



2014年10月10日安全理事会关于索马里和厄立特里亚的第751(1992)号和第1907(2009)号决议所设委员会主席给安全理事会主席的信

谨代表安全理事会关于索马里和厄立特里亚的第751(1992)号和第1907(2009)号决议所设委员会，并根据安全理事会第2111(2013)号决议第28段，随信转递索马里和厄立特里亚问题监测组重点关于厄立特里亚的报告。

请将本信及其附文提请安全理事会成员注意并作为安理会文件分发给荷。

安全理事会关于索马里和厄立特里亚的
第751(1992)号和第1907(2009)号决议
所设委员会主席

吴浚(签名)



2014年9月19日索马里和厄立特里亚问题监测组成员给安全理事会关于索马里和厄立特里亚的第 751 (1992) 号和第 1907 (2009) 号决议所设委员会主席的信

谨根据安全理事会第 2111(2013)号决议第 28 段，随信转递索马里和厄立特里亚问题监测组关于厄立特里亚的报告。

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索马里和厄立特里亚问题监测组根据安全理事会第 2111(2013)号决议 提交的报告

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简称	
APDM	阿姆哈拉人民民主运动
EDF	厄立特里亚国防军
ENAMCO	厄立特里亚国家矿业公司
GDM/A	甘贝拉民主运动/军队
NDA	全国民主联盟(民主联盟)
OLF	欧加登解放阵线
ONLF	欧加登民族解放阵线(欧阵)
PFDJ	人民民主和正义阵线(人阵)
RPG	火箭榴弹
SPLA	苏丹人民解放军(苏人解)
SPLM	苏丹人民解放运动(苏人解运动)
SSDM/A	南苏丹民主运动/军队
TPDM	提格雷人民民主运动
TPLF	提格雷人民解放阵线
UNHCR	联合国难民事务高级专员公署(难民署)

摘要

根据第 2111(2013)号决议第 31 段，监测组在整个任务期间与厄立特里亚政府进行了接触。在委员会主席的主持下，在厄立特里亚以外举行了两次会议，分别是 2013 年 12 月 8 日在巴黎和 2014 年 2 月 14 日在开罗；2014 年 7 月 28 日还举行了一次内罗毕和纽约之间的视频会议。监测组向厄立特里亚政府提前披露了给委员会的中期简报及其关于厄立特里亚的最后报告的初步结论，但它请厄立特里亚政府提供信息的要求却没有得到充分答复。此外，厄立特里亚还不许监测组访问阿斯马拉或在厄立特里亚境内进行调查。

在本任务期间，监测组没有发现任何关于厄立特里亚支持青年党的证据。监测组并不排除这样的可能，即厄立特里亚可能在向青年党内分子提供一些援助，只是没有被发现；但监测组的总体评估是，厄立特里亚在索马里只是一个边缘角色，随着国际社会加强了公众监督，向青年党提供任何直接支持要冒很大的风险。

监测组还证实，厄立特里亚继续违反第 1907(2009)号决议，表现为经常从苏丹东部进口武器弹药，隶属于总统办公室的厄立特里亚官员对此知情并予以指导。这些武器包括卡拉奇尼科夫式冲锋枪、苏丹制步枪、火箭榴弹、迫击炮、大炮筒和 SPG-9 枪。监测组已查明 Nusredin Ali Bekit 在从苏丹东部贩运武器中的作用，此人担任红海公司 Teseney 分处经理一直到 2014 年 7 月。同时，Bekit 先生向 Tesfaldet Habteselasie 上校报告，这名上校在总统办公室负责安全和资助武装团体问题。Bekit 先生自那时以来已晋升为贸易和工业部长。

监测组调查了对厄立特里亚的指控，即该国协助南苏丹的三个武装团体，有时还向其提供武器，包括里克·马查尔团体(苏丹人民解放运动反对派)、George Athor Deng 反叛部队和 David Yau Yau 团体。监测组从南苏丹政府高级官员所得情报显示，厄立特里亚在 2014 年曾四次向马查尔部队提供军事装备。此外，南苏丹当局告诉监测组，他们截获了厄立特里亚向 Yau Yau 团体和 George Athor Deng 反叛分子提供的武器。南苏丹没有向监测组提供任何证据以供检查证实其说法。因此，专家组无法证实或核实这些指控，即厄立特里亚违反第(2009)1907号决议向在南苏丹的武装反叛团体提供军事和后勤支持。

厄立特里亚对区域武装团体的支持，仍然主要是与埃塞俄比亚-厄立特里亚在非洲之角对抗的大背景、埃塞俄比亚和厄立特里亚之间未决的边界争端以及对抗如何影响着厄立特里亚外交政策相关。监测组获得的证词和证据表明，厄立特里亚继续支持邻国的武装反对派团体，特别是索马里的欧加登民族解放阵线(欧阵)、提格雷人民民主运动和金波特 7 号。厄立特里亚对这些区域武装团体支持的规模和模式不统一，因各团体而异。

对于欧阵，厄立特里亚违反第 1907(2009)号决议的行为是支持派往索马里开展行动的埃塞俄比亚武装反对派团体。2013 年，在欧阵作出把基地迁往摩加迪沙

的战略决定时，阿斯马拉重新与该团体领导层进行了接触。2013年8月，阿斯马拉举办了一次会议，为欧阵筹集资金并制定一项军事战略。厄立特里亚高级官员和欧阵中央委员会成员出席了会议。

据监测组了解，在欧阵将行动基地迁往摩加迪沙之后，厄立特里亚继续向其提供后勤和资金支助，并在索马里购买武器。此外，监测组所得证词称，欧阵和青年党以往一贯的敌对关系已经转变；这两个运动似已建立后勤谅解，为欧阵在索马里境内的行动提供便利，使欧阵可在索马里的青年党控制区来往自如。

监测组收到可靠情报显示，厄立特里亚继续支持提格雷人民民主运动，该运动似已成为立足于厄立特里亚境内的最重要的埃塞俄比亚反对派团体。监测组所得情报表明，厄立特里亚国防军后勤部的武器正在有系统地转移给提格雷人民民主运动，但无法予以核实。

厄立特里亚似在 Fitsum Yishak 上校的指导下，继续向金波特 7 号提供一定的后勤和军事支持。但是，监测组无法评估这种支持与以往阿斯马拉对金波特 7 号的支持相比属于何种程度以及有何一致性。

厄立特里亚政府仍不披露其预算和拨款，该国的年度预算不是公开的。缺乏财政透明度造成结构上含混不清，限制了有效监测该国遵守第 1907(2009)号决议的情况。

据监测组评估，厄立特里亚高级官员继续每年通过非官方收入获得数百万美元，其采取的私人商业安排方式涉及人阵在国内和国外经营的公司。厄立特里亚政府维持的全球金融结构不是以人阵的名义注册，而是包括避税地、秘密信托以及以官员姓名、在大多数情况下是以个人姓名所设的公司。

厄立特里亚政府继续对居住在国外的厄立特里亚公民和厄立特里亚裔外国国民实行各种域外征税规定。监测组收到多方面的可信证词称，厄立特里亚官员采取胁迫性措施以迫使厄立特里亚国民付款，包括拒绝发放护照和出境签证，阻止个人向厄立特里亚发运货物，除非向厄立特里亚当局提交付款或结算收据。

监测组调查从采矿收入的硬货币是否通过厄立特里亚政府金融机构流出用于支持构成违反第 1907(2009)号决议的活动。监测组审查了数以百计与采矿活动有关的财务记录，没有发现任何可疑转账；但鉴于厄立特里亚的财务管理不透明和没有预算拨款，监测组不能完全排除采矿活动所得资金被转用于资助违反第 1907(2009)号决议的行为的可能性。

监测组继续注意到，2010年6月6日吉布提和厄立特里亚在卡塔尔政府主持下签署的全面协定中关于战俘的第3条方面没有任何进展。吉布提官员告诉监测组，仍有 17 名吉布提人被厄立特里亚拘押。与卡塔尔和吉布提领导层有接触的消息灵通人士告诉监测组，调解进程陷于停顿。厄立特里亚政府尚未承认它扣押着吉布提战斗人员，也未提供关于这些人当前状况的信息。

一. 引言

A. 任务规定

1. 索马里和厄立特里亚问题监测组的任务载于安全理事会第 2060(2012)号决议第 13 段, 并经安理会 2013 年 7 月 24 日通过的第 2111(2013)号决议延期。第 2093(2013)号和第 2142(2014)号决议为监测组规定了其他任务。

2. 2014 年 3 月 27 日, 监测组根据第 2111(2013)号决议第 27 段和第 2060(2012)号决议第 13(I)段, 通过关于索马里和厄立特里亚的第 751(1992)号和第 1907(2009)号决议所设委员会(下称“委员会”)向安全理事会提交了中期简报。监测组还在其整个任务期间向委员会提交每月进度报告。

3. 监测组成员在调查过程中曾前往澳大利亚、巴林、比利时、塞浦路斯、吉布提、埃及、埃塞俄比亚、法国、德国、印度、意大利、吉尔吉斯斯坦、荷兰、挪威、卡塔尔、沙特阿拉伯、塞舌尔、索马里、南非、南苏丹、西班牙、瑞典、土耳其、乌干达、阿拉伯联合酋长国、大不列颠及北爱尔兰联合王国、美利坚合众国、也门和赞比亚。在索马里, 监测组成员能够经常对摩加迪沙、哈尔格萨和加罗韦进行访问, 但仍然无法进入该国南部的大部分地区。然而, 厄立特里亚政府不许监测组前往阿斯马拉或在厄立特里亚境内进行调查。

4. 监测组设在内罗毕, 由以下专家组成: Jarat Chopra(协调员)、Nicholas Argeros(财务)、Zeina Awad(运输)、Déirdre Clancy(人道主义)、Joakim Gundel(武器)、Dinesh Mahtani(财务)、Jörg Roofthoof(海事)和 Babatunde Taiwo(武装团体问题)。到 2013 年 9 月为止, 一名专家(Babatunde Taiwo)被临时调往肯尼亚境外。

B. 方法

5. 监测组前几份报告中概述的证据标准和核查程序适用于本报告所述任务期间开展的工作。监测组重申其以往报告(最近的报告为 2013 年 7 月 12 日 S/2013/413 和 2013 年 7 月 25 日 S/2013/440)所用方法。本报告采用的方法如下:

- (a) 尽可能从多个来源收集关于事件和议题的信息;
- (b) 尽可能从有关事件的第一手资料来源收集信息;
- (c) 确定信息规律是否一致, 将已经了解的情况与新信息和新趋势进行比较;
- (d) 在信息可信度和信息来源可靠性方面继续一并考虑监测组有关专家的专业知识和判断以及全组成员的集体评估意见;
- (e) 收集实物、照片、音像和(或)书面证据来证明收集到的信息。

6. 监测组特意有系统地努力通过那些直接了解违禁行为详情或认识直接知情者的个人来接触参与违禁行为者。在调查中, 专家组与各种各样的消息来源进行

了 100 多次会面，包括会员国、非政府组织、厄立特里亚侨民、前厄立特里亚政府官员，并间接会见了现任政府官员。特别是，监测组从会员国和区域组织获得机密情报；监测组会见的各类人士包括外交官，军事情报、空军和其他军事人员，武装团体战斗人员，汇款机构、进出口部门、服务行业所涉商人和交易商，特别是在厄立特里亚拥有最大商业利益的地方。从这些不同来源，监测组获得证词、照片证据以及保密和公开来源的资料。专家组评估了数百份文件，以确定哪些内容对报告有意义。最后，监测组通过直接会见和来往公文(见下文 C 节)要求厄立特里亚政府提供资料。

7. 根据委员会过去的指导，监测组努力在最后报告中列入尽可能多的证词和证据。不过，根据关于控制和限制文件的各项大会决议，特别是第 52/214 号、第 53/208 号和第 59/265 号决议，不得不大量使用附件，使得许多实质内容无法获得翻译。此外，有关规定要求主报告中不得插入地图、照片和图表。

