法移民的增加有其他方面的原因。2004年，难民署在厄立特里亚政府既不知情也未同意的情况下，与某些国家联手，组织了属于Kunama语言群体的成批移民。厄立特里亚政府反对这些阴谋诡计，最终成功阻止这一事件，但有数百个家庭已在最初几个月被走私出境(附文二十)。据维基解密文件透露，有人给厄立特里亚大学生签发特别许可证，让他们一旦非法离境，即通过人贩子的服务离境后，到苏丹或其他邻国领取签证。在这方面，某国每年分配10 000个庇护权给厄立特里亚青年，特别是国家公务员。这是公然诱使他们非法离开国家。厄立特里亚已在各种场合向有关国家表示强烈反对和拒绝这一政策。监察组指责厄立特里亚贩卖人口的企图实在太可笑。

## 五. 结论

125. 与监察组所描绘的形象相反，厄立特里亚自独立以来一直为地区的和平与安全而努力，并仍然致力于同样的目标，也致力于希望很快就能完成的吉布提和厄立特里亚之间的卡塔尔调解进程的成果。

126. 通过完全遵守独立的厄立特里亚-埃塞俄比亚边界委员会的划界决定，厄立特里亚表现了恪守以和平和法律手段解决与埃塞俄比亚边界争端的坚定承诺。必须要求埃塞俄比亚同样遵守国际法，不应有任何含糊的立场或特殊的待遇。应该强调，埃塞俄比亚继续占领主权国家厄立特里亚的领土，公开宣称通过颠覆手段实行“政权变更”，都公然违背了《联合国宪章》，继续成为改善双边关系和地区和平与安全的障碍。

127. 正如本回复报告前面的段落所示，厄立特里亚遵守关于索马里、吉布提和武器禁运的1907(2009)号决议。即使是关于厄立特里亚像维基解密文件所描述的那样策划和企图在亚的斯亚贝巴实施爆炸阴谋的指控，也不过是一派谣言，表明了这种源自埃塞俄比亚、针对厄立特里亚的指控的模式和重心。

128. 在监察组报告基础上提出的对厄立特里亚实施新制裁的建议，与监察组自己的报告主体内容和提交的证据互相冲突。在这种情况下，公平和正义要求立即取消对厄立特里亚的制裁，更不要说提出新的制裁。正义和公平还要求对埃塞俄比亚政府采取措施，正如监察组在报告中明确指出的，埃塞俄比亚“违反”关于索马里的“全面和彻底的武器禁运”。监察组没有就埃塞俄比亚违反包括1907(2009)号决议在内的安全理事会有关决议提出任何建议，这是令人费解的，也是意味深长的。

129. 厄立特里亚将与联合国和本地区的国家合作，促进非洲地区的稳定和安全，并愿意在合适的时间，就索马里和厄立特里亚问题监察组的报告，向安全理事会委员会做出全面的回应。

附录一

**Statement of the Cabinet of Ministers  
of Eritrea Government**

The Cabinet of Ministers of the Government of Eritrea has held a meeting in Asmara today, Thursday, May 14, 1998, to consider the Statement issued by the Council of Ministers of the Federal Democratic Government of Ethiopia which accuses Eritrea for inciting conflict and hatred and pursuing a policy of territorial expansion; condemns Eritrea alleging that its army has invaded Ethiopian territory by crossing its borders; and warns that Ethiopia will take all the necessary measures to protect its territorial integrity.

The Government and people of Eritrea are greatly saddened by the tone and contents of these grave accusations.

The Cabinet of Ministers of the Government of Eritrea noted that there have been, and continue to exist, border disputes in certain localities along the common borders between Eritrea and Ethiopia. These problems have been instigated by the unlawful practices of the Ethiopian army which occasionally made incursions into these Eritrean territories; dismantling the local administrative structures and committing crimes against the inhabitants.

But despite these periodic occurrences, the Cabinet asserted that the Government of Eritrea has been consistently endeavouring to resolve these recurrent problems through bilateral negotiations with the Government of Ethiopia in a calm and patient manner; cautious for not inflating the problem out of proportions and incite animosity between the two fraternal peoples. The Government of Eritrea has opted for this course of action because it believes that the international boundary between Eritrea and Ethiopia is very clear and incontrovertible. Because it knows that the recurrent border incursions that continue to be perpetuated by Ethiopian forces basically emanate from the narrow perspectives of the Administrative Zones.

The Cabinet of Ministers further noted that a Joint Committee had been formed from both governments to resolve these problems and to delineate on the ground the boundary line. The Cabinet of Ministers asserted that the Government of Eritrea has been exerting all the necessary efforts to expedite the process and facilitate the work of the Joint Committee.

But on Wednesday, May 8, 1998, and while the Eritrean delegation was on its way to Addis Abeba for a meeting of the Joint Committee to discuss ways and means for accelerating its work, Ethiopian army contingents that had already penetrated into Eritrean territory in the areas around Badme (southwestern Eritrea) opened fire and caused grave damage on Eritrean units that attempted to approach them for dialogue. This unprovoked attack subsequently triggered a cycle of clashes in the area.

Furthermore, while continued talks were underway to resolve the tension provoked by the first attack, an appalling Statement aimed at sending an unnecessary message to the peoples of both

countries and the international community was issued by the Council of Ministers of the Federal Democratic Government of Ethiopia.

The Cabinet of Ministers reiterates its firm belief that the enduring mutual interests that exist and bind together the peoples of Eritrea and Ethiopia cannot be jeopardized by any border dispute. The Cabinet of Ministers accordingly proposes the following framework as a solution to the problem that has been made to be blown out of proportions and derailed from its path.

1. The Government of Eritrea condemns the logic of force as it firmly knows and upholds that border disputes of any kind can only be resolved through peaceful and legal means; and not through military means.
2. On the basis of this principle, each party shall publicly announce to the peoples of Eritrea, Ethiopia and the international community the territories that it claims--if any--and designate them on the political map with clear geographical coordinates. Each party shall also accept that the dispute cannot, and should not be, resolved by force but through peaceful negotiations.
3. Both parties shall agree that all negotiations and understandings that will be conducted henceforth shall be carried out in the presence and through the mediation of a Third Party. The latter will act as witness and guarantor.
4. Areas under "dispute" shall be demilitarized temporarily and be free from the presence of armies of both countries. The enforcement of this understanding shall be guaranteed by the Third Party.
5. If the above proposal for resolving the dispute through the involvement of a Third Party and without further complications is not acceptable, the matter to be referred to international adjudication.

The Government of Eritrea firmly believes that attempts to inflate the minor and temporary problem that has been created along the borders of the two sisterly countries will not serve the fundamental interests of the Eritrean and Ethiopian peoples. The Government of Eritrea pledges that it will, as ever before, spare no efforts to handle the present problem with the requisite patience and responsibility. It does not, accordingly, see any wisdom in precipitating tension through inflammatory campaigns.

The Government of Eritrea therefore calls upon the Government of Ethiopia to pursue a similar path that will promote the interests and good neighbourliness of the peoples of both countries. The Cabinet of Ministers of the Government of Eritrea further reasserts its belief that the peoples of Eritrea and Ethiopia will maintain and preserve their mutual interests rooted in peace, good neighbourliness and cooperation.

Asmara, May 14, 1998

## 附录二

## Statement of Eritrean delegation on IGAD meeting regarding Somalia in 2006

Excellencies,

Allow me to express my Government's profound gratitude to the Government of Kenya for taking the initiative at this critical moment to convene this august meeting. Somalia is at cross roads today. Misguided policies by external actors coupled with political imprudence by key Somali political forces could potentially exacerbate the situation and plunge the country into an intractable abyss that is by far worse than the turmoil of the past 15 years. If this is allowed to occur, its implications for regional peace and security will indeed be grave in addition to the immense suffering that it would entail to the Somali people.

But this bleak situation need not occur in the first place. It can, and should. In our view, this can only happen through i) an internal, peaceful political process that is constructive and serious; and ii) external facilitation and support that is prompted by motives that have the security and stability of Somalia and the welfare of its peoples at heart.

We must recognize that the current crisis is the derivative of multi-faceted and cumulative underlying causes. For the past 15 years, Somalia has become ensnared in a spiral of internecine conflicts, intractable clan cleavages, and, the chronic rivalry of warlords with ever-shifting alliances resulting in the fragmentation of central political authority and the balkanization of the Central State. These long years of chaos and immense suffering contrast sharply with decades of significant socio-economic progress and nation building that Somalia enjoyed until the 1990s in a country unique in Africa for its ethnic and cultural homogeneity. Perceived geopolitical considerations by major powers, military involvement of external forces, misrepresentation of Somali political realities in the aftermath of September 11, and the failure of several peace initiatives have further compounded the internal commotion. The crisis that we see unfolding today is the byproduct of all these complications. Collective or individual initiatives that will be taken to promote enduring peace and stability in Somalia must accordingly address the parameters outlined below if they are to bear fruit.

1. **External Military Intervention:** Any external military intervention will further polarize the political realities of Somalia and induce Ethiopia's military intervention, under greater conflagration. Whatever guise or justification, is particularly dangerous both for reasons of historical animosity and because of the events of the past few years. Ethiopia must therefore cease its intermittent military intervention and withdraw the forces that it has deployed in the past few days.

2. **Linkages with International terrorism:** The portrayal development in Somalia in terms of the global war on terrorism is factually untenable and politically imprudent. The overarching national cause of the Somali people should not indeed be reduced to or lumped together with this singular concern. It must be acknowledged that external support to the warlords under the rubric of fighting terrorism was a factor of complication. Some regional and local actors have also found this portrayal convenient to camouflage other ulterior motives.
3. **Lifting of Arms Embargo:** A recent call by some forces for a selective lifting of the UN embargo on arms is unbalanced, misguided and fraught with dangerous consequences. Indeed, this can only imperil the political process of reconciliation and durable political arrangement in Somalia. Appropriate adjustments can be contemplated when there is irreversible progress in the political arrangement giving rise to national institutions that have credible legitimacy and popular support.
4. **Political Processes of National Reconciliation:** The daunting problem in Somalia is essentially an internal political problem that must be solved through negotiations between Somali political forces. The role of IGAD and our partners in peace must be focused on facilitating and promoting these negotiations through appropriate forums and mechanisms.
5. **Territorial Disputes:** The current situation in Somalia is raising the specter of territorial claims and disputes between Somalia and its neighbours. Territorial disputes and claims can only be settled by strict adherence to the sanctity of colonial boundaries and IGAD should adopt this stance firmly and unequivocally.

My Government believes and sincerely hopes that IGAD can foster a forward-looking consensus around these five points at this meeting. We do not wish to engage in fruitless discourse of acrimony but let me conclude by firmly rejecting all groundless accusations peddled against Eritrea in the past few months. As underlined in the previous Ministerial Meeting on Somalia, Eritrea has never seen Somalia as a proxy battlefield to settle scores with Ethiopia. Grave as it may be, the border conflict with Ethiopia is a problem between the two countries that cannot be played out in Somalia.

Thank you

## 附录三

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دولة إرتريا  
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**The State of Eritrea**  
Ministry of Foreign Affairs

### Press Release

In December 2006, Ethiopia invaded Somalia setting a dangerous precedent in the region.

Initially, the pretext for the invasion was to pre-empt, in the words of Ethiopia's Prime Minister, the Islamist threat emanating from Somalia.. However, after it became obvious that the casus belli would not hold water, the Prime Minister recanted to claim that he sent his troops upon the invitation of the embattled Transitional Federal Government of Somalia. Sadly, Ethiopia's aggression was abetted by the international community, with the US sponsoring the preemptive strike; the UN refraining from condemning the gross violation of international law; the African Union playing along with the TFG invitation claim; and IGAD voicing support for Ethiopia's intervention.

Ethiopia has now announced that it is seeking an exit strategy from Somalia after causing huge devastation to the country. But the tragic fact remains that thousands of innocent Somalis have perished and over 500,000 civilians forced into exile or internal dislocation. Numerous towns and villages were pulverized in indiscriminate aerial bombings; often in an appalling environment of total news blackout. The relative stability that Mogadishu had seen after years of chaos was disrupted by Ethiopia's invasion and occupation; with the country as a whole descending in a downward spiral. The mayhem and lawlessness that have gripped Somalia, including the proliferation of piracy with its dangerous consequences for commercial maritime traffic in our region, are indeed deleterious consequences spawned by Ethiopia's invasion. Ethiopia's legal culpability in all these traffic developments cannot thus be whitewashed by its withdrawal today or through other tenuous explanations.

While these are the indelible facts, Ethiopia's authorities continue to apportion blame here and there to duck principal responsibility. At times, it is the Transitional Federal Government of Somalia which must assume responsibility for lack of commitment to clamp down the pirates...who are not fish who just sprang out of the sea (statement from Ethiopia's Foreign Minister). At other times, Ethiopia's authorities seek to make a



scapegoat of Eritrea in their usual, worn-out, campaign of vilification and disinformation (recent statement by the prime minister of Ethiopia.)

Even at this late hour, the enduring solution to Somalia's myriad problems rests on three fundamental pillars. First off, external military intervention, under any pretext or label, will not mitigate but only exacerbate the turmoil that has gripped Somalia. Secondly, it must be recognized that the various schemes of Balkanizing and fragmenting Somalia into fragile mini-States will continue be a recipe for continuous conflict. Thirdly and most importantly, Somalis must be allowed to pursue the objective of national reconstitution through their own devices.

Ministry of Foreign Affairs  
Asmara  
4 December 2008

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The State of Eritrea  
Ministry of Foreign Affairs

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附录四

**ADDRESS OF THE FOREIGN MINISTER OF ERITREA H.E. OSMAN  
SALEH AT THE ISTANBUL CONFERENCE ON SOMALIA ISTANBUL,  
TURKEY**

21-23 MAY 2010

**Mr. Chairman  
Honourable Heads of State and Government  
Distinguished Delegates  
Ladies and Gentlemen,**

**Let me first thank the Secretary General of the United Nations and our gracious host, the Prime Minister of the Republic of Turkey, for organizing this important forum to provide the opportunities and augment the prospects of finding an enduring solution to the crisis that has bedeviled Somalia for the past twenty years. In this spirit, allow me to restate in a concise form and without going into details, the views of my Government in regard to the fundamental ingredients of a lasting settlement.**

**First, there can be no military solution to the conflict in Somalia. This is borne out by the experience of two decades of violent internal conflict as well as external military interventions. The evidence is so overwhelming that it is difficult to argue against the basic premise with any conviction. And yet the notion that more money and arms, better training and a well organized military offensive can bring change is still with us. Clearly this approach will lead to the intensification and prolongation of the conflict, further death and**

**destruction, and as similar previous efforts, end in failure. Hence, the urge to once again go down a ruinous path must be strongly resisted**

**Second, the only real prospect for a lasting resolution of the Somali problem lies in an inclusive political process. This process should not exclude any party, for success demands that it brings on board all the critical actors, the main protagonists in Somalia. Obviously, this will be a difficult, complex and drawn out process. But, since there is no workable alternative, it is imperative that we prioritize the political approach and earnestly engage all the parties, with the aim of encouraging a political settlement.**

**Third, two decades of experience has conclusively shown that a durable solution for Somalia can only be the outcome of a Somali owned and driven process, one that respects the choice of the Somali people. Again, this will be difficult to achieve, but it is the only way out of this crisis. External facilitators can help, but they must remember that their role is only supportive and focused on enhancing the environment for Somalis to sort out their problems and find arrangements that they can live with in peace and stability.**

**Excellencies,**

**Intractable as it may seem, the Somali problem can and will be solved. I hope that this timely forum will spark honest discussion and fresh ideas and will be followed up by sustained and constructive efforts, thereby making a significant contribution to the achievement of peace and stability to Somalia.**

**I thank you.**

附录五



الرئيس  
**The President**

Asmara, 23 March 2007

Dear Mr. President,

As Your Excellency is closely monitoring the unfolding situation in Somalia, external interventions and invasions continue to be perpetrated against the Somali people under various labels and pretexts. These illegal acts are contrary to, and undermine, all the sincere and intense efforts that have been undertaken, including the commendable endeavours of Your Excellency, to relieve the Somali people from their predicaments and to reconstitute Somalia. They are also pushing our region to a dangerous alley.