C. 与厄立特里亚政府的接触

8. 安全理事会第 2111(2013)号决议第 31 段强调厄立特里亚政府与监测组之间接触的重要性。2013 年 9 月 13 日，监测组和联合国秘书处会见了厄立特里亚常驻联合国代表团的官员，引见监测组新的厄立特里亚小组。此外，监测组向厄立特里亚提出通过有条理的会议程序进行建设性接触的方式，会员国可对这些会议予以支持。随后，委员会主席于 12 月 8 日在厄立特里亚境外(巴黎)召开了一次会议，由监测组与厄立特里亚总统高级政治顾问 Yemane Gebreab 先生和当时的厄立特里亚常驻联合国代表阿拉亚·德斯塔大使参加，以讨论今后如何进行接触。12 月 13 日，主席就此向委员会分发了一份说明(S/AC.29/2013/note.117/Add.1)。12 月 20 日，联合国秘书长向委员会主席转递了 2013 年 12 月 3 日厄立特里亚总统伊萨亚斯·阿费沃基先生的信，其中呼吁安全理事会“纠正”“错误制裁”的决议”，此信于 2013 年 12 月 26 日向委员会分发(S/AC.29/2013/NOTE.120)。

9. 2014 年 2 月 14 日，委员会主席在开罗主持召开监测组和厄立特里亚政府(由 Gebreab 先生代表)第二次会议，大韩民国常驻联合国代表团和安全理事会附属机构事务处、联合国秘书处安全理事会事务司的代表也出席了会议。鉴于将向委员会作中期简报，监测组讨论了调查、Gebreab 应允或主动提出的信息要求和访问阿斯马拉的可能性等问题。会议之后，主席于 2014 年 2 月 19 日向委员会分发了一份说明(S/AC.29/2014/note.19/Add.1)。此外，2014 年 3 月 7 日，在提出中期简报之前，监测组致函厄立特里亚常驻联合国代表团(同时抄送委员会)，以反映 Gebreab 先生和监测组在开罗的交流内容，包括是否有可能访问阿斯马拉，并特别列出 Gebreab 先生承诺予以满足的信息要求(见附件 1)。

10. 2014 年 3 月 25 日，监测组和安全理事会附属机关事务处处长会见了厄立特里亚常驻纽约联合国代表团的官员。讨论中提出监测组和厄立特里亚政府可否再举行一次会议，以便监测组披露其最后报告，并让厄立特里亚当局提供反应意见。

由于监测组尚未收到对在开罗应允的信息要求的答复，会上指出，鉴于向委员会提交最后报告之前的时间有限，厄立特里亚当局作出反应要比在开罗会议之后更快，才能让监测组在其关于厄立特里亚的最后报告中反映该国当局的意见。2014年3月27日，监测组向委员会提交了中期简报，其中关于厄立特里亚的内容与在开罗的讨论和2014年3月7日监测组给厄立特里亚当局的信是一致的。2014年4月15日，厄立特里亚常驻代表团转交了一封给委员会主席的信，反对监测组中期简报的内容，并呼吁安全理事会解除对厄立特里亚施加的制裁(S/AC.29/2014/COMM.39)。与此同时，监测组访问阿斯马拉的问题再没有得到进一步讨论，专家组也没有收到对在开罗应允的信息要求的任何答复。

11. 2014年7月28日，委员会主席主持召开了纽约和内罗毕之间的监测组与厄立特里亚政府(由厄立特里亚常驻代表联合国 Girma Asmerom Tesfay 大使及其工作人员代表)视频会议，委员会主席与委员会代理秘书和安全理事会附属机关事务处处长也出席了会议。在完成其关于厄立特里亚的最后报告之前，监测组向该国政府提出了调查初步结果并征求其意见。专家组同时要求提供有关信息，并为此提出了问题。

12. 在视频会议开始时，Tesfay 大使针对 2014 年 3 月 7 日监测组的信提供了一系列文件；此信是在开罗会议之后发出的，其中载有 Gebreab 先生承诺予以满足的信息要求。这些文件已于 2014 年 7 月 28 日分发给委员会(见附件 2)。但是，在审查文件时，监测组发现，它们没有充分解决在开罗提出并在 2014 年 3 月 7 日监测组的信中得到反映的问题。2014 年 8 月 1 日，监测组致函 Tesfay 大使，其中概述了在视频会议上提出的调查结果以及有待答复或补充的信息请求(见附件 3)。与此同时，埃塞俄比亚常驻联合国代表团于 2014 年 8 月 7 日致函委员会，称 2014 年 7 月 28 日提供的文件之一是“厄立特里亚捏造的”。

13. 此后，厄立特里亚政府于 2014 年 8 月 13 日对 2014 年 8 月 1 日监测组的信作出答复，此函已分发给委员会(见附件 4)。在审查答复时，专家组还发现，答复并未充分解决其提出的信息请求和向政府提出的问题。因此，监测组只能从其与厄立特里亚当局的会议和提供的文件出发，在本报告中反映厄立特里亚政府的意见；监测组与该国的接触是在厄立特里亚境外进行的，有关往来文件列入附件 1 至 4。

二. 违反全面彻底军火禁运的情况

14. 安全理事会第 1907(2009)号决议要求所有会员国立即采取必要措施，阻止其国民或从其境内或利用悬挂其国旗的船只或飞机，向厄立特里亚出售或供应所有各类军火和相关物资，包括武器和弹药、军用车辆和装备、准军事装备及上述物项的备件，以及与军事活动有关的或与提供、制造、维修或使用上述物项有关的技术援助、培训及财政和其他援助，无论是否源自本国境内。

15. 监测组调查了指控厄立特里亚违反安全理事会第 1907(2009)号决议规定的军火禁运的行为。监测组所得证词和资料证实，厄立特里亚多次从苏丹东部地区的卡萨拉州进口武器弹药。监测组还得到情报，厄立特里亚向南苏丹三个武装叛乱团体提供军事和后勤支持：效忠前副总统里克·马查尔的苏丹人民解放军反对派部队；David Yau Yau 团体；George Athor Deng 反叛部队。¹ 然而，专家组无法证实或核实这些指控，即厄立特里亚违反第 1907(2009)号决议向在南苏丹的武装反叛团体提供军事和后勤支持。

16. 根据第 2060(2012)号决议第 13(f)段，监测组调查了运输工具、路线、海港、空港及其他设施，以确定厄立特里亚是否在苏丹东部和南苏丹违反了军火禁运。

A. 苏丹东部的情况

17. 监测组以往已经报告了苏丹东部和厄立特里亚西部之间的走私活动。2011年，监测组查出，厄立特里亚和苏丹之间跨界行动为厄立特里亚官员和区域武装团体非法筹资提供了一个主要来源。监测组指出，当时的厄立特里亚驻苏丹大使 Mohammed Mantai 是厄立特里亚在苏丹活动的首要协调人，而 Teklai Kifle “Manjus” 将军是跨界走私活动的指导者(见 S/2011/433，第 415-420 段)。2013年，监测组报告，Mantai 先生继续参与厄立特里亚和苏丹之间的走私活动。专家组还报告，厄立特里亚将对某些区域武装团伙调拨资金的协调工作从其驻内罗毕大使馆转移到驻喀土穆大使馆(见 S/2013/440，第 56-67 段)。

18. 监测组还进一步调查了厄立特里亚和苏丹之间的跨界关系；根据下文详述的调查结果，监测组可以肯定，苏丹东部和厄立特里亚之间一直存在武器贸易。监测组从直接参与交付武器的个人，得到关于 2014 年 2 月 22 日、3 月 9 日和 4 月 16 日三次向厄立特里亚运送武器的情报。监测组还获得了关于 2014 年 2 月 22 日交付武器详细情况的资料。

厄立特里亚在苏丹东部的影响

19. 苏丹东部是指卡萨拉、加达里夫和红海三州所在地区。该地区的走私活动早已为人知，其中的武器贩运是更大范围犯罪活动的组成部分，这些活动包括厄立特里亚和苏丹之间的货物和人口非法流动。² 欧盟高级外交人士告诉监测组，他们知晓并关切通往红海州首府苏丹港以及厄立特里亚红海海岸马萨瓦的非法武器路线。³

¹ 2013 年 11 月 18 日在朱巴约谈军事情报和对外情报局高级官员。这些说法也得到后来 2014 年 3 月 5 日分别与国内安全总局以及对外情报局反恐处高级官员约谈的证实。

² 2013 年 10 月约谈一名前厄立特里亚驻苏丹大使；2013 年 12 月约谈一名前厄立特里亚高级官员；2014 年 6 月和 8 月约谈一名前苏丹情报员，此人在东部一直派驻到 2013 年秋季；2014 年 1 月通过 Skype 约谈一名贝扎大会成员；2013 年 12 月、2014 年 3 月和 4 月约谈一名前人阵高级官员。

³ 2014 年 4 月约谈某欧盟成员国的一名前高级海军军官。

20. 随着厄立特里亚在区域内变得更加孤立，苏丹东部对厄立特里亚成为更加重要的门户。共同边界、彼此亲密关系和在苏丹政治参与的长期历史，都让厄立特里亚政府在该地区有着独到的优势。这两个国家之间 660 公里长的边界没有明确划定，其公民和货物可以自由流动而无需签证，极少有限制。⁴ 苏丹东部往往是厄立特里亚寻求庇护者的第一个进入点。根据联合国难民事务高级专员公署(难民署)的资料，2013 年，大多数厄立特里亚住在苏丹。⁵ 此外，还有若干部落生活在两国边界地区，包括贝扎人、Beni Amer 人和 Rachaida 人。

21. 厄立特里亚在苏丹东部的政治参与，也使它能够与各部落以及该地区的政治和军事机构建立并保持深厚的关系。⁶ 早在 1993 年，厄立特里亚就开始训练东部为争取更多自主权而躁动的许多族裔群体，并为之提供武装。阿斯马拉在执政的全国大会党(全国大)与东部阵线(为苏丹东部各州争取更大的权力和更公平的财富分享的联盟)之间调解达成了 2006 年《苏丹东部和平协议》。⁷ 在签署该协议几年后发出一份外交电报称，厄立特里亚成功的调解努力是厄立特里亚在执行其对苏丹战略方面“最重要的成就”，即让“以前处于边缘地位而得益于厄立特里亚政治和其他支持的力量成为苏丹的主导，[确保]苏丹亲近厄立特里亚。”⁸

22. 监测组收到多份关于一些苏丹地区和国家官员为阿斯马拉行事的报告。据确认，Mohamed Taher Aila 州长一直与阿费沃基总统有着密切的个人关系。⁹ Aila 先生是红海州总督，该州首府苏丹港是具有战略位置的海港。据确认，Rashaida 部落也与厄立特里亚有着密切合作，特别是在跨界走私和安全事项方面。¹⁰ 国际危机组织于 2014 年 8 月 8 日报告，2013 年，Manjus 将军将边防警务分包给过去曾受厄立特里亚培训的 Rashaida 准军事团体。Manjus 将军令其向厄立特里亚

⁴ 边界长度来自难民署资料，可查阅 www.unhcr.org/51407fc69.pdf。

⁵ 2014 年 6 月 6 日，难民署发表报告称，2013 年有 109 600 名厄立特里亚难民住在苏丹；可查阅 www.unhcr.org/5399a14f9.html。

⁶ 见 www.crisisgroup.org/~media/Files/africa/horn-of-africa/sudan/209-sudan-preserving-peace-in-the-east.pdf。

⁷ 东部阵线成立于 2005 年和 2006 年，从一开始就得到厄立特里亚支持。这是以族裔为基础的两个反叛团体(贝扎大会和 Rashaida 自由之狮)的联盟。

⁸ 2008 年 1 月 8 日发出的机密外交电报。

⁹ 2014 年 2 月约谈一名前苏丹军事情报官；2014 年 2 月约谈一名在苏丹、吉布提和埃塞俄比亚有密切联系的厄立特里亚政治分析员；2013 年 12 月、2014 年 3 月和 4 月约谈一名前阵高级官员。2014 年 1 月通过 Skype 约谈一名贝扎大会成员；2014 年 8 月约谈一名来自苏丹东部、曾在厄立特里亚住过 7 年的前苏人解官员。

¹⁰ 一些苏丹情报员告诉监测组，Rashaida 人参与了跨界贩运；2014 年 2 月约谈一名在苏丹、吉布提和埃塞俄比亚有密切联系的厄立特里亚政治分析员；2014 年 8 月约谈一名来自苏丹东部、曾在厄立特里亚住过 7 年的前苏人解官员。2013 年 12 月约谈一名前厄立特里亚高级官员。难民专员办事处也对 Rashaida 人在贩运人口中的角色有记录。进一步资料见 www.unhcr.org/51407fc69.pdf。

逃兵开枪，对被发现试图逃离该国者执行格杀勿论的政策。据报，厄立特里亚和苏丹的边界两侧部署有 Rashaida 人。¹¹

23. 此外，两国之间的关系在过去几年里有稳步改善的迹象。苏丹和厄立特里亚官员多次互访对方国家，承诺谋求更密切的合作。阿费沃基总统本人在 2014 年 5 月访问苏丹，会见了苏丹总统奥马尔·巴希尔，两人签署了内容广泛的商业和贸易协定。¹² 监测组收到报告说，在同一期间，喀土穆将厄立特里亚反对派成员遣返回厄立特里亚，并在阿费沃基总统访问后发布驱逐令。¹³ 一名曾密切参与全国大会党与东部阵线谈判的前高级厄立特里亚官员告诉监测组，“苏丹和厄立特里亚之间的商业协定，也是反映两国安全状况的安全协议。”¹⁴ 厄立特里亚的现实情况是，由于它与邻国埃塞俄比亚和吉布提之间的敌对和紧张关系，苏丹是其通过陆路运入燃料、家用物品乃至武器等货物的唯一相对安全途径。

从苏丹东部贩运武器

24. 厄立特里亚与苏丹之间的武器走私贸易鲜为人知，这与有详细记录的贩运人口不同，¹⁵ 部分原因是前者秘密进行，参与者担心与第三方分享任何信息都会触发苏丹境内的军事行动。¹⁶ 此外，监测组前几年都前往喀土穆进行与其调查相关的约谈，但是监测组在本任期内没有访问苏丹，因为在一个专家组于 2010 年年底访问喀土穆之后，监测组一名前任专家被宣布为不受欢迎的人。

25. 尽管如此，监测组发展了十多个苏丹和厄立特里亚消息人士，他们掌握苏丹东部和厄立特里亚西部第一手情况，包括当地和中东、非洲和西欧移民社群的情况。根据广泛约谈、可靠信息、照片证据和文件，监测组了解到通常武器从苏丹东部进口到厄立特里亚。¹⁷

26. 监测组调查的贩运路线从苏丹卡萨拉至边界苏丹一侧边境城镇 Laffa，再进入厄立特里亚 Teseney(见附件 5.1 地图)。有关地区的地貌景观是大片荒地。该地

¹¹ 见：“厄立特里亚：终止人口外流？”，2014 年 8 月 8 日简报，可查阅 www.crisisgroup.org/~media/Files/africa/horn-of-africa/ethiopia-eritrea/b100-eritrea-ending-the-exodus.pdf。

¹² 一些前厄立特里亚高级官员告诉了监测组会见的细节。这次会见还在媒体上得到报道。见 www.sudantribune.com/spip.php?article50953。

¹³ 2014 年 2 月约谈一名在苏丹、吉布提和埃塞俄比亚有密切联系的厄立特里亚政治顾问；2014 年 6 月约谈一名苏丹情报员；2014 年 8 月约谈一名前苏丹情报员，此人在东部一直派驻到 2013 年。

¹⁴ 2013 年 12 月约谈一名前厄立特里亚高级官员。

¹⁵ 见 www.hrw.org/reports/2014/02/11/i-wanted-lie-down-and-die-0t 和 <http://www.unhcr.org/51407fc69.pdf>。

¹⁶ 直接了解苏丹与厄立特里亚之间武器贩运情况的苏丹消息人士表达了这种关切，监测组曾多次与他们交谈。

¹⁷ 这是基于同厄立特里亚和苏丹消息人士的广泛面谈，他们掌握有关此问题的第一手情况。

区有一些非正式小路，以及 2011 年 6 月开通的连接苏丹东部和厄立特里亚西部的高速公路。据熟悉地形的人说，人和车辆都能够在这些地区较容易地行动，而且不易暴露身份。¹⁸

27. 监测组收到关于一个小武器仓库的可靠信息，一些武器从卡萨拉地区被走私到厄立特里亚是该仓库供应的。监测组获得卡萨拉仓库的坐标，2 名具有该区域实地经验的前苏丹情报人员独立证实了该仓库的地点和功能。¹⁹ 监测组还收到该仓库周围地区的图像，以及显示仓库内部情况的照片和视频，包括军用卡车、弹药和火箭榴弹的照片，后者似乎与苏丹生产的火箭榴弹发射器相同²⁰ (见附件 5.2 至 5.4 照片)。1 名人民民主和正义阵线(人阵)高级官员向监测组证实，他曾看到同一类型的火箭榴弹发射器 2012 年年底被储存在阿斯马拉主要武器库中。²¹ 根据《小武器调查》记录，在区域冲突中涌入了新的苏丹武器和弹药。这表明该国国内武器制造工业正在增长，并向非洲之角各国和武器团体供应武器，包括火箭。²²

28. 根据保密来源，监测组确定了三次交货，分别于 2014 年 2 月 22 日、3 月 9 日和 4 月 16 日从卡萨拉仓库运至厄立特里亚 Teseney。监测组在整个任期内和据报正在交货时收到这一信息。虽然很难获得说明武器流动细节的文件，因为使用了伪造提单和非正规库存列报方法，但监测组收到了显示以下情况的四份文件：

- 2014 年 3 月 9 日从卡萨拉运往厄立特里亚的通行证许可
- 运至厄立特里亚的武器库存清单未标明日期，连同通行证一并提交监测组。所列武器是 50 支卡拉什尼科夫冲锋枪、20 支 PKM 型机枪和 10 支 Doshka 型重机枪
- 截至 2014 年 2 月 22 日该仓库完整弹药库存，概述如下：600 发卡拉什尼科夫冲锋枪子弹、900 发 PKM 型机枪子弹、500 发苏丹仿制的 Tirab 式中国 CQ 步枪子弹、300 发 Doshka 型重机枪子弹、16 个火箭榴弹弹头及 10 发 SPG-9 式步枪子弹

¹⁸ 下列人员向监测组介绍了这一地形：在 2014 年 8 月的一次约谈中，一名来自苏丹东部并在厄立特里亚居住 7 年的前苏丹解官员；在 2014 年 6 月的一次约谈中，一名苏丹情报人员；在 2014 年 2 月的一次约谈中，一名从苏丹东部越境进入 Teseney 的苏丹难民。

¹⁹ 1 名特工人员被派驻该区域至 2013 年。出于保密和安全原因，监测组不能透露更多关于该仓库的信息或有关来源。

²⁰ 2014 年 5 月在内罗毕约谈 1 名苏丹武器制造专家，该专家查看了监测组获得的照片和视频。

²¹ 2013 年 12 月 12 日和 2014 年 3 月 22 日约谈 1 名人阵前高级官员。

²² Jonah Leff 和 Emile LeBrun, “追查线索：苏丹和南苏丹武器和弹药”，《小武器调查》(2014 年 5 月，日内瓦)，可查阅 www.smallarmssurveysudan.org/fileadmin/docs/working-papers/HSBA-WP32-Arms-Tracing.pdf。

- 2014年2月22日运往厄立特里亚的武器库存清单。所列武器是10支卡拉什尼科夫冲锋枪、10个火箭榴弹和3个迫击炮身管。所列弹药是200发Doshka型重机枪子弹、500发卡拉什尼科夫冲锋枪子弹、30个火箭榴弹弹头和9发迫击炮炮弹。

29. 监测组仔细检查了所有四份文件，发现前两份文件所载信息不完整，正在继续予以调查。2014年2月22日的两份文件载于附件5.5。苏丹武装部队准将Omar al Naqi和时任卡萨拉安全总局局长签署了这二份文件。²³

30. 监测组无法评定这些转让是私人安排的武器外流，还是苏丹政府组织的货运。但基于多重确凿证词，监测组可以证实，边界两侧官员和安全部队知晓并在某些情况下协助这些武器贸易。一些非政府组织、包括人权监察站的调查结果证实，当地官员参与更广泛的非法贸易、包括武器非法贸易，人权监察站发现2013年苏丹安全部队(警察和军队)参与贩运厄立特里亚人。²⁴

31. 在厄立特里亚，查明2014年7月前担任红海公司Teseney分部经理的Nusredin Ali Bekit曾参与从苏丹东部贩运武器。²⁵自那时起Bekit被提升为贸易和工业部长。监测组收到的信息表明，Bekit的上级是总统办公室的Tesfadelt Habteselasie上校。²⁶一名直接了解厄立特里亚贸易和筹资情况的人阵前高级官员告诉监测组：

Habteselasie完全控制这些货物，在接到总统办公室直接命令之后负责确保运销。Bekit是武器运输的共同签署人和收货人。Bekit与苏丹贩运者有个人关系，他负责运销。他接收货物，通常包括卡拉奇尼科夫式冲锋枪、AK-47冲锋枪和弹药，并以美元出售这些货物，然后直接携带现金到总统办公室。现金以美元存入厄立特里亚住房和商业银行。用于开具货物提单和原产地证书的金融票据都是伪造的，并不说明货物的真实内容。来自苏丹的武器出具非官方提单，而且苏丹政府官员知情。²⁷

32. 根据多重独立和确凿证词、所获文件和举行的秘密简报会，监测组作出评估，即厄立特里亚是违反安全理事会第1907(2009)号决议，从苏丹东部进口武器和弹药，而且厄立特里亚总统办公室下属官员对此知情并提供指导。

²³ 在2014年8月的一次约谈中，一名派驻东部至2013年的前苏丹情报人员独立证实了Omar al Naqi Ahmed的身份。

²⁴ 见 www.hrw.org/sites/default/files/reports/egypt0214_ForUpload_1.pdf。

²⁵ 2014年5月在迪拜约谈设在迪拜的厄立特里亚汇款组织(哈瓦拉)1名商人，他与厄立特里亚领事馆和贸易界有联系；2014年3月约谈1名人阵前高级官员；2013年12月约谈1名前厄立特里亚高级官员；2014年6月约谈1名驻海湾的厄立特里亚外交官，他参与了采购。

²⁶ 2014年3月和2014年4月约谈1名人阵前高级官员；2014年2月1个区域内会员国通报保密情报。

²⁷ 2014年3月和4月约谈1名人阵前高级官员。

33. 2010年7月28日，监测组与厄立特里亚常驻联合国代表特斯法伊大使举行视频会议，要求厄立特里亚政府阐明其与苏丹的关系，并详细说明 Habteselasie 上校和 Bekit 先生的作用。特斯法伊大使告诉监测组，厄立特里亚奉行的区域一体化和贸易政策完全是经济性质，该政策包括与厄立特里亚有着良好关系的苏丹。特斯法伊大使还否认厄立特里亚从苏丹走私武器。随后，厄立特里亚在其 2014 年 8 月 13 日的信中指出，Habteselasie 上校和 Bekit 先生是政府官员，“不参与而且不能参与非法走私武器。Habteselasie 上校是总统办公室通信主任，Nusredin Bekit 先生前几年任红海公司区域经理，尔后被任命为贸易和工业部长”（见附件 4）。

B. 南苏丹的情况

34. 厄立特里亚历来与南苏丹反对派团体有关系。厄立特里亚政府曾通过全国民主联盟(民主联盟)向苏人解提供军事支持，该联盟是联合反对喀土穆政权的各政党和武装团体的联盟。从 1990 年代中期至 2005 年签署《全面和平协定》，厄立特里亚持续向民主联盟提供培训和装备，该协定结束了中央政府与南部反叛分子之间的冲突。²⁸ 厄立特里亚主要通过苏丹东部向苏丹解放军提供军需品，苏丹解放军与民主联盟其他武装团体一道部署了武装力量。²⁹ 2000 年代初，苏丹与厄立特里亚之间的关系有所改善。这两个国家提升了外交关系，并同意加强其经济和政治联系。此外，关于支持对方反对派团体的谴责逐渐减少。³⁰ 同时，厄立特里亚与新独立的南苏丹的领导人之间的关系似乎已经恶化。苏丹问题专家告诉监测组，阿费沃基总统感到不安，认为南苏丹、埃塞俄比亚和政府间发展管理局之间的关系得到加强。³¹