Against this backdrop of events, I believe that it is incumbent on us to shoulder our regional responsibilities and to coordinate our efforts. In this spirit, I am dispatching H.E. Minister Ahmed Haji Ali to convey to Your Excellency my thoughts on these matters and to listen to Your wise counsel.

Accept, Mr. President, the assurances of my consideration.

Isaias Afwerki

His Excellency  
**Ismail Omar Guelleh**  
President of the  
Republic of Djibouti

## 附录六

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**The State of Eritrea**  
Ministry of Foreign Affairs

### **Press Statement on Somalia**

After 18 years of chaos and deception, the trajectory of Somalia's journey appears to be clearer than ever before. Yet, seemingly benign efforts aimed at disrupting the journey continue without let up. It is therefore vital and timely to recoup and highlight the critical issues and dimensions of the problem.

For the last 18 years, external interferences and invasion on the one hand, and acts of warlords with narrow interests on the other, have rendered meaningless the de facto existence of a Somali State.

Eighteen years of vacuum has wreaked immeasurable devastation and suffering on the people of Somalia. Furthermore, this has been, and continues to constitute, one of the principal causes of instability in the Horn of Africa. It has not abated but seems to aggravate with time.

The vacuum that has prevailed in Somalia for the last 18 years has not only created conducive grounds for the perpetration of piracy and banditry. But, these phenomena are being misconstrued to provide suitable pretexts for external interference and to impede a genuine resolution.

In the event, the only viable solution is the reconstitution of Somalia by the Somalis themselves and the facilitation of an enabling environment for launching the process in earnest. All other alternatives, packaged under any mantle, will only corrode the potential opportunities and aggravate the complexity. And above all, they will not have any legitimacy for the following simple and clear reasons:

1. In accordance with the Charter of the United Nations and international law, there exists only one, unitary, sovereign Somalia that has hoisted its flag. There is no other Somali entity. In the event, the United Nations and its Security Council have no moral or legal authority to recognize any other reality. The same applies to other international and regional organizations.
2. "Somaliland", "Puntland" and other "lands" may have emerged on the political landscape as a result of well-known causes and their obvious ramifications. Nonetheless, endorsement of the phenomena under the guise of stable "havens" and keeping the matter

in limbo while preventing the Somali people from resolving it in a manner of their choosing will only perpetuate their suffering and exacerbate the chaos. The United Nations and Security Council do not have the authority or responsibility to recognize and accept these dispersed "lands" outside, or against the will, of the Somali people.

3. It is the right of, and incumbent upon, the whole Somali people, to determine the issues of "Somaliland", "Puntland" or other lands, by exercising their free will during the process of reconstitution or in its aftermath. This cannot be usurped by any other party.
4. Governments fabricated or installed externally under various labels of "transition" outside the due process of law and contrary to the wishes of the Somali people cannot be imbued with legitimacy and recognition as the duly constituted Government of a sovereign Somalia. Furthermore, it must be acknowledged that these schemes only hamper the opportunity for the people of Somalia to find early solutions besides aggravating the turmoil in the Horn of Africa region.
5. External interventions carried out under any name or pretext on behalf of illegitimate governments cannot have any legal foundation. Their primary objective is in fact to precipitate the fragmentation of Somalia and to forestall genuine efforts at finding a lasting solution. As such, they must be thwarted and deplored.
6. All schemes set in motion and/or conferences convened in the name of these illegal governments with the aim of legitimizing these illicit processes as "fait accompli" cannot be acceptable as they are devoid of any legality.

The people and Government of Eritrea do not have any other stance or policy that deviates from these basic legal considerations and concerns of regional security. Unless they harbour other ulterior motives, any other people or Government would not, for that matter, have a differing stance on this matter.

Attempts at portraying the position and policies of the people and Government of Eritrea as prompted by allegiance to certain individuals are deliberate acts of disinformation that do not merit serious rebuttal.

Moreover, groundless accusations of associating Eritrea with "terrorism" or as pursuing a "proxy war" emanate from the same base motives of stifling the voice and true stance of the people and Government of Eritrea.

In the circumstances and especially at this crucial time, the Government of Eritrea urges the UN and its organs to desist from taking unwarranted measures that exacerbate and prolong the suffering of the Somali people; that maintain the existing vacuum and limbo; and that deepen the crisis in the Horn of Africa.

Ministry of Foreign Affairs  
Asmara  
April 10, 2009

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The State of Eritrea  
Ministry of Foreign Affairs

دولة إرتريا  
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## 附录七

## **Declaration of Principles for the Resolution of the Conflict in Eastern Sudan**

### **Preamble**

We the Government of Sudan (GOS) and the Eastern Front (EF), henceforth referred to as the parties, meeting in Asmara, Eritrea, under the auspices of the Government of the State of Eritrea and on the basis of the agreement on procedural issues that we signed on May 25, 2006;

**Reaffirming** our commitment to the unity, sovereignty, territorial integrity and independence of Sudan;

**Convinced** that Sudan can prosper and flourish in peace only when it ensures equitable participation and development of its people throughout the country;

**Determined** to address the root causes of the conflict in Eastern Sudan, ensure stability and security and find a lasting peaceful settlement that benefits the people of Eastern Sudan and the whole country;

**Committing** ourselves to respect the integrity of the talks and the mediation and to negotiate in good faith;

**Taking into consideration** what has followed from the Comprehensive Peace Agreement of 9 January 2005 as well as the particularities of Eastern Sudan;

**Agree that the following principles shall form the basis of a just and lasting peaceful settlement of the conflict in Eastern Sudan**

- 1- Unity with recognition of and respect for diversity, protection of the fundamental freedoms and rights of citizens, devolution of powers within a federal system, and equitable distribution of national wealth are essential foundations for a united, peaceful, just and prosperous Sudan.
- 2- Political, economic, social and cultural marginalisation constitutes the core problem of Eastern Sudan.
- 3- Effective participation and representation in all government institutions and at various levels shall be ensured for the people of Eastern Sudan.

- 4- A fair share of national resources and affirmative action to address past inequalities as well as sustained social, economic and cultural development are key to a just and lasting settlement.
- 5- Security arrangements for the consolidation of peace shall be addressed as part of an overall agreement.
- 6- Rehabilitation of war-affected areas will be given priority and assistance provided to refugees and internally displaced people to return to their homes.
- 7- The Parties commit themselves to involve the people of Eastern Sudan from the beginning of the peace process; and to convene an Eastern Sudan Consultative Conference to ensure support for, and active participation in the implementation of, a Comprehensive Agreement.
- 8- The parties undertake to immediately cease all military hostilities and to maintain a military stand-down during the negotiations on the basis of the "Agreement On Creating A Conducive Environment For Peace" signed on 19 June 2006.
- 9- All Agreements reached by the parties shall be incorporated in the Interim National Constitution.

*Asmara, June 19, 2006*

**For the Government of Sudan**  
**Dr. Mustafa Osman Ismail**  
**Advisor to the President**  
**of the Sudan Republic**

**For the Eastern Front of Sudan**  
**Alseied Musa Mohamed Ahmed**  
**Chairman of the Eastern Front**

**For the Government of Eritrea**  
**Yemane Ghebreab**  
**Head of Political Affairs**  
**Peoples Front for Democracy and Justice**



## 附录八



الرئيس  
**The President**

Asmara, 7 November 2008

H.E. Mr. Jorge Urbina  
President of the Security Council  
United Nations  
New York

Excellency,

The Government of Eritrea has learned that the UN Security Council is mulling over the options of issuing a “Presidential Statement or Resolution” against Eritrea in support of and to condone the unfounded accusations leveled by Djibouti.

The irony of this drama cannot be overemphasized. As it may be recalled, the UN Security Council passed Resolution 1430 in August 2002 requesting Ethiopia to dismantle, within 30 days, its illegal settlements in and occupation of, the sovereign Eritrean territory of Dembe Mengul in Western Eritrea. Ethiopia ignored the Resolution and the UN Security Council failed to take any remedial action.

Ethiopia continues to occupy the town of Badme and other Eritrean territories in violation of fundamental tenets of international law. Ethiopia’s acts, which have been tolerated for the past six years by the UN Security Council, constitute a flagrant breach of the Algiers Peace Agreement; and Articles 2.4 and 33 of the UN Charter on the “non-use of force against the territorial integrity of a Member State” and the commitment of Member States to the “peaceful settlement of disputes” respectively.

And in April this year, Ethiopia has gone a step further to occupy and deploy offensive weapons on the Eritrean part of Mount Musa Ali on the Ethiopia-Djibouti and Eritrea junction.

In view of these facts, why is the Security Council bracing today to take punitive action against Eritrea on at best a putative and at worst a



الرئيس  
**The President**

manufactured border dispute when it has kept mum for all these years on Ethiopia's repetitive and grave violations of international law that are fraught with plunging the region into another cycle of violent confrontation?

Eritrea is not, of course, in a position to explain this overly lopsided stance. Eritrea can only emphasize that double-standards will further erode the moral authority of the UN Security Council and contribute to greater regional destabilization.

  
Isaias Afewerki

## 附录九



The largest network of African reporters

## Ethiopia calls for regime change in Eritrea

Posted on Wednesday 6 April 2011 - 09:25

Abraham Fisseha, AfricaNews reporter in Addis Ababa, Ethiopia



Ethiopia's Prime Minister, Meles Zenawi, on Tuesday call for regime change in Eritrea and accused an opposition party, Medrek, of planning and instigating violence in Ethiopia. Zenawi has also accused Egypt of backing Eritrea's effort to destabilize in that country. "Ethiopia would not tolerate Eritrean government's destructive policy anymore and the country is forced to change its policy from "passive defiance" to directly help Eritrean people topple the regime," Zenawi said while presenting an eight-month government's performance report to parliament.

According to the prime minister, Eritrean government has continued its attempt to destabilize Ethiopia by deploying terrorists and home grown "destructive forces", such as the Oromo Liberation Front (OLF) and Ogden National Liberation Front (ONLF), as well as the Somalia extremists group, Al shabab.

He further stated, "Until now, our strategy has been defending our sovereignty by speeding up our development. Now, we found that we could not go any longer with passive defense. It's not possible to take passive defense as the only alternative."

**"Therefore, we have to facilitate ways for Eritrean people to remove its dictatorial regime. We have no intention to jump into their country but we need to extend our influence there. If Eritrean government tries to attack us, we will also respond proportionally," Meles added.**

The Ethiopian Prime Minister brought to light how the Egyptians are working with Eritrea to destabilize Ethiopia in order to hinder its decision to construct dam on the Nile.

Meles told Parliament, "Recently, Eritrea is training and deploying, Al shabab and locally grown destructive forces to terrorize our country. But Egypt is the direct force behind these destructive elements that back them."

"In order to prevent any development on Blue Nile River, Egypt and Eritrea has created their own front," he added.

He, however, confirmed that that Ethiopia has no intention of invading Eritrea or opening a new war.

Ethiopia Prime Minister told the country's Parliament that Egypt's a long time strategy is to destabilize Ethiopia and so that cannot raise a voice about using the Nile.

Meles Further pointed out that the current policy of backing Eritrea and other terrorists group is part of it long time strategy that goes back to over 50 years.

He stressed that the Ethiopian people are not enemies of the Egyptian people and he called on the people of Egypt to realize that the building of the dam is also beneficial to them.

Previously the Prime Minister in his speech at launching of the dam construction he told the audience that Ethiopia would welcome Egypt and Sudan to join in construction at any level if they wish to do so.

Speaking about opposition forces that are legally recognized, "The Ethiopian government is neither blind nor deaf. You don't have to think as if we did not know anything," Meles said adding that the government has refrained from releasing the list of detainees and suspected OLF members by police until the opposition parties did it.

"Now that the opposition has made public the list of the detainees, it means that the opposition is testifying that all OLF members who are detained are their members. In other words, they proved by themselves that the opposition is the hiding place for OLF".

"We even know that OLF members have been here with us for five years at this house (parliament). We knew everything, but we did not take them to court, as we did not have substantial evidence. Now, the opposition parties have proved it those who are in custody are their members," Meles told parliament.

The opposition's party "Medrek, particularly Unity for Democracy and Justice," is orchestrating to instigate violence and protest in the country. However, he said I would like the party to know that there is a price to pay.

"We would like to make it clear that the opposition cannot go long by being a cover of anti-peace elements," he added.



## Ethiopia says to work for Eritrea "regime change"

By Aaron Maasho

**ADDIS ABABA** | Thu Apr 21, 2011 9:19am EDT(Reuters) - Ethiopia declared openly Thursday that it will support Eritrean rebel groups fighting to overthrow President Isaias Afewerki.

The two countries have often traded harsh rhetoric since a 1998-2000 border war killed some 80,000 people, but Ethiopian Prime Minister Meles Zenawi has until now ruled out confrontation.

However, Addis Ababa warned last month it would take "all measures necessary" against its northern neighbor after accusing it of plotting to carry out bomb attacks inside Ethiopia during an African Union summit in February.

Government officials have said the plot targeted a hotel where a number of heads of state were staying during the summit, as well as other facilities.

Ethiopian Foreign Affairs Minister Hailemariam Desalegn accused Asmara of working to destabilise his country and topple the government in Addis Ababa.

**"We have embarked ourselves on equal reaction, which is regime change (in Eritrea)," he told journalists.**

**"This regime change is not by invading Eritrea but by supporting the Eritrean people and groups which want to dismantle the regime. We are fully engaged in doing so," Hailemariam said.**

**Hailemariam did not disclose the extent of Addis Ababa's support, but a few Eritrean groups already operate from northern Ethiopia and have staged sporadic hit-and-run attacks inside Eritrea in the past.**

Wednesday, some 1,600 Eritrean refugees gathered in Addis Ababa to call for democratic rule in their country, which thousands have fled in recent years citing rights abuses.

Authorities in Asmara were not immediately available for comment, but Isaias often dismisses foreign-based opponents as "puppets" acting under the orders of foreign governments.

Eritrea was part of Ethiopia until 1991 when rebel forces led by Isaias fought their way to secession following a 30-year liberation war.

Meles and Isaias were then allies leading separate rebel groups fighting former Ethiopian dictator Mengistu Haile Mariam, but they have been foes ever since the border war.

Eritrea has since become one of the world's most secretive nations and has frosty relations with most of the West including the United States, which it accused of siding with Ethiopia during its border war.

The border conflict has yet to be resolved, with Ethiopia calling for a negotiated implementation of a boundary ruling, an approach Eritrea has ruled out.



## **Meles Wants Regime Change in Eritrea; Accuses Egypt, Ethiopian Opposition**

By Yonas Abiye

Addis Ababa, April 5, 2011 (Ezega.com) – Prime Minister Meles Zenawi on Tuesday accused Medrek of planning and instigating violence in Ethiopia.

While presenting an eight month government's performance report to parliament, Meles responded to questions posed by Girma Seyfu, the sole opposition member of parliament, about the mass arrest of opposition members.