支持忠于里克·马查尔的苏丹人民解放军反对派部队

35. 2013 年 12 月，南苏丹主要领导人之间日益紧张的关系导致爆发暴力。当前南苏丹内战的根本原因主要在于该国对其领导人和族裔群体极度不信任，这可追溯到苏丹内战(1983-2005 年)。³² 2013 年初，南苏丹总统萨尔瓦·基尔·马亚尔迪特开始对政府进行重大改革，同时广泛努力处理腐败问题，尽量减少据称对其领导地位的威胁，并缓和与喀土穆的紧张关系。2013 年 6 月，基尔总统因腐败指控撤消了两名主要内阁成员的职务。他还撤消了副总统里克·马查尔和执政党

²⁸ 见 www.hrw.org/sites/default/files/reports/sudan0898%20Report.pdf。

²⁹ 见 S/2011/433，第 328 段。此外，一些人在整个任务期间提供了证词，他们熟悉苏丹、南苏丹和厄立特里亚之间的历史关系，其中包括南苏丹政府现任高级官员。

³⁰ 见 www.sudantribune.com/spip.php?article46924。

³¹ 2014 年 2 月在亚的斯亚贝巴约谈 1 名厄立特里亚专家；2013 年 11 月举行秘密欧洲外交简报会；2013 年 11 月在内罗毕约谈 1 名前厄立特里亚情报官员。

³² 国会研究事务处：南苏丹危机，2014 年 1 月 9 日。见 www.sudantribune.com/spip.php?article50354 和 <http://allafrica.com/stories/201403200472.html>。

秘书长 Pagan AmumOkech 的职务。原本是基尔总统与马查尔之间的一场政治权力斗争演结果变成国内冲突，努埃尔族支持马基尔，丁卡族主要支持基尔总统。随着暴力升级，联合国估计数千人丧生，110 多万人境内流离失所，至少 80 万人在邻国寻求避难。³³

36. 随着冲突加剧，关于厄立特里亚支持马查尔部队的报告开始浮出水面。³⁴ 监测组三次访问朱巴，调查调查这些指控。³⁵ 南苏丹政府高级官员告知监测组，有人看到一架 C-130 “大力神” 运输机四次运送设备：

- 2014 年 1 月 14 日：琼格莱州 Gadiang
- 2014 年 1 月 24 日：团结州 Leer (或 Ler)
- 2014 年 2 月 25 日：马拉卡勒镇东南 Galachel
- 2014 年 2 月 28 日，南马拉卡勒 Panyikang 附近

37. 一名南苏丹军事情报高级官员告知监测组，南苏丹军队有证据证明厄立特里亚在琼格莱州博尔东北约 80 公里处卸货。该高级官员说，在缴获的物品中包括 AK-47 步枪、迫击炮和高射炮弹药。³⁶

38. 监测组要求南苏丹政府向监测组提供证据，证明上述三项指控。迄今为止，监测组未收到证据，无法独立核实关于厄立特里亚违反第 1907(2009)号决议的指控。

39. 监测组对会员国和若干独立消息人士进行了咨询，他们都说没有任何证据证明厄立特里亚曾向支持马查尔先生的武装反叛分子提供军事和后勤支助，这些消息人士曾访问南苏丹一些冲突区，厄立特里亚被控在那些地区卸货。³⁷ 其中一名武器专家视察了在南部团结州缴获的武器藏匿点，并断定这些武器由苏丹北部部队提供，最有可能直接来自喀土穆。最后，³⁸ 一个会员国向监测组提供了一

³³ 人道主义事务协调厅，“南苏丹危机：截至 2014 年 1 月 7 日形势报告”，第 8 次报告，2014 年 1 月 7 日，可查阅 www.unocha.org/south-sudan/。

³⁴ 见 www.sudantribune.com/spip.php?article50354 和 <http://allafrica.com/stories/201403200472.html>。

³⁵ 2013 年 11 月和 2014 年 3 月监测组三次访问朱巴。2013 年 11 月在朱巴约谈高级官员军事情报局和对外情报局高级官员。随后，2014 年 3 月分别约谈国内安保总局和对外情报局反恐处高级官员，他们也证实了这些说法。

³⁶ 2013 年 11 月在朱巴约谈高级官员军事情报局和对外情报局高级官员。随后，2014 年 3 月分别约谈国内安保总局和对外情报局反恐处高级官员，他们也证实了这些说法。

³⁷ 在整个任期内涉及南苏丹和非洲之角的三个会员国通报了情况。2014 年 4 月约谈一个非政府组织，该组织在南苏丹开展了相当规模的行动。

³⁸ 2014 年 6 月与一名秘密消息人士通过 Skype 进行了联系，此人曾长时间在南苏丹冲突区检查武器和弹药情况。

份区域秘密情报，其内容与南苏丹官员告诉监测组的据称厄立特里亚卸货日期不一致，也无法予以证实。

David Yau Yau 反叛团体

40. David Yau Yau 是琼格莱州民兵领导人，曾参与南苏丹东部皮博尔县的武装冲突。Yau Yau 在 2010 年皮博尔县议会选举中失败后开始反抗南苏丹政府。在其位于琼格莱州东南部的穆尔勒族部落成员的支持下，Yau Yau 拒绝认输并发动叛变。2012 年，David Yau Yau 再次在皮博尔县发动另一次反抗政府运动。2014 年 1 月 7 日，南苏丹官员宣布，他们已与 David Yau Yau 反叛部队达成停火协议。³⁹

41. 南苏丹政府高级官员告知监测组，厄立特里亚多次向 Yau Yau 反叛分子提供后勤支援以及培训和武器。此外，他们还称，他们于 2013 年 5 月缴获了一批隐藏的武器。⁴⁰ 南苏丹当局称，这批隐藏的武器包括数百支 AK-47 步枪和伊朗制 G-3 步枪，以及其他后勤物资，如设备、粮食、糖和电池，但没有向监测组具体说明他们缴获的武器和弹药实际数目。

42. 这些官员还告诉监测组，厄立特里亚人曾使用简易机场向反叛分子提供后勤和军事支持。此外，根据监测组获得的一份情报报告，厄立特里亚支持 Yau Yau 是间接支持埃塞俄比亚反叛团体“甘贝拉民主运动和军队”，Yau Yau 在皮博尔县向该团体提供庇护。David Yau Yau 为该团体提供避难所以换取武器和后勤物资，而该团体则受到 David Yau Yau 部队的保护。这一保护使该团体能够在南苏丹境内招募阿努阿克人，以便在埃塞俄比亚西部 Gambella 市 Pinyuodo 镇及南苏丹和埃塞俄比亚边界沿巴罗河地区发动袭击。⁴¹

43. 尽管南苏丹当局明确承诺向监测组提供证据供检查和核查，但监测组没有机会见到证据，证明厄立特里亚政府曾向 Yau Yau 反叛部队提供武器和弹药。

支持 George Athor Deng 中将

44. 南苏丹政府高级官员告知监测组，他们缴获了厄立特里亚向 George Athor 反叛分子提供的军事和后勤设备。⁴² 此外，南苏丹官员多次保证他们将向监测组提供武器供检查，但监测组未得到证据。

45. 同时，监测组获得 George Athor 中将反叛部队前副指挥官 Peter Kuol Choi Awan 的证词，他的指控与南苏丹政府指控相同。⁴³ George Athor 建立了南苏丹

³⁹ <http://southsudanoday.net/default/2014/02/05/yau-yau-rebels-sign-a-cease-fire/>。

⁴⁰ 2013 年 11 月 1 日在朱巴约谈军事情报局高级官员。随后，2014 年 3 月分别约谈国内安保局和对外情报局反恐主义股高级官员，他们也证实了这些说法。

⁴¹ 监测组掌握的区域内会员国提供的机密军事情报报告。

⁴² 2013 年 11 月在朱巴军事情报局高级官员。随后，2014 年 3 月约谈国内安保局高级官员，他们也证实了这些说法。

⁴³ 2014 年 3 月监测组会见了 Awan 先生。

民主运动/军队(SSDM/A),并在2010年未当选琼格莱州州长之后领导对苏丹解放军的反叛运动。David Yau Yau 派系(也称为 SSDM/A-Cobra)自2010年以来一直属于更广泛的 SSDM/A 运动,当时 George Athor 任总指挥官。然而,2011年12月 Athor 死后,这两个集团之间的附属关系结束。²²

46. Choi 先生在 George Athor 被暗杀后接任该集团指挥官。Choi 先生告诉监测组,厄立特里亚军事人员曾协助从厄立特里亚向苏丹东部 George Athor 转运武器。当时他任副指挥官,负责管理该集团武装部队。第一批军火由喀土穆组织和落实,在科尔多凡以北“Lobeit”附近交货,并于2011年2月20日空运至一个未披露的地点。⁴⁴ 据 Choi 先生称,为协助交货,苏丹提供武器公司所需的“最终用户”证书。2011年7月19日交付了第二和第三批武器。⁴⁵

47. 这些武器先运往厄立特里亚,然后运入苏丹东部。Choi 告诉监测组,厄立特里亚人协助从其领土走私武器,但未直接提供武器。最后,Choi 证实 George Athor 与厄立特里亚军事情报局人员发展关系,旨在向该集团提供训练,但他补充说 George Athor 反叛部队从未在或从厄立特里亚接受过军事训练。监测组曾报告,苏人解声称2010年至2011年 Athor 至少访问 Asmara 三次(见 S/2011/433)。

不配合监测组工作

48. 尽管监测组多次访问南苏丹,而且尽管南苏丹政府承诺交出其涉嫌缴获的武器和物品让监测组检查,但监测组还不能独立核实这些指控。此外,无法进入南苏丹大部分地区使监测组无法从独立来源收集更多信息,无法证实南苏丹官员的说辞,这是监测组面临的切实挑战。⁴⁶

49. 在澄清和证明厄立特里亚支持在南苏丹活动的叛乱分子和武装团体方面,南苏丹高级官员个人在不同程度上配合了监测组的工作。厄立特里亚继续与苏丹人民解放军/运动(苏人解/运动)的领导人保持密切接触。苏人解/运动的两名高级军官和若干消息来源在监测组整个任务期间秘密向其报告称,他们怀疑苏丹人民解放军/运动的某些人员和厄立特里亚政府之间联系密切,而且他们的密切联系可以追溯到南苏丹抗争北方时期,这也是不配合监测组工作的一个关键原因。⁴⁷

三. 对该区域武装团体的支持

50. 安全理事会第 1907(2009)号决议第 15(b)段禁止厄立特里亚向旨在破坏区域稳定的武装反对派团体提供支助,第 15(d)段明确禁止厄立特里亚庇护、资助、协助、支持、组织、训练或者煽动个人或团体对该区域其他国家或其公民实施暴

⁴⁴ 交付的第一批武器包括 400 支 AK-47 步枪和 2000 箱弹药。

⁴⁵ 交付的第二批和第三批武器包括 1 207 支 AK-47 步枪、4 个 RPG-9 火箭榴弹、7 个 12.7 毫米自动武器和 30 个 RPG-7 火箭榴弹。该消息人士不记得交付给该集团的武器和弹药确切数量和类型。

⁴⁶ 2014 年 4 月和 3 月约谈苏丹人民解放军军事情报官员和苏人解官员。

⁴⁷ 见 www.sudantribune.com/spip.php?article42703。

力或恐怖行为。⁴⁸ 根据第 1907(2009)号决议，监测组调查了厄立特里亚是否正在武装、训练或装备包括青年党在内的武装团体及其成员。

51. 厄立特里亚支持区域武装团体，与其与埃塞俄比亚存在敌对关系这一更大范畴的外交政策有关联。监测组调查了厄立特里亚在非洲之角的关系，在目前的任务期间未发现厄立特里亚支持青年党的任何证据。但监测组并不排除厄立特里亚可能向青年党内部人员提供一些援助但未被发现的可能性，但监测组的总体评估认为，厄立特里亚在索马里的作用很小，而且国际社会加强公众监督使得对青年党的任何直接支持都风险更大。

52. 但监测组得到的证词和证据表明，厄立特里亚继续支持邻国的反对派武装团体，特别是索马里和埃塞俄比亚的以下团体：

- 欧加登民族解放阵线(欧阵)
- 提格雷人民民主运动
- 金波特 7 号。

53. 监测组还注意到厄立特里亚向上述三个武装团体提供支持的规模和模式不同。以下各节将详述差异。

54. 监测组了解到，绰号“列宁”的 Fitsum Yishak 上校为埃塞俄比亚多个武装团体提供指导。⁴⁹ 监测组过去已两次确定 Fitsum 上校在督导训练和装备区域武装团体方面发挥了作用(S/2011/433 和 S/2012/545)。Tewelde Habte Negash 上校(又被称为“Amanuel Kidane”、“Wedi Kidane”、“Musa”上校和“Hagos”上校)，他负责督导索马里的多个团体。⁵⁰ Negash 上校和 Fitsum 上校的直接上级是 Tesfaldet Habteselassie 上校，据信，Habteselassie 上校是总统办公室负责安全和武装团体筹资的。⁵¹

⁴⁸ 监测组在 S/2010/91、S/2011/433 和 S/2012/545 等以往报告中记录了厄立特里亚支持区域武装团体的情况。

⁴⁹ 一系列消息来源确认 Fitsum 上校是监督和指导埃塞俄比亚反对派团体的关键人物。这些消息来源包括与监测组谈话的前战斗人员；2013 年 12 月的一名厄立特里亚前军官；2013 年 11 月在厄立特里亚军队内有积极联络人的一名厄立特里亚前上将；2013 年 12 月的一名厄立特里亚前高级官员；2013 年 10 月的一名厄立特里亚前外交官；以及 2014 年 2 月，该区域的一个会员国提供的一份机密情报通报。

⁵⁰ 一系列消息来源确认 Hagos 上校是索马里武装团体和厄立特里亚之间的关键人物。这些消息来源包括欧阵前战斗人员告诉监测组，Hagos 上校是其领导人和厄立特里亚政府之间的联络人；2014 年 2 月的一名前高级空军飞行员；2013 年 12 月厄立特里亚一名前军官；2013 年 11 月在军队内有积极联络人的厄立特里亚一名前上将；2013 年 12 月厄立特里亚的一名前高级官员。

⁵¹ 2014 年 3 月约谈人阵的一名前官员；2014 年 2 月一名前高级空军飞行员；2013 年 12 月厄立特里亚的一名前军官；2013 年 11 月欧洲的一份外交保密通报也确认 Habteselassie 上校是安全主管。

55. 监测组在 2014 年 2 月 14 日开罗会议期间以及在 2014 年 7 月 28 日视频会议期间分别要求厄立特里亚总统高级政治顾问 Yemane Gebreab 先生和厄立特里亚常驻联合国代表 Tesfay 大使提供有关厄立特里亚支持区域武装团体的信息(分别见附件 1 附件 3)。厄立特里亚在 2014 年 8 月 13 日的书面答复中未提供任何具体信息, 却说埃塞俄比亚在支持对抗厄立特里亚的武装团体, 并指出这些团体的目的是实现政权更迭; 答复中还说, 埃塞俄比亚继续占领包括巴德梅镇在内的厄立特里亚领土(见附件 4)。⁵²

A. 索马里

欧加登民族解放阵线

56. 监测组在先前的报告(S/2011/433 和 S/2012/545)中指出, 厄立特里亚一直向欧加登民族解放阵线(欧阵)提供后勤支持。厄立特里亚于 2000 年埃塞俄比亚-厄立特里亚战争快结束时开始支持欧阵。当时, 阿斯马拉正在通过扶持民兵和武装团体反对埃塞俄比亚在索马里的存在, 寻求在索马里开辟对抗埃塞俄比亚的“第二条战线”。

57. 监测组在上一次报告(S/2013/545)中还指出, 厄立特里亚的政策是, 在索马里联邦政府中培养若干高级别联络人, 从而在战略上影响新政府。监测组报告称, 厄立特里亚一直与跟索马里联邦政府有关联的军阀和破坏分子保持联系, 其中一些人反过来又与青年党有关联。

58. 在此方面, 在 2011 年年底和 2012 年年底之间对欧阵的支持减少后, 厄立特里亚重新启动了同欧阵领导人的接触, 当时欧阵与埃塞俄比亚政府之间的和平谈判于 2012 年 10 月破裂后, 欧阵做出了战略决定, 将基地转移到了摩加迪沙。监测组收到证词称, 欧阵已结束与青年党的宿敌关系, 这两个运动似乎在后勤方面达成了谅解, 方便欧阵在索马里境内的行动。⁵³

2013 年 8 月阿斯马拉会议

59. 在 2013 年 8 月第二周期间, 厄立特里亚在阿斯马拉郊外一个地点为欧阵举行了一次会议。参加了会议的两名欧阵成员指出, 至少 31 名欧阵中央委员会成员, 包括欧阵主席 Abdurahman Mohamed Umar Osman 和防务专员 Sheikh Deeq Mohamed 出席了会议(见附件 6.1 所列 25 名已知的与会者清单)。

60. 会议由厄立特里亚总统高级政治顾问 Gebreab 先生、国家情报主任 Abraha Kassa 和区域情报官员 Negash “Mussa” 上校组织和主办。3 名厄立特里亚官员宣布会议

⁵² 厄立特里亚常驻联合国代表团向监测组提供了以下媒体报道, 作为其声称埃塞俄比亚窝藏武装团体的佐证: <http://debirhan.com/?p=4886> 和 <http://www.sudantribune.com/spip.php?article51074>。

⁵³ 2014 年 7 月和 2014 年 8 月约谈欧加登一名前情报人员; 2014 年 7 月索马里一个外国安全消息来源的保密情报。

开幕，会议开始之后他们就离开了会场。会议进行过程中欧阵主席、Gebreab 先生和 Negash 上校举行了非公开会议。⁵⁴与会者指出，会议的既定目的是为欧阵筹集资金，制定招募新战斗人员战略，建立武器库以及讨论欧阵在该地区的存在。

61. 出席会议的欧阵指挥官告诉监测组，会前欧阵主席告诉他们，厄立特里亚政府特工定期给欧阵送现金。⁵⁵欧阵一名指挥官说，厄立特里亚当局利用 Tawakal 银行的哈瓦拉汇款系统和钱袋向欧阵在迪拜的银行账户汇现金。账户由身在澳大利亚的欧阵副主席 Mohamed Ismail 控制，但登记的名字是“Abdi Shakur Mohammed Nur”。之后这些钱通过不详的哈瓦拉汇款系统从迪拜汇到索马里。⁵⁶监测组无法核实这些姓名，并继续调查涉嫌的哈瓦拉汇款系统。

62. 会上，欧阵中央委员会决定将行动转向摩加迪沙，因为在索马里的该地区，埃塞俄比亚的影响力小，开展行动相对容易。⁵⁷其目的是从摩加迪沙采购武器，并向索马里中部部署战斗人员，之后进入埃塞俄比亚欧加登地区。⁵⁸2013 年之前，欧阵的大部分武器都是通过各种途径从也门运来的，之后运到博萨索和 Las Qoray 之间区域。欧阵一名前指挥官告诉监测组，2013 年 8 月会议前他已两次前往阿斯马拉，讨论厄立特里亚如何能够利用其 Ageeg 港，为在索马里北部采购武器提供便利。⁵⁹但监测组的证据表明，欧阵最近还从索马里南部采购了武器。⁶⁰

部署到摩加迪沙

63. 阿斯马拉会议后，欧阵中央委员会开始向摩加迪沙部署军事和情报人员。消息来源告诉监测组，两组人走两条路前往摩加迪沙。第一组人由 Sheikh Deeq Mohamed 带领经也门到摩加迪沙，第二组人经开罗、坎帕拉、内罗毕到达摩加迪沙。⁶¹监测组得到了一个多次入境厄立特里亚的签证，签证号为 01052，此人的

⁵⁴ 2014 年 3 月 12 日约谈一名欧阵指挥官。

⁵⁵ 2014 年 2 月 21 日和 2014 年 5 月 14 日约谈一名欧阵指挥官。

⁵⁶ 2014 年 7 月 25 日约谈一名欧阵指挥官。

⁵⁷ 依据对欧阵两名指挥官和欧阵一名特工人员的多次访谈；2014 年 7 月和 2014 年 8 月约谈一名欧加登前情报人员。

⁵⁸ 2014 年 2 月 21 日和 5 月 14 日约谈 2 名欧阵指挥官。

⁵⁹ 2014 年 7 月 25 日约谈一名欧阵指挥官。

⁶⁰ 2014 年 7 月 4 日约谈的与欧阵关系密切的一个消息来源称，邦特兰和索马里兰限制欧阵行动网络后，2012 年以来，摩加迪沙已逐渐变成了一个行动基地。该消息来源称，欧阵与索马里联邦政府内部建立了联系，以确保在摩加迪沙内的行动稳定。这一点将在下文讨论。2014 年 6 月 10 日和 7 月 4 日约谈的与欧阵有关联的两个消息来源称，他们知道，过去欧阵通过在也门的渠道将武器运到了索马里东北部。

⁶¹ 2014 年 5 月 14 日约谈一名欧阵指挥官时，他说，2013 年 10 月，他经开罗前往坎帕拉，之后前往内罗毕和摩加迪沙。另一名指挥官 2014 年 2 月 27 日指出，他知道谢赫 Deeq Mohamed 经也门去了摩加迪沙。

旅行线路与确定的第二条路线一致。2013年10月18日，摩加迪沙移民当局在机场拦住了一个名为 Yussuf Mohamed Hussein 的人。Hussein 离开肯尼亚东北部地区的一个难民营前往内罗毕。之后他从内罗毕飞往阿斯马拉。2013年10月11日，他在阿斯马拉获得了厄立特里亚移民文件。他从阿斯马拉前往开罗、坎帕拉、内罗毕，最后到达摩加迪沙。索马里刑事调查局在摩加迪沙将他拘留，理由是他的旅行线路和文件异乎寻常，让人怀疑他在为青年党做事。支付了现金后他最终获释⁶²（见附件 6.2，Hussein 移民文件副本）。

64. 情报处副处长 Ali Ahmed Hussein Ibrahim Dheere 自己回忆称，他和那些人一道经开罗、坎帕拉和内罗毕前往摩加迪沙，扩大欧阵在摩加迪沙的业务能力。Dheere 于 2013 年 10 月抵达摩加迪沙。⁶³ Dheere 在摩加迪沙逗留期间于 2013 年 10 月底或 11 月初会晤了当时的索马里联邦政府总统府国务部长 Farah Sheikh Abdiqadir。他说，他奉命让索马里联邦政府批准欧阵在该市的存在。根据他的自述，这名部长未以任何方式正式承认欧阵，但仍然允许 Dheere 自由行动，因为他并未被捕，也未被要求离开该国。⁶⁴ 此外，监测组查看了 Dheere 在摩加迪沙逗留期间的电话记录，发现他定期与厄立特里亚的联络人沟通。2013 年 11 月 5 日至 11 日期间，Ali Dheere 给厄立特里亚的 2 个移动电话号码打了 3 通电话，他接听了从一个在阿斯马拉座机打来的 4 通电话。

在索马里采购武器

65. 在一个单独访谈中，Ali Dheere 指出，欧阵的总体计划一直是在索马里购买武器，因为这里购买容易，包括从索马里联邦政府库存中购买（见 S/2013/413 附件 6，索马里联邦政府官方储备的武器和弹药流失案例研究报告）。Dheere 将 Sheikh Deeq 指定为该行动的采购负责人。⁶⁵ 另一名也出席了 2013 年 8 月厄立特里亚会议的欧阵指挥官告诉监测组，他在会后不久获悉，Sheikh Deeq 与 5 个人抵达摩加迪沙，还有 6 名来自肯尼亚难民营的欧阵战斗人员与他们会合。Sheikh Deeq 协调了从索马里向埃塞俄比亚招募和部署欧阵战斗人员工作，并在前往索马里中部之前从摩加迪沙发出了一批武器。⁶⁶ 与 Sheikh Deeq 接触比较多的一个消

⁶² 摩加迪沙国际机场的消息来源记下了此人的行程，复印了他的厄立特里亚移民文件。消息来源称，交付了现金后，机场当局释放了此人。

⁶³ 2014 年 2 月、2014 年 3 月和 2014 年 5 月约谈 Ali Dheere。

⁶⁴ 2014 年 5 月约谈 Ali Dheere。他称自己被摩加迪沙哈伯盖迪尔/Ayr 部族的一个联络人带去见 Farah Abdiqadir。在 2014 年 6 月 10 日另一次访谈中，欧阵的一名前指挥官表示，他于 2013 年 2 月与欧阵金融代理人 Faizal Dahir Nur 一道前往摩加迪沙，尽管 Farah Abdiqadir 告诉他，索马里联邦政府不欢迎欧阵，但他还是在此会晤了 Farah Abdiqadir。