"The Ethiopian government is neither blind nor deaf. You don't have to think as if we did not know anything," Meles said adding that the government has refrained from releasing the list of detainees and suspected OLF members by police until the opposition parties did it.

"Now that the opposition have made public the list of the detainees, it means that the opposition is testifying that all OLF members who are detained are their members. In other words, they proved by themselves that the opposition is the hiding place for OLF".

"We even know that OLF members have been here with us for five years at this house (parliament). We knew everything, but we didn't take them to court as we did not have substantial evidence. Now, the opposition parties have proved it," Meles said to the country's lawmakers.

The opposition's party Medrek, particularly Unity for Democracy and Justice, is orchestrating to instigate violence and protest in the country. However, Meles did not give more details about the matter.

"We would like to make it clear that the opposition cannot go long by being a cover of anti-peace elements," he added.

Meles was also speaking about Ethiopian new strategy on Eritrea.

He told the parliament that Ethiopia would not tolerate Eritrean government's destructive policy anymore and the country is forced to change its policy from "passive defiance" to directly help Eritrean people topple the regime.

He, however, confirmed that Ethiopia has no intention of invading Eritrea or opening a new war.

According to the prime minister, Eritrean government has continued its attempt to destabilize Ethiopia by deploying terrorists and home grown “destructive forces”, such as the Oromo Liberation Front (OLF) and Ogaden National Liberation Front (ONLF), as well as the Somalia extremists group, Al shabab.

He underscored that **“Until now, our strategy has been defending our sovereignty by speeding up our development. Now, we found that we cannot go any longer with passive defense. It’ is not possible to take passive defense as the only alternative.”**

**“Therefore, we have to facilitate ways for Eritrean people to remove its dictatorial regime. We have no intention to jump into their country but we need to extend our influence there. If Eritrean government tries to attack us, we will also respond proportionally,” Meles added.**

Meles also criticized the Egyptian government’s influence of what he said is Egypt’s backing of Eritrean and other terrorists to encourage them to destabilize Ethiopian as part of its long time strategy to deter Ethiopia’s development on the Nile river.

“Recently, Eritrea is training and deploying, Al shabab and locally grown destructive forces to terrorize our country. But Egypt is the direct force behind these destructive elements that back them,” he told lawmakers. He added “In order to prevent any development on Blue Nile River, Egypt and Eritrea have created their own front.”

He also called on Egyptian people to realize that Ethiopia is not their enemy, citing that Ethiopian newly plan to build the grand dam on Nile river will also benefit the downstream countries.

附录十

***PRESS RELEASE***

**Statement of the Government of Eritrea**  
**On the Award of the Claims Commission**

The Eritrea-Ethiopia Claims Commission ("EECC") delivered its Final Awards regarding violations of international law during the 1998-2000 border war. The EECC was established by Article 5 of the Algiers Agreement, the same legal instrument that created the Eritrea-Ethiopia Boundary Commission ("EEBC"), which rendered its boundary Award in April 2002.

Eritrea is well aware of the interference that has impaired the administration of justice. Nonetheless, and irrespective of the plausibility of the evidence and legal instruments invoked to arrive at the Award, the Government of Eritrea accepts the Award of the Claims Commission without any equivocation due to its final and binding nature under the Algiers Agreement. This is indeed consistent with Eritrea's track record of respecting arbitration decisions that emanate from its treaty obligations.

The Government of Eritrea expresses its profound gratitude to its legal counsel who toiled extremely hard to compile the necessary evidence and to advance robust legal arguments in order to ensure justice.

The legal filings have not yet been made public due to procedural requirements of confidentiality during the litigation process. Now that the Award has been announced, the Government of Eritrea intends to put all these proceedings in the public domain for their judgmental and educational purposes to posterity.

Asmara

18 August 2009



## 附录十一

**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF  
ETHIOPIA  
AND  
THE GOVERNMENT OF THE STATE OF ERITREA**

The Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea (the “parties”),

REAFFIRMING their acceptance of the Organization of African Unity (“OAU”) Framework Agreement and the Modalities for its Implementation, which have been endorsed by the 35th ordinary session of the Assembly of Heads of State and Government, held in Algiers, Algeria, from 12 to 14 July 1999,

RECOMMITTING themselves to the Agreement on Cessation of Hostilities, signed in Algiers on 18 June 2000,

WELCOMING the commitment of the OAU and United Nations, through their endorsement of the Framework Agreement and Agreement on Cessation of Hostilities, to work closely with the international community to mobilize resources for the resettlement of displaced persons, as well as rehabilitation and peace building in both countries,

Have agreed as follows:

*Article 1*

1. The parties shall permanently terminate military hostilities between themselves. Each party shall refrain from the threat or use of force against the other.
2. The parties shall respect and fully implement the provisions of the Agreement on Cessation of Hostilities.

*Article 2*

1. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions relative to the protection of victims of armed conflict (“1949 Geneva Conventions”), and in cooperation with the International Committee of the Red Cross, the parties shall without delay release and repatriate all prisoners of war.
2. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions, and in cooperation with the International Committee of the

Red Cross, the parties shall without delay, release and repatriate or return to their last place of residence all other persons detained as a result of the armed conflict.

3. The parties shall afford humane treatment to each other's nationals and persons of each other's national origin within their respective territories.

#### Article 3

1. In order to determine the origins of the conflict, an investigation will be carried out on the incidents of 6 May 1998 and on any other incident prior to that date which could have contributed to a misunderstanding between the parties regarding their common border, including the incidents of July and August 1997.
2. The investigation will be carried out by an independent, impartial body appointed by the Secretary General of the OAU, in consultation with the Secretary General of the United Nations and the two parties.
3. The independent body will endeavor to submit its report to the Secretary General of the OAU in a timely fashion.
4. The parties shall cooperate fully with the independent body.
5. The Secretary General of the OAU will communicate a copy of the report to each of the two parties, which shall consider it in accordance with the letter and spirit of the Framework Agreement and the Modalities.

#### Article 4

1. Consistent with the provisions of the Framework Agreement and the Agreement on Cessation of Hostilities, the parties reaffirm the principle of respect for the borders existing at independence as stated in resolution AHG/Res. 16(1) adopted by the OAU Summit in Cairo in 1964, and, in this regard, that they shall be determined on the basis of pertinent colonial treaties and applicable international law.
2. The parties agree that a neutral Boundary Commission composed of five members shall be established with a mandate to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law. The Commission shall not have the power to make decisions *ex aequo et bono*.
3. The Commission shall be located in The Hague.
4. Each party shall, by written notice to the United Nations Secretary General, appoint two commissioners within 45 days from the effective date of this Agreement, neither of whom shall be nationals or permanent residents of the party making the appointment. In the event that a party fails to name one or both of its party-appointed commissioners within the specified time, the Secretary-General of the United Nations shall make the appointment.

## 附录十二

18th East 48th Street • New York • New York • 10017 • Telephone 1 212 688 6600 • TeleFax 1 212 688 7443

**RUBINSTEIN & RUBINSTEIN, LLP**

ATTORNEYS AND COUNSELORS AT LAW

**Expat Americans Living and Working abroad: On the IRS Radar****Expat Americans Living and Working abroad: On the IRS Radar**  
by Asher Rubinstein, Esq

There are millions of United States citizens who live and work outside the US. These non-resident citizens are still subject to IRS reporting requirements, i.e., they must still file tax returns and the Report of Foreign Bank and Financial Accounts (the "FBAR"), and they are subject to payment of taxes on all income, including income earned abroad. The US, virtually alone among nations, imposes an extra-territorial tax regime, meaning that US citizens, even if they live and work overseas, must pay taxes on income earned offshore. The American expat may be entitled to credits for living abroad, and may be able to deduct taxes paid to a foreign government. Living and working abroad do not mitigate one's US tax obligations.