⁶⁵ 2014 年 3 月约谈 Ali Dheere。

⁶⁶ 2014 年 2 月 21 日约谈欧阵指挥官，2014 年 7 月 4 日约谈与谢赫 Deeq 接触密切的一个消息来源。

息来源也告诉监测组，在他待在摩加迪沙期间，Sheikh Deeq 与一批军火商达成了武器交易。⁶⁷

66. 几个消息来源证实，欧阵的行动集中在摩加迪沙以北 Galkacyo 附近。Galkacyo 被用作处理战斗人员进出埃塞俄比亚的基地，也是武器转送到埃塞俄比亚的中心。一名前欧阵战斗人员告诉监测组，2013 年 11 月，他和 Galkacyo 一个名叫“Jawasi”的欧阵武器交易商一道从 Galkacyo 前往摩加迪沙。⁶⁸ 与欧阵关系密切的另一个消息来源称，最近听说 Sheikh Deeq 在 Galkacyo 开展行动。⁶⁹ 从肯尼亚东北 Haghadheere 难民营招募的第三名欧阵战士指出，2013 年 10 月，他奉命前往 Galkacyo，他在那里见到了一个名叫 Sheikh Ibrahim Abdi Mohamed Abdi 的欧阵指挥官。这名战斗人员告诉监测组，Abdi 指示他前往索马里兰。⁷⁰ 据监测组获得的可靠消息，Sheikh Ibrahim Abdi 既是欧阵，又是青年党的特工人员。⁷¹

67. 监测组还收到了有关欧阵在索马里兰推动欧阵活动的支撑网的资料。欧阵阿斯马拉会后不久，2013 年 9 月，从哈尔格萨经 Galkacyo 被部署到摩加迪沙的一名战斗人员称，他还奉指示在坎帕拉逗留，而其他被招募到欧阵人员奉命过境。⁷²

欧阵——青年党之间的后勤谅解

68. 欧阵在 Galkacyo 的行动基地集中在 Baradle 社区，这被称为青年党在该市的藏身之地。⁷³ 此地以及欧阵在索马里不同地方开展行动的能力让人质疑，欧阵要想开展其政治和军事活动，就必须穿过青年党控制地区，但该团体是如何做到的呢？监测组约谈的欧阵成员都否认与青年党有任何关系，并指出两个组织是宿敌。一名前指挥官告诉监测组，欧阵方面任何承认与青年党有关系，都会使欧阵感到丢脸，会导致该团体的失败。⁷⁴ 另一方面，监测组收到对此问题有直接了解的消息来源提供的两份可信的独立证词，提出了欧阵与青年党内部人员无业务联系概念相反的观点。第一份证词来自欧加登前情报人员，他告诉监测组，欧阵在索马里与青年党相互协调，以便自由、安全地通过青年党控制区域，特别是与

⁶⁷ 2014 年 7 月 4 日的访谈。

⁶⁸ 2014 年 5 月 14 日的访谈。

⁶⁹ 2014 年 7 月 4 日的访谈。

⁷⁰ 2014 年 2 月 25 日约谈一名欧阵前交战人员。此人在到达索马里兰前被邦特兰当局逮捕。

⁷¹ 2014 年 2 月约谈两名索马里情报官员。

⁷² 2014 年 3 月 12 日约谈的一名欧阵前战斗人员说，他早在 2011 年就待在哈尔格萨，欧阵的若干弹药采购干事也派驻在该市。

⁷³ 2014 年 2 月 25 日约谈邦特兰情报消息来源以及 2013 年期间青年党 Galkacyo 的 Amniyat 协理。

⁷⁴ 2014 年 7 月 25 日约谈欧阵一名指挥官。

索马里兰索勒州接壤地区以及基斯马尤下朱巴南部地区。⁷⁵ 掌握实地情况第一手资料的一名安全官员告诉监测组，2014年5月27日和28日，青年党袭击了巴科勒州受过埃塞俄比亚训练的民兵，其中就有欧阵人员。消息来源表示，当部署的埃塞俄比亚国防部队随后还击时，显然可以看到，欧阵战斗人员参与了袭击，而且青年党一直让欧阵人员驻扎在他们附近一个地点的据点。⁷⁶ 索马里巴科勒州州长在访谈中也接受美国一家媒体驻索马里分社的采访时也谈到了此次袭击。他在访谈中称，欧阵与青年党合作，从而暗示这两个团体都卷入了这起事件。⁷⁷ 欧阵随后于2014年6月5日发表了一份声明，否认参与了此次袭击。⁷⁸

69. 根据多个确凿证词，监测组得出结论认为，厄立特里亚继续违反第1907(2009)号决议向欧阵提供后勤和财政支助，当欧阵将其业务中心移到摩加迪沙后，由于欧阵和青年党都仇视和反对埃塞俄比亚的区域政策，因此，这两个团体似乎达成了后勤谅解。

B. 埃塞俄比亚

提格雷人民民主运动

70. 监测组收到了多份相互印证的证词，称厄立特里亚继续违反第1907(2009)号决议第15(b)段支持提格雷人民民主运动。

71. 提格雷人民民主运动又以提格里尼亚语的首字母缩略词称为“Demhit”，是埃塞俄比亚提格雷人民解放阵线(提格雷人阵)的持不同政见者于2001年成立的一个埃塞俄比亚武装反对派团体。提格雷人民民主运动称其目的是“建立一个民族和国籍权利得到尊重的民众民主埃塞俄比亚政府”。⁷⁹

72. 监测组曾报告过厄立特里亚对提格雷人民民主运动的支持(S/2012/545)。2012年，监测组发现，提格雷人民民主运动正在厄立特里亚东海岸外的一个红海岛屿 Harena 接受培训，还在埃塞俄比亚与厄立特里亚之间边境附近的较小军事训练前哨基地接受培训。监测组获得的资料表明，提格雷人民民主运动继续在 Harena 接受培训(带有 Harena 位置的地图见附件 7.1)。⁸⁰

⁷⁵ 2014年7月和2014年8月约谈一名欧加登前情报人员。

⁷⁶ 2014年7月索马里一个外国安全消息来源的保密情报。

⁷⁷ 访谈全文在美国之音驻索马里广播上播放，可查阅：www.voasomali.com/content/article/1929782.html。

⁷⁸ 见 <http://onlf.org/?p=602>。

⁷⁹ 来源是提格雷人民民主运动的网站：<http://demhitonline.blogspot.com.tr/p/aim.html>。

⁸⁰ 金波特7号前战斗人员告诉监测组，他们看到提格雷人民民主运动在 Harena 接受培训。此外，2013年11月和2014年8月约谈了在军事机构内有积极联系的一名前厄立特里亚将军；2014年3月约谈了一名前人阵高级官员。

73. 提格雷人民民主运动定期发布录像，其中申明其致力于拿起武器反对埃塞俄比亚政府。⁸¹ 然而，很难核实关于提格雷人民民主运动和埃塞俄比亚军队军事对峙的资料。一名与提格雷人民民主运动领导人有联系的非政府组织成员告诉监测组，他获悉 2013 年 11 月在埃塞俄比亚阿姆哈拉地区附近的 Benishangul 发生了冲突。⁸² 一名在厄立特里亚军队内有积极联系的前厄立特里亚将军还告诉监测组，2013 年秋季埃塞俄比亚军队与提格雷人民民主运动之间发生了一场武装冲突。⁸³ 此外，监测组收到的信息表明，提格雷人民民主运动在 2013 年年底参加了一场对厄立特里亚国内持不同政见者的武装镇压。⁸⁴

74. 与厄立特里亚军队和该运动自身领导人有关系的独立消息来源告诉监测组，提格雷人民民主运动已成为厄立特里亚境内最重要的埃塞俄比亚反对派团体，它具有双重职能，既是一个埃塞俄比亚武装反对派团体，也是阿费沃基政权的一个保护者。⁸⁵ 其战斗人员来自阿费沃基总统的同一个族裔群体，被视为忠于他个人；与之形成对照的是，国防部队的忠诚最近几年来受到总统的质疑。⁸⁶ 在 2013 年 1 月 21 日针对厄立特里亚政权的“Forto”军队叛乱企图失败之后(见 S/2013/440)，这一点被认为特别重要。

75. 监测组估计，目前有数万提格雷人民民主运动战斗人员。⁸⁷ 两名前厄立特里亚高级官员和一名前厄立特里亚将军均与军方和政府有联系，他们告诉监测组，厄立特里亚对提格雷人民民主运动的支持似乎比对其他埃塞俄比亚武装团体

⁸¹ 2014 年 6 月 2 日发布的一段提格雷人民民主运动视频称，其内容是提格雷人民民主运动战斗人员在学习军事和政治课程后毕业：<http://tpdmtv.vidmy.com/video/93i663y9zcc0>。2013 年 5 月 23 日发布的录像据称展示了提格雷人民民主运动袭击埃塞俄比亚执政党埃塞俄比亚人民革命民主阵线的能力：www.youtube.com/watch?v=tuodBhoUZQ0。

⁸² 2014 年 7 月 Skype 约谈一名与提格雷人民民主运动领导人有联系的非政府组织成员。

⁸³ 2013 年 11 月约谈一名在军队内有积极联系的前厄立特里亚将军。

⁸⁴ 2013 年 12 月约谈一名前厄立特里亚高级官员，2013 年 11 月约谈一名在军队内有积极联系的前厄立特里亚将军。这一事件还在媒体上得到报道；见 <http://hornaffairs.com/en/2013/12/16/eritrea-unraveling-isaias-afeworki-authored-identity/http://awate.com/a-mercenary-army-isaias-afwerkis-last-stand/>。

⁸⁵ 2014 年 3 月约谈一名前人阵官员；2013 年 11 月约谈一名在军队内有积极联系的前厄立特里亚将军；2013 年 12 月约谈一名厄立特里亚前高级官员；2014 年 7 月和 8 月 Skype 约谈一名与提格雷人民民主运动领导人有联系的非政府组织成员。

⁸⁶ 向监测组说明这一事态发展的包括：2013 年 12 月一名前厄立特里亚高级官员、2014 年 3 月一名前人阵官员、2013 年 11 月一名与军事机构有积极联系的前厄立特里亚将军、2014 年 1 月一名与苏丹和埃塞俄比亚有密切接触的向吉布提总统提供咨询意见的厄立特里亚消息来源。

⁸⁷ 这个判断基于来自一名厄立特里亚前高级官员(2013 年和 2014 年 8 月)以及一名前人阵高级官员(2014 年 3 月)的数字，这两个人均估计，目前有约 20 000 名提格雷人民民主运动战斗人员。此外，一名与厄立特里亚难民有密切联系的欧洲人权活动者也于 2014 年 4 月告诉监测组，新到达的难民曾告知她，厄立特里亚有“数万”提格雷人民民主运动战斗人员。

的支持更持久、更有组织。⁸⁸ 一个与一些武装团体领导人有直接接触的消息来源称提格雷人民民主运动的战斗能力似乎“远远超过”其他埃塞俄比亚团体。⁸⁹

76. 监测组还从两个在厄立特里亚国防军内有积极接触的消息来源获悉，厄立特里亚国防军后勤部门的武器正在系统地移交提格雷人民民主运动。⁹⁰ 一个可靠的前厄立特里亚高级军官消息来源告诉监测组，他的前同事告诉他，2013年秋季、最有可能在9月份，从厄立特里亚国防军向提格雷人民民主运动移交了下列武器：狙击步枪、Walther PP半自动手枪、Doshkas、Tokarev T手枪和双筒望远镜。⁹¹ 监测组尚未能够证实所提供的资料，也未能确认送给提格雷人民民主运动的武器是来自厄立特里亚国防军旧有库存，还是来自第1907(2009)号决议通过后为军队采购的武器。

77. 2014年2月15日，监测组在开罗向厄立特里亚总统的高级政治顾问 Gebreab 先生提出了武装提格雷人民民主运动所用武器来源的问题。Gebreab 先生告诉监测组，厄立特里亚政府不支持提格雷人民民主运动，他说后者的兴趣是与埃塞俄比亚政府作战。他还说，在他看来，没有人给提格雷人民民主运动任何武器。监测组在2014年3月7日(见附件1)和2014年8月1日(见附件3)的两封信中要求提供更多关于提格雷人民民主运动的资料。在2014年7月28日的一次视频会议中，Tesfay 大使没有答复监测组关于提格雷人民民主运动的问题，他说，埃塞俄比亚武装团体是埃塞俄比亚内部动态的产物。他强调指出，厄立特里亚没有参与埃塞俄比亚任何内部动荡。