An American expat might surmise that living abroad, he or she is far removed from the IRS. The expat may be tempted to hide foreign income, and not disclose an account in a foreign country, thinking that the the IRS would never learn about income in a foreign country, and a local account at a non-US bank. However, that would be a serious risk. How might the IRS learn about a foreign account, so far away and seemingly off the American radar?

First, via the Qualified Intermediary (QI) Program, in effect since 2001. Under the Qualified Intermediary Program, foreign banks are obligated to share information with the IRS. Moreover, under IRS Announcement 2008-98, the foreign banks must now actively investigate and report to the IRS whether US persons (or entities controlled by US persons) are the owners of the account. Many thousands of foreign banks are enrolled in the QI program. Not fulfilling their QI obligations would result in a lack of access to correspondent banks in the US, effectively severing such banks from international financial transactions. The IRS also routinely audits random foreign accounts at QI banks. And QI banks must also submit to external auditors, who might also discover and report non-compliant accounts.

Second, via "John Doe" summons issued by the US Department of Justice, approved by a US court and then served upon a foreign bank, requesting information about US account holders. In 2002, courts approved John Doe summonses issued against credit card service companies, and the IRS learned the identities of US persons accessing unreported foreign funds via credit and debit cards. In 2009, a federal court in Miami approved a John Doe summons against UBS, seeking account records of US persons with supposedly "secret" Swiss bank accounts. In settling the litigation that ensued, UBS agreed to turn over 10,000 names of Americans with accounts at

UBS. Aside from the erosion of Swiss banking secrecy, which itself is a monumental development, equally significant is that John Doe summonses work, and will be used against other banks and financial service providers, in other foreign countries.

Third, via the "Hague Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil and Commercial Matters", pursuant to which a summons, inquiry, demand for information or documents, from the IRS to an American expat, can be delivered and served upon that expat in the country where he resides. It has recently been reported that the IRS has used the Hague Convention in issuing administrative subpoenas upon wealthy Americans in Britain and Switzerland.

Fourth, via Tax Information Exchange (TIE) Agreements, which obligate the foreign country to assist in both criminal and civil tax investigations. Most countries have already signed a TIE with the US, including tax havens such as Liechtenstein and Switzerland. Countries which have not yet signed a TIE are anticipating being asked by the US to sign one. Not signing one would, as noted above, ostracize the defiant country from the international banking system.

Fifth, via a Mutual Legal Assistance Treaty (MLAT), which requires each participating country to disclose information - including bank account data - to the U.S. government in connection with an investigation of a serious crime, including tax fraud. Treaty loopholes, such as what constitutes "tax fraud" under the laws of the foreign treaty country, have been effectively closed by the successful U.S. attack on UBS and Swiss banking secrecy. The MLATs specify that local secrecy laws may not form a basis for refusing to provide the requested information.

Sixth, if the account is at a bank within the European Union, or a bank outside the EU that routes via Europe, then the account might already be under the watch of the CIA pursuant to the "Brussels Agreement", also known as the "Swift Agreement". That agreement gives the CIA direct access, upon demand, to bank accounts held in the EU. While perhaps this sounds very "Big Brother" and akin to conspiracy theory, such monitoring does exist and was developed after the terrorist attacks on 9/11. The purpose of the Agreement is to investigate terrorism finance, yet there is no limitation to the extent of banking information to be shared, including with the IRS.

Finally, even assuming that none of the above are actual threats to a non-compliant expat account (an assumption that would indeed be a huge leap of faith), the account is vulnerable to discovery if the expat ever wishes to access or use the foreign funds in any way connected to the US. Should the expat wish to move back to the US, accessing the account would raise red flags. If the expat wishes to buy real property in the US, or even invest in US securities, the source of funds would be revealed. A wire transfer from the foreign account to a US bank would likely trigger a Suspicious Activities Report (SAR) from the recipient bank to the IRS.

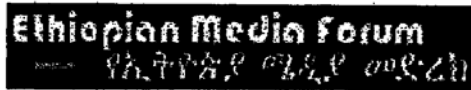
It should be pointed out that none of these threats to a foreign account is directed specifically against American expats living abroad. Indeed, the same threats apply to US residents with non-compliant foreign bank accounts. It's not the location of the taxpayer which gives rise to the threat; it's the foreign account itself. Thus, whether the account holder is an American living and working overseas, or an American living in the US with an account offshore, both persons should be concerned about the likelihood of the IRS discovering the account and prosecuting the account holder for not disclosing the account and paying taxes on foreign income.

Given these numerous threats to offshore account secrecy, what should the expat (or indeed, the US resident) do to remedy a non-compliant foreign account? First, the account holder should

bring the account into compliance. This includes the proper disclosure, i.e., "checking the box" as to ownership of a foreign account on IRS form 1040, Schedule B, as well as annual submission of the FBAR form mentioned above (Treasury Department Form TD F 90-22.1). It also means, of course, reporting and paying tax on all foreign income, including earnings, as well as interest and gains in or to the foreign account. However, it must be noted that simply, and suddenly, declaring a foreign account might give rise to the question of whether the account existed in prior years, in which case one would be alerting the IRS to past non-compliance. Thus, one must also address the question of whether or not to make a voluntary disclosure to the IRS. A voluntary disclosure would lead to paying past taxes, significant penalties and interest, but would likely avoid prosecution for criminal tax fraud, and would make amends for past non-compliance and allow for future compliance. The account holder might also consider a legal strategy involving transfer of the undeclared account in return for a foreign annuity and establishment of an offshore trust, which would accomplish asset protection, tax benefits and future tax compliance, but would not rectify past non-compliance and thus the voluntary disclosure option should again be considered.

Foreign banking tax compliance is crucial irrespective of where one lives, within the US or overseas. Non-compliant foreign bank accounts should be brought into compliance. The possibilities of discovery of the account, as seen above, are many. Expat Americans living and working abroad are as much on the radar as Americans living and working and banking at home.

## 附录十三



### Statement by Brigadier General Hailu Gonfa and Colonel Gemechu Ayana

Until a few days ago, we were officers in the Ethiopian army sworn to protect the country's laws and diverse people from any threats. To our deepest dismay, we have come to the conclusion that the greatest threat to Ethiopia and the people emanates not from elsewhere but from the regime on power.

Over the last years, the armed forces have been systematically reduced to protecting the narrow interest of a small clique determined to cling to power at all costs. Under the circumstances the choices confronting us are: Either to remain with the same oppressive machinery or wait and see hoping against hope that things would improve on their own or through a miracle. We have waited too long; we cannot wait any longer.

Despite the calls by opposition groups to peacefully deal with the dire situation, EPRDF is showing no inclination whatsoever to address the country's mounting social, economic and political problems. Instead, it is intensifying repression. Even though this repressive machinery did not spare any people in the country, the magnitude and scale of repression, harassment and intimidation committed against Oromo people has no comparison. Moreover, it is considering new military adventures in the region that would not serve the legitimate interests of all affected—and could plunge the region into chaos.

Throughout the years we served this regime, we were hoping things would improve over time and expected the regime would also resolve political conflicts peacefully and truly democratize the country where political power emanates from the will of the people not from force. Now we have found this to be an empty promise. We are particularly elated that the Alliance for Freedom and Democracy (AFD) has offered a hope not only to eliminate the specter of more

mayhem but also chart a better future through, a process of dialogue involving all stakeholders in the search for comprehensive solutions.

We regret that the regime has flagrantly, and without serious consideration, rejected this offer of goodwill and continued on its path of destruction. We cannot therefore continue to defend a minority and overwhelmingly rejected regime, sadly, that is committing untold atrocities against our own people.

It is time for us to take side in the fight between tyranny and liberty. Accordingly, we have dissociated ourselves from TPLF/EPRDF and joined the liberation struggle of our people gripped by the claws of tyranny. We have therefore joined the Oromo Liberation Front that is a member of the Alliance for Freedom and Democracy (AFD) to realize the age-old dream of all peoples for freedom and democracy.

**To the Ethiopian Armed Forces**

The incumbent regime has been fooling us all by falsely extolling its commitment to freedom, democracy and speedy economic development. This commitment has been put to test over the last 15 years. The tyrannical behavior of the regime demonstrates that this pledge runs skin deep and does not show any sign of change, which makes all our efforts and sacrifices in vain. We believe as long as the regime continues to defy the will of the people, our problems would multiply. That is why it has to be compelled to desist from its destructive path or be removed. We therefore call on you to follow our example and join the just and popular struggle.

**To the international community**

The minority Ethiopian regime does not have the capacity or the legitimacy to continue to rule the country. The regime, whose dismal 15 year tenure is more than enough to gauge its goodwill, needs to be pressed rather than appeased to submit to the call for dialogue. We strongly urge you to reconsider your support for it as it does not any more serve our common strategic interests.

Brigadier General Hailu Gonfa  
Colonel Gamachu Ayana  
September 14, 2006

## 附录十四

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دولة إرتريا  
وزارة الشؤون الخارجية

**The State of Eritrea**  
Ministry of Foreign Affairs

### PRESS RELEASE

Quoting obscure Israeli security officials, the Sunday Times published a report on April 19th claiming that "Israel and Iran are conducting rival intelligence operations in Eritrea."

The Sunday Times report further asserted: "Israel is said to have two Eritrean bases, one a 'listening post' for signals intelligence, the other a supply base for its German-built submarines, (while).. Iran has a naval base in (the Eritrean port) of Assab."

The invective against Eritrea has intensified in the past two months for reasons better known to its authors. It is nonetheless clear that it is driven by ulterior motives that transcend the fabricated, individual, events.

The main sources of these relentless vilification campaigns against Eritrea are, invariably, the key western intelligence sources that have refined the art of disinformation. Indeed, while these stories are originally concocted in the murky offices of these agencies, they are often attributed to some obscure "political dissident", "businessman" etc, in order to give them a semblance of credibility. Selected "human rights groups" (Africa Watch, CPJ etc.) and some NGOs are also being used as convenient conduits. The Sunday Times report is not thus a case of sloppy journalism. It is part and parcel of the disinformation campaign unleashed against Eritrea by these intelligence agencies with frantic intensity.

The facts are otherwise the following:

Israel does not have, and it never had, any base in Eritrea. But probably in order to sow discord between Eritrea and some Arab States, Israeli intelligence sources have been deliberately spreading, for the past 17 years, false rumours of a military base in the Dahlak Islands. When this lie was proven wrong beyond any shred of doubt, they appear to have come up with the new story of "two bases". (The listening post is a throw back to the 1950s when the US acquired such a base at the Kagnaw Station in Asmara, Eritrea's capital, in exchange for its support to Ethiopia's impending annexation of Eritrea).



Iran does not have a base in Assab or anywhere else in Eritrea. True, Eritrea and Iran have recently cultivated very warm diplomatic ties. But this is not different from the warm diplomatic ties that Eritrea enjoys with all other countries in the Middle East. Furthermore, Iran has resident embassies and much deeper economic ties with all other countries in the Horn of Africa: Ethiopia, Djibouti and the Sudan.

At a more substantive level and in terms of abstract rights, Eritrea has every prerogative and the inalienable right, as a sovereign state, to enter into military and economic alliances with any other country of its choice and in accordance with the exigencies of its national interests. If Eritrea has not provided a military base to any country so far, this emanates from its own considered choices. No other country has otherwise the right to approve or veto Eritrea's sovereign choices.

As pointed out above, the signing of bilateral or multilateral pacts and alliances is a matter of Eritrea's sovereign right. Eritrea does not, however, subscribe to the notion of providing military bases to other countries. Nor does it need them. Eritrea's sovereign choice has always been, and remains, that of aversion to dependency, polarized alliances and suzerainty.

In the context of all these well-known facts, it cannot be difficult to imagine the underlying motivation of the incessant smear campaigns.

Ministry of Foreign Affairs

Asmara

21 April 2009

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The State of Eritrea  
Ministry of Foreign Affairs

مملكة إرتريا  
وزارة الشؤون الخارجية

## 附录十五

Add. HCA 1125, Eritrea  
 توتمنع في مكان بارر  
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 The State of Eritrea  
 Ministry of Trade and Industry  
**NOT TRANSFERABLE**

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 Lic No: ASL00033860  
 Name: HIMBOL FINANCIAL SERVICES  
 T/Name: Code Licensed Activity(ies)  
 160 - Banking service

Valid Until: 31/12/2011  
 Business Address:  
 Bahti Meskerem  
 BAHTI MESKEREM

Lic No: ASR00023594  
 NAT: Eritrean  
 Mailing Address:  
 120735 BOX

Issue Date 14/10/2006 Date 17/08/2011

This Business License does NOT authorize the Licensee or any agent or employee thereof to conduct the business, occupation, or to perform any act incidental thereto without strictly complying with Article 24 of Proclamation No 135/2002

01670 Head of the Business Licensing Office

## 附录十六

10/10/2011

**ሂምቦል - ወዕል ምስ ዓለምለኸውያን አማሓለፍቲ ገንዘብ**

ሂምቦል አብ ዝተፈላለፉ ሃገራት ወጻኢ ንዝነብሩ ኤርትራውያን አገልግሎት ምትሕልላፍ ገንዘብ ናብ ኤርትራ ንምሃብ ምስ ዝተፈላለፉ ወግዓውያን ዓለምለኸውያን አማሓለፍቲ ገንዘብ ወዕል ብምእታው አገልግሎት ይህብ ሓሎ። ዝርዝር ናይቶም ምስ ሂምቦል ወዕል አትቶም ዝሰርሑ ዘለው ዓለምለኸውያን አማሓለፍቲ ገንዘብ እዚ ዝስዕብ እዩ።

	Agent Name	Head Quarter Location	Date Contract Signed
1	WESTERN UNION	U. S.A	16 November 2006
2	XPRESS MONEY	U. A. E	20 December 2004
3	ALAmoudi Bank	Saudi Arabia	25 January 1995
4	TMT	U.S.A	24 November 2004
5	EriCommerce	U.K	01 October 2005
6	RIA FINANCIAL SERVICES	U.S.A	17 August 2009
7	Ez Remit	U.A.E	27 December 2005
8	ARY Forex Ltd.	U.A.E	10 May 2007
9	MONEY EXCH.SA	Spain	04 September 2006
10	LARI EXCHANGE ESTABLISHMENT	U.A.E	28 December 2006

ዓወት ንኣፋሽ!

**Unofficial translation****Himbol – Agreement with international remittances service providers**

Himbol, in contractual agreement with different legitimate international remittance service agencies around the world, provides money transfer service to Eritreans living abroad. The following are the international service providers that have contractual agreement with Himbol.

**LIST OF OUR MAJOR CORRESPONDENT BANKS**

NO	NAME OF CORRESPONDENT BANKS	ADDRESS
1	CITIBANK	NEW YORK
2	CITIBANK	LONDON
3	FEDERAL RESERVE BANK OF NEW YORK	NEW YORK
4	COMMERZBANK AG	FRUKFURT
5	DZBANK	FRUNKFURT
6	SWISS BANK CORPORATION	ZURICH

11-56302 (C)

## 附录十八

**LIST OF HONORARY CONSULS OF ERITREA**

<b>1. Greece</b>	<b>Fekadu Tewoldemedhin</b>
<b>2. Hungary</b>	<b>Tesfay Haile</b>
<b>3. India</b>	<b>Sanjay Goenka</b>
<b>4. Lebanon</b>	<b>Abdalla Al Matraji</b>
<b>5. Norway</b>	<b>Abraham Woldu</b>
<b>6. Pakistan</b>	<b>Shakil Aftab Kashmirwala</b>
<b>7. Philippines</b>	<b>George T. Yang</b>
<b>8. South Korea</b>	<b>Eui-Jae Kim</b>
<b>9. Switzerland</b>	<b>Toni Locher</b>
<b>10. Tanzania</b>	<b>Ally K. Sykes Sr.</b>
<b>11. Thailand</b>	<b>Soonthorn Kengvibul</b>
<b>12. Uganda</b>	<b>Tesfalem Gherahtu</b>

## 附录十九

## Ambasciata dello Stato di Eritrea

00187 Roma, Via Boncompagni, 16/6  
Tel. (0039) 0642741243  
Fax (0039) 0642086806  
E-mail: ericub.rome@mcclink.it

Roma, 24/12/2009

### COMUNICATO STAMPA

In questi ultimi tempi l'Eritrea è stata oggetto di particolare accanimento di cronaca mediatica. Alcuni settori della stampa italiana hanno volutamente fare uso strumentale, delle vicende giudiziarie dell'assessore al turismo della Regione Lombardia, il Sig. Pier Gianni Prosperini. In riguardo l'Ambasciata dello Stato Eritrea desidera comunicare quanto segue.