金波特 7 号

78. 金波特 7 号是一个被禁止的反对派团体，2005年由致力于通过武装斗争实现埃塞俄比亚政权更迭的阿姆哈拉政治精英成立。⁹² 监测组以前记录了厄立特里亚对金波特 7 号的支持(见 S/2011/433 和 S/2012/545)。2012年，监测组收到相互印证的证词证实，3名金波特 7 号战斗人员在 Fitsum 上校指挥下在西部军事边界地区接受了培训。当时，监测组未能就这些战斗人员的组织联系达成结论，也未能核查其关于军事训练的说法，但它确实得出结论认为，他们与 Fitsum 上校有直接联系。

⁸⁸ 2013年12月约谈一名前厄立特里亚高级官员，2014年3月约谈一名前人阵官员，2013年11月和2014年8月约谈一名在军事机构内有积极联系的前厄立特里亚将军。

⁸⁹ 2014年7月和8月 Skype 约谈一名与埃塞俄比亚武装团体领导人有接触的非政府组织成员。

⁹⁰ 2014年3月约谈一名前厄立特里亚高级官员；2014年8月约谈在军事机构内有积极联系的一名前厄立特里亚将军。

⁹¹ 2013年11月约谈在军队内有积极联系的一名前厄立特里亚将军。

⁹² 如与金波特 7 号领导人有联系的一个非政府组织研究人员于2014年7月和2014年8月所述。

79. 监测组审查了表明厄立特里亚继续向金波特 7 号提供支助的新证据和证词。监测组分别与该团体的 3 名前战斗人员谈话，他们都证实 Fitsum 上校继续指导和监督金波特 7 号的培训。⁹³

80. 第一名战斗人员于 2014 年 1 月被俘，当时他在埃塞俄比亚境内执行侦察任务。被羁押在埃塞俄比亚期间，他在 2014 年 2 月 3 日与监测组的一次会议中说，他一直是金波特 7 号支持者，在邻国苏丹做日散工期间被征募加入其军事部门。厄立特里亚士兵接上他并将他带到厄立特里亚，他随后被送到 Harena 的一个训练营(带有 Harena 位置的地图见附件 7.1)。他在那里与另外 28 人汇合，他们被教授如何使用机枪、炸弹和手榴弹。他指出一个名叫 Dawitt 的厄立特里亚国防军上尉负责管理金波特 7 号的培训和日常业务。2013 年 12 月，这名被拘留者说，Dawitt 指示他和其他两名金波特 7 号成员前往埃塞俄比亚，以确定战略要地和今后运送武器的路线。所确定的地区是埃塞俄比亚大裂谷的阿瓦萨、阿法尔州的 Gewane 和阿姆哈拉州的贡德尔(地图见附件 7.2)。2014 年 1 月 20 日，这 3 名士兵在穿过贡德尔的森林时，被埃塞俄比亚安全部队逮捕。

81. 他和同事在埃塞俄比亚境内被捕时被指控携带武器，这些武器被呈给监测组检查。其中包括手榴弹、AK-47 和弹药(收缴的战斗人员武器见附件 7.3)。监测组检查了武器，发现手榴弹拉环的序号与监测组 2011 年记录的手榴弹拉环序列号相似。2011 年发现的手榴弹拉环是在厄立特里亚训练和武装的欧阵战斗人员身上收缴的。这些拉环都属于“79”序列，与当前任务期间在金波特 7 号战斗人员身上缴获的手榴弹拉环序列号相同。⁹⁴ 序列号的一致性有力地表明，这两套手榴弹来自同一个供应来源，监测组 2011 年认定来自厄立特里亚(监测组 2011 年和 2014 年检查的拉环照片见附件 7.4)。

82. 其他两名金波特 7 号前战斗人员隶属另一个 5 人战斗小组，他们是在南非约翰内斯堡工作期间被征募的。监测组于 2014 年 1 月 16 日和 17 日分别约谈了他们。第一个人自称是金波特 7 号武装部门的一个创始成员，但他没有任何文件表明他自称在该团体内的级别或地位。他告诉监测组，他在南非生活时于 2012 年 10 月帮助建立了“人民阵线”，他说该团体目的是征募散居国外的社区成员加入金波特 7 号武装部门。

83. 第二名前金波特 7 号成员告诉监测组，他是被人民阵线征募的。招募他的人员告诉他，他将被送往厄立特里亚接受军事训练。厄立特里亚驻比勒陀利亚大使馆于 2012 年 10 月 9 日向这名新征募人员颁发了一份厄立特里亚通行证；三天后，他使用该通行证离开约翰内斯堡，并于 2012 年 10 月 19 日经开罗抵达阿斯马拉(为该战斗人员提供的旅行文件和电子机票见附件 7.5)。

⁹³ 监测组于 2014 年 1 月 16 日和 17 日和 2 月 4 日在亚的斯亚贝巴会见了前金波特 7 号战斗人员。

⁹⁴ 监测组 2011 年报告中没有包括欧阵手榴弹拉环照片。关于该案的更多资料，见 S/2011/433，附件 8.3。

84. 这两名新征募的战斗人员抵达阿斯马拉时,据报金波特 7 号秘书长 Andargachew Tsige 会见了他们。⁹⁵ 他们花六个月等待于 2013 年 4 月开始的培训。这两个人告诉监测组,他们在 Harena 军事营地加入了一组 30 至 60 名金波特 7 号战斗人员,他们声称在 2013 年 12 月逃到埃塞俄比亚之前一直在那里。他们报告说,在 Harena 看到其他埃塞俄比亚武装反对派团体,包括提格雷人民民主运动、阿姆哈拉人民民主运动和奥罗莫解放阵线(奥阵)。⁹⁶ 培训长达一个月,包括游击战战术和手枪、自动武器、炸药和反坦克武器的火器培训。这些战斗人员称他们在 Harena 花了 7 个月等待指派任务。

85. 监测组无法独立核实前金波特 7 号战斗人员的说法。但根据他们相互印证的证词和对从他们身上收缴证件和武器的检查,厄立特里亚似乎仍在向金波特 7 号提供一些支助。但是,监测组无法评估这种支持与以往阿斯马拉对金波特 7 号的支持相比的程度。

86. 在 2014 年 7 月 28 日的一次视频会议中,监测组与厄立特里亚常驻联合国代表 Tesfay 大使分享了其调查结果,并要求厄立特里亚对一致的手榴弹拉环序号和从一名金波特 7 号战斗人员身上收缴的旅行证件提供解释。Tesfay 大使说,一定是埃塞俄比亚或那些被埃塞俄比亚抓获的人向监测组提供的手榴弹拉环,厄立特里亚也拥有埃塞俄比亚武器的序列号。2014 年 8 月 13 日政府的正式答复(见附件 4)与他的回答一致,其中称:“可能由有意陷害厄立特里亚的力量很容易地伪造的旅行证件;可能在厄立特里亚和埃塞俄比亚之间以往多年中多次战争期间易手的子弹或武器的序列号……不能视为厄立特里亚具有应让联合国安全理事会采取惩罚行动的不当行为的铁证。”此外,厄立特里亚政府没有提供证据来支持 Tesfay 大使关于其拥有埃塞俄比亚武器序列号的说法。

四. 为违反第 1907(2009)号决议的行动筹措资金⁹⁷

87. 监测组已进行了调查,以确定厄立特里亚政府的收入是否被转用于资助违反第 1907(2009)号决议的行动。监测组收集的资料来自对执政党人阵和厄立特里亚金融结构有直接了解的各种来源,以及之前获得厄立特里亚政府财政和后勤支持的该地区武装反对派团体成员。⁹⁸

⁹⁵ Andargachew Tsige 先生在 2014 年 6 月 23 日过境也门赴厄立特里亚途中被捕,7 月被引渡到埃塞俄比亚。

⁹⁶ 关于奥罗莫解放阵线的更多资料,见 S/2012/545。

⁹⁷ 安全理事会在其第 1907(2009)号决议第 19 段(b)中指出,监测组不妨审议应提请委员会注意的有关该决议第 16 和第 17 段执行情况任何资料。

⁹⁸ 整个任务期间多次约谈了厄立特里亚前高级官员、前外交官,以及欧洲、非洲、澳大利亚、中东和北美掌握该国财政和经济第一手资料的厄立特里亚商人。2014 年 1 月和 2014 年 2 月在亚的斯亚贝巴多次约谈了前战斗人员。此外,还于 2014 年 2 月在索马里约谈了一名前战斗人员,2013 年 10 月约谈了一名厄立特里亚军队前高级军官,并于 2014 年 2 月和 7 月 26 日约谈了一名欧阵指挥官。

88. 关于厄立特里亚的经济数据不可靠，因为该国的年度预算不公开，而且厄立特里亚政府不披露其批款。缺乏财政透明度继续造成含糊不清之处，并制约了对该国遵守第 1907(2009)号决议情况的有效监测。鉴于厄立特里亚财政管理的不透明性，很难确定收入是否被转用于资助违反行为。为支持这一决定，监测组已调查了厄立特里亚的收入和资金流动的性质和管理情况。

A. 资金的结构和控制

89. 监测组以往曾介绍过该国财务管理缺乏透明度(S/2011/433, 第 372-377 段)，这继续使厄立特里亚政府得以维持人阵控制的非正规经济，其中涉及通过纳入若干国家司法管辖机构内的一个复杂隐蔽的公司和商业实体网络管理的硬通货交易。

90. 厄立特里亚政府和人阵高级官员继续每年通过非官方收入获得数百万美元，其采取的私人商业安排方式涉及人阵在国内外经营的公司。⁹⁹ 虽然难以获得该国非正规经济规模的准确数据，但监测组估计收入流是可观的。监测组通过直接来源得到的信息称，政府官员已经建立并维持着一个没有用人阵名义登记的全球金融结构。这一架构包括避税地、秘密信托和官员名下的公司，在大多数情况下，公司是在个人名下。¹⁰⁰ 金融结构非常复杂，是在地方协调人或“政权之友”的协助下在几个国家建立的，这些人协助其客户建立令人无从追查的财政机制。¹⁰¹ 监测组大量记录了(S/2011/433 和 S/2012/545)厄立特里亚政府高级官员设立一个地下金融机构以创造和管理收入的过程。

B. 人民民主和正义阵线的秘密业务网络

91. 红海公司是厄立特里亚政府的主要采购工具。它进口一系列基本商品，从糖和米等主要日用食品到重型机械、技术和军事装备应有尽有。¹⁰² 监测组查看到金融交易，确认这些活动都与人民民主和正义阵线各公司，包括红海公司有关。¹⁰³ 红海公司的采购活动主要由设在迪拜的厄立特里亚的领事馆代表处理。¹⁰⁴

⁹⁹ 2013 年 11 月和 2014 年 3 月多次约谈在朱巴的厄立特里亚商人；2014 年 4 月、2014 年 5 月和 2014 年 6 月在迪拜；2013 年 10 月在坎帕拉。

¹⁰⁰ 掌握该国第一手财政资料的前厄立特里亚高级官员提供的资料。

¹⁰¹ 整个任务期间若干次约谈负责国家商业活动的厄立特里亚前高级官员和掌握该国财政和经济第一手知识的厄立特里亚商人。2013 年 10 月和 2014 年 1 月在内罗毕若干次约谈一名与厄立特里亚政府有联系的商人。

¹⁰² 有关军购的详情，见本报告第二.A 节关于苏丹东部的情况。

¹⁰³ 监测组获得了设在欧盟的主要金融机构的数千件机密银行和财务记录。

¹⁰⁴ 与官员访谈涉及 2014 年 5 月该国的采购活动。

92. 监测组还获得了人民民主和正义阵线在商品、运输和航运业所属公司的清单，其中包括 Himbol 金融服务公司、厄立特里亚海运公司、Transhorn 运输公司、Hidri 配送公司、EriEquip 公司和 Anderbeb 股份公司。¹⁰⁵