- Nel quadro dei buoni rapporti esistenti tra Italia ed Eritrea, il Governo eritreo e le Autorità che lo rappresentano, intrattengono relazioni di reciproco interesse con le istituzioni centrali e locali italiane. Data la particolarità del rapporto storico - culturale tra i due paesi, l'intreccio delle relazioni che si sono create negli ultimi anni di indipendenza dell'Eritrea, sono tanti e toccano vari settori del commercio, dell'industria e della cultura italiana nel suo insieme.
- Le relazioni che si sono instaurate con la Regione Lombardia rientrano nel quadro generale di tante iniziative che il governo eritreo promuove e realizza in stretta collaborazione con delle istituzioni pubbliche e private. Ne sono la dimostrazione il crescente interesse commerciale ed industriale degli imprenditori italiani. Il rapporto di fiducia sviluppatosi con le istituzioni lombarde nel loro insieme (ma anche con altre realtà regionali) scaturisce dalla concretezza di rapporti coltivati e maturati nel tempo. Il coinvolgimento della figura dell'assessore Pier Gianni Prosperini, non è altro che il risultato di tali rapporti che, in qualità di rappresentante istituzionale, il nostro governo ha voluto onorare il ruolo promotore degli enti locali e di chi è chiamato a svolgere tale funzione. L'Assessore Prosperini, ha collaborato in qualità di promotore istituzionale per facilitare rapporti di sicura credibilità con il mondo della produzione. Il contratto firmato tra il governo eritreo e l'impresa navale fornitrice, Cantieri navali Vittoria, ha avuto esito finale nella trasparenza e regolarità previsto dal contratto stesso.
- Le notizie giudiziarie che sono state ampiamente divulgate dalla stampa, sono vicende che riguardano la persona del Sig. Prosperini. Pertanto, il tentativo di creare collegamenti con l'acquisto dei pescherecci, è soltanto strumentale ai fini politici locali.
- Pertanto, l'Ambasciata d'Eritrea coglie l'occasione, per rivolgere un sincero invito alla stampa italiana in generale ed alle testate giornalistiche che in coincidenza di momenti particolari si sono prodigate per denigrare il paese, ad impegnarsi seriamente per approfondire le ricerche sull'Eritrea, inquadrare il suo profilo attuale, nel contesto degli eventi che stanno segnando il Corno d'Africa. A tale proposito l'Ambasciata rimane disponibile a collaborare con i giornalisti che abbiano intenzione di visitare il paese e raccogliere le informazioni sul campo.

## 附录二十

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ግዛት ኢትዮጵያ



دولة إرتريا  
وزارة الشؤون الخارجية

**The State of Eritrea**  
Ministry of Foreign Affairs

### **PRESS RELEASE**

- The Government of Eritrea is appalled to learn that some quarters are currently engaged in arranging what they call "the resettlement in some third country or countries" of Kunama families who presently find themselves under forced custody in a so-called refugee camp in Tigray, Ethiopia.
- The illegal and unacceptable campaign by these self-appointed external parties has, apparently, been underway for many months now. The campaign appears to have been conducted in a flagrantly surreptitious manner; without first appraising the underlying and complex circumstances that gave rise to the situation; ascertaining the wishes of the people concerned and/or informing the government of Eritrea. There is credible evidence that these groups are employing unscrupulous methods to entice the destitute families to opt for resettlement in some western country or countries rather than returning home.
- It must be underlined at the outset that there is nothing like "a Kunama problem" in Eritrea. The Kunamas have fought with the same degree of commitment and heroism, and, paid the same high sacrifices as other Eritrean language and ethnic groups for the liberation of their country in the thirty years of armed struggle against Ethiopian colonial rule. And in an independent Eritrea that respects and safeguards, both through explicit Constitutional provisions and concrete policies and programmes, the equality of all language and ethnic groups, the Kunamas enjoy the same political, social and economic rights, opportunities and privileges as their compatriots. Nobody in their right mind can thus misconstrue reality to portray the Kunamas as a "persecuted minority or endangered species". If some zealous groups in the West are indeed engaged in an elusive search of a sensational humanitarian cause that would in some subliminal way atone for past crimes of slavery, we advise them to look elsewhere.
- In as far as the 3,000 or so Kunama refugees in Tigray (Adi Goshu) are concerned, these are mostly innocent civilians, including women and children, who were taken to that location by TPLF troops when they withdrew from the Gash Barka region (western Eritrea) after occupying the area for some weeks in the invasion that Ethiopia unleashed against Eritrea in May 2000. Ever since, the TPLF regime has literally kept them there as hostages through force and coercion; preventing their free return to their homeland. Those who have managed to escape from the camp and return home in a roundabout way through the Sudan attest this.



- The 3000 or so Kunama families in the Adi Goshu camp represent a very minute fraction of the Kunama ethnic group in Eritrea. The fact that the Kunama citizens in the country enjoy the same rights, privileges and obligations as other Eritreans proves that there is no ground for the resettlement scheme. Claims that there could be reprisals when they return to Eritrea are totally unfounded. Those who have returned have been welcomed with open arms by the government and society and assisted to pick up their lives again. Indeed, similar insinuations were voiced in regard to the repatriation of Eritrean refugees from the Sudan, many of whom were alleged to have had ties with subversive groups and to be opposed to the Eritrean government. The manner in which these refugees, whose number exceeds 100,000, were integrated without any discrimination or retribution belies the current groundless accusations.
- It must be borne in mind that the present Ethiopian regime is pursuing the same policy of its predecessors of dividing the Eritrean people along ethnic and religious lines. Mengistu's regime had institutionalized a policy of regionalisation to drive a wedge between highland and lowland Eritrea, between Christian and Moslem Eritreans etc. Within this divisive policy framework, the Kunamas, and some other minority groups, were singled out for special treatment so that they would oppose the liberation struggle. But the endeavour failed miserably. And, as it happened, the Kunamas participated in the liberation struggle and on the side of the EPLF in full force and with high commitment and determination.
- Since launching its war of aggression in 1998, the TPLF regime has resorted to similar practices. To this end, it has created subversive groups that include the "Kunama liberation front". These handful terrorist groups have no base or constituency in the country. This is indeed the primary reason why the TPLF regime continues to keep the Kunama families in the Adi Goshu camp, virtually as hostages, to use them as a recruitment pool for the subversive groups.
- The Government of Eritrea strongly deplores the illegal and hostile acts of the TPLF regime that contravenes international law. The Government of Eritrea stresses that these Kunama families abducted by the regime in Ethiopia have a fundamental human right to return to their homeland and rejoin the families from whom they were forcibly separated. The Government of Eritrea accordingly demands that those groups engaged in a violation of this fundamental right desist from their illegal acts. It further calls on the UNHCR and the international community to facilitate their early return home.

Ministry of Foreign Affairs

3 March 2003

附录二十一

**Eritrean Victims of Ethiopia's Terrorist Act**