93. 监测组了解到，人民民主和正义阵线各公司和红海公司主要利用厄立特里亚住房和商业银行，并在海外对应银行设有账户，包括 Gazprombank 银行、DZ 银行、德国商业银行、中国进出口银行和 Banca Nazionale del Lavoro S.p.A. 银行。¹⁰⁶ 厄立特里亚银行业由三家主要商业银行支配，包括厄立特里亚住房和商业银行，这是一家由人民民主和正义阵线、厄立特里亚发展投资银行拥有多数股权的银行（主要服务于私营部门的长期资金需求）和厄立特里亚国有商业银行（提供大部分基本商业银行服务）。¹⁰⁷

94. 监测组以前记录了(S/2011/433)厄立特里亚如何管理离岸金融体系，由执政的人民民主和正义阵线党和(或)其支持者掌控，创造巨大收入来源。众多厄立特里亚可靠消息来源拥有人民民主和正义阵线的第一手资料，他们告知监测组，人民民主和正义阵线经济事务部部长 Hagos Gebrethiwet Maesho(又称 Hagos“Kisha”)，建立了离岸公司复杂的金融结构，让厄立特里亚在同样奉行保密的司法管辖区内掩盖身份。¹⁰⁸ 了解厄立特里亚金融结构的厄立特里亚政府前任和现任高官告诉监测组，人民民主和正义阵线官员在奉行保密的司法管辖区建立业务实体，是第 1907(2009)号决议通过后的主要手段。¹⁰⁹ 人民民主和正义阵线和政府官员在多个司法管辖区设立了所有制不透明的商业实体，用其在全球运作资金。¹¹⁰

95. 尽管各银行和金融司法管辖区对注册的商业实体有股东名册登记等各种要求，但其他公司或“代名人”也可作为公司实际股东或所有者的前台代名人，以最终掩盖真实的所有权。奉行保密的司法管辖区的律师、信托行和公司服务商均参与复杂的金融结构之中，力图或间接地绕过规避制裁。这种做法让人很难调查政府的收入是否用于资助违反安理会相关决议的行为。

96. 直接了解厄立特里亚财政情况的多个独立消息来源向监测组证实，Gebrethiwet 先生继续指示命令掩盖人民民主和正义阵线所属实体和金融结构的

¹⁰⁵ 与官员访谈涉及 2014 年 5 月该国的采购活动。

¹⁰⁶ 截至 2007 年 10 月，Banca Nazionale del Lavoro SPA 银行已经被法国巴黎银行收购。相应银行信息见 <http://www.erhcb.com/banks.htm>。

¹⁰⁷ 见基金组织报告：<http://www.imf.org/external/pubs/ft/scr/2003/cr03166.pdf>，第 34 页。

¹⁰⁸ 2013 年 12 月和 2014 年 5 月，与了解厄立特里亚商业活动的一名现任官员和一名前高级官员进行了若干访谈。

¹⁰⁹ 2013 年 12 月、2014 年 3 月和 2014 年 5 月，多次会晤了迪拜和朱巴的商人，包括访谈了厄立特里亚一名前高级官员。

¹¹⁰ 2013 年 12 月、2014 年 3 月和 2014 年 5 月，访谈了负责设立部分这些结构的厄立特里亚前高级官员。

管理方式。¹¹¹ 消息人士还告诉监测组，Gebrethiwet 先生是厄立特里亚采购活动中所有硬通货业务的主要财务协调员。¹¹² 过去，监测组还记录了 Gebrethiwet 先生在采购军事装备中的作用。2011 年，监测组发现，Gebrethiwet 先生参与了第 1907(2009)号决议通过前购买战斗机一事(S/2011/433，第 368 段)。

97. 监测组获得了关于人民民主和正义阵线高级官员控制的商业实体“H.T.Trust Limited 有限公司”的具体情报。该公司册在塞浦路斯共和国注册(注册号：127139)。监测组收到的可靠情报表明，Hagos Gebrethiwet 先生目前仍任人民民主和正义阵线经济事务部部长，注册为该公司所有人，而该公司正是违反第 1907(2009)号决议采购军火的一个渠道。

98. “H.T.Trust Limited 有限公司”成立于 2002 年，监测组证实，Hagos Gebrethiwet 先生被列为公司经理和最终实益拥有人(公司注册文件见附件 8.1)。“H.T.Trust Limited 有限公司”在注册章程中标为“买卖服装和鞋类”。其所有账户的预期信贷周转额为每年 5 000 万美元。

99. 监测组仔细检查了“H.T.Trust Limited 有限公司”2002 年成立以来的所有交易记录。监测组注意到，2003 年和 2005 年，从“H.T.Trust Limited 有限公司”有两笔电汇汇到“Deliza Limited 有限公司”，据称这是一家总部设在乌克兰的军火公司。¹¹³ 列为公司经理、在注册成立时在场的人民民主和正义阵线一名前高级官员表示，这些电汇是要用于在第 1907(2009)号决议通过前购买武器弹药(见附件 8.2，电汇证据)。

100. 监测组没有发现第 1907(2009)号决议通过后有任何明显的可疑交易或违法行为。监测组认真审查了该公司历来交易记录；据其评估，该公司还没有达到其在注册文件中表明的预计全年信贷营业额。监测组没有找到一项交易涉及到该公司表明的服装鞋类贸易，或与“H.T.Trust Limited 有限公司”进行商务贸易的任何服装鞋类贸易方。

101. “H.T.Trust Limited 有限公司”历史记录和交易记录显示，其符合人民民主和正义阵线官员成立单一离岸业务实体，隐瞒实际所有权、控制权和业务目的方法。¹¹¹ 监测组因此得出结论认为，“H.T.Trust Limited 有限公司”的业务活动和贸易活动不能准确反映其注册证书中所述的鞋类服装贸易目的，因此可能是掩盖厄立特里亚政府希望隐瞒的活动。

¹¹¹ 访谈了多个信息来源，包括厄立特里亚侨民活动家、厄立特里亚住房和商业银行、人民民主和正义阵线和厄立特里亚央行前高级官员，包括现驻朱巴、迪拜和伦敦的商人。

¹¹² 见 S/2011/433，第 377 段。2014 年 5 月和 12 月驻迪拜的人民民主和正义阵线现任和前任人员，2014 年 2 月和 4 月十分了解厄立特里亚全球金融结构的一名前高级官员也都证实了这条信息。

¹¹³ 公共领域关于“Deliza 有限公司”的信息有限。

C. 侨民税

102. 安全理事会第 2023(2011)号决议第 10 段谴责厄立特里亚政府为破坏非洲之角的稳定或违反相关决议，对海外的厄立特里亚人征收“侨民税”，用于采购武器和相关物资转交给武装反对派团体，或直接或间接地向这些团体提供服务或资金。此外，安理会在该决议第 11 段决定，厄立特里亚应停止使用敲诈勒索、暴力威胁、欺诈和其他非法手段在厄立特里亚境外对其国民或其他厄立特里亚裔人征税。

103. 为调查人民民主和正义阵线成员和厄立特里亚政府人员在境外征收侨务税的方法，监测组会晤了会员国代表，与在欧洲、中东、北美和东非的厄立特里亚侨民进行了 50 多次访谈。¹¹⁴

2%的重建和复苏税

104. 1994 年，厄立特里亚国民议会颁布了 2% 的重建和复苏税。颁布这项立法是为“缓解政府为支助战争致残者和烈士遗属迄今继续承担的巨额年度预算开支”。¹¹⁵ 厄立特里亚政府 2014 年 7 月 28 日致函委员会(见附件 2)表示，这项公告只适用于厄立特里亚在海外的公民，而非厄立特里亚裔的其他国家公民。关于第 2023(2011)号决议第 11 段，厄立特里亚政府在同一封信中提到“厄立特里亚侨民积极主动参与祖国的事务和发展。”虽然信中还表示，国内有明确的执法措施，如“不履行财政义务者不得获得营业执照和土地权利”。此外，2014 年 2 月 15 日在开罗会晤监测组时，厄立特里亚总统高级政治顾问 Gebreab 先生表示，这笔税收在政府向家庭提供的补贴中其实占很小的比例。他补充说，关于收税中的敲诈和欺诈的指控是不确实的，但是如果有公民不交税，在厄立特里亚可能得不到服务。

105. 监测组在整个任务期内，收到了厄立特里亚侨民和东道国当局的信息，表明厄立特里亚政府与人民民主和正义阵线向厄立特里亚海外公民和厄立特里亚裔外国国民征收各种境外税款。监测组获得来自联合王国、瑞典、加拿大的 2012 年、2013 年和 2014 年关于收税的收据和音像资料。¹¹⁶ 随后，监测组还收到各种可靠的证词，表明厄立特里亚政府和人民民主和正义阵线官员继续采取强制措施，收取厄立特里亚国民的钱款。拒绝付款者可能得不到护照，或返回厄立特里

¹¹⁴ 由于害怕厄立特里亚当局的报复，几乎所有来源都要求匿名。

¹¹⁵ 安全理事会关于索马里和厄立特里亚的第 751(1992)号决议和第 1907(2009)号决议所设委员会非正式磋商期间，厄立特里亚常驻联合国代表阿拉亚·德斯塔先生的发言。2012 年 4 月 18 日，纽约。

¹¹⁶ 2013 年 12 月 18 日，一名英国-厄立特里亚国民进入伦敦的厄立特里亚大使馆，身上藏有一个秘密摄像头。在提供给监测组并在公共领域流传的谈话录像和译文中，大使馆官员要求该人缴纳 2% 的税。

亚后得不到出境签证，或可能无法将货物运到厄立特里亚，除非向当局出示付款或结算证据(厄立特里亚驻多伦多和伦敦领事馆关于税收收据样本和谈话逐字记录见附件 9.1)。

106. 厄立特里亚境外税收付款手续因地而异，视是否有大使馆或领事馆而定。如某地无外交使领馆，当地的人民民主和正义阵线人员或积极分子则充当“收税人”。监测组根据国家执法人员、厄立特里亚目击者和厄立特里亚政府海外前代理人的证词估计，政府每年征收数千万美元(S/433/2011，第 381 段)。厄立特里亚政府表示，2010 年至 2013 年的 4 年中，共征收 7 300 万美元的税收(见附件 2)。

107. 第 1907(2009)号决议和第 2023(2011)号决议通过后，因会员国加大了公共监督力度，厄立特里亚政府似乎进一步遮掩了其收税手法。监测组收到厄立特里亚侨民和政府前官员的可靠证词，表明厄立特里亚海外使领馆收取税款。¹¹⁷ 在加拿大的一名厄立特里亚活动人士向监测组描述了这一过程。厄立特里亚驻多伦多领事馆通过审查加拿大税务局发出的个人所得税纳税评估数额，计算每名国民要付的税额。领馆官员在审查所得税表格后，提出个人要缴纳的税额，然后指示该人通过指定汇款机构(哈瓦拉)，或通过计划前往厄立特里亚的人电汇。哈瓦拉的身份尚未披露给监测组，但人们称其为厄立特里亚或索马里所属公司。¹¹⁸ 一旦资金转入厄立特里亚，哈瓦拉或代表汇款者的个人将把余款支付给外交部财务司。外交部则把款项存入厄立特里亚住房和商业银行指定的银行账户。关于收款人的收据，领事馆一名员工向支付税款的厄立特里亚国民指示如下：“你要通知在阿斯马拉为你付款的人，立即用电子邮件或传真给你传来收据。随后，你把收据副本和护照送给 Tekle(领事馆工作人员)，再给你护照续期。”(2014 年 6 月 18 日厄立特里亚驻多伦多领事馆官员录音译本，见附件 9.1)。

108. 监测组前几次报告(S/2011/433、S/2012/545、S/2013/440)大量报告了税收方法和参与收税的个人情况。在现任任务期间，监测组观察到，征收域外税的问题已经受到会员国更严格的审查。2014 年 7 月 10 日，加拿大政府宣布，已经指示外交部要厄立特里亚驻多伦多领事馆停止和终止征收侨民税的活动。加拿大外长表示，如果活动没有停止，加拿大政府将关闭该领事馆。¹¹⁹ 加拿大和德国政府曾发表声明，反对在其管辖范围内征收侨民税(S/2013/440 和 S/2012/545)。加拿大和德国政府分别警告过其管辖范围内的厄立特里亚领事代表。最近，一篇报纸文章报道，厄立特里亚驻堪培拉大使馆“强行”征收澳大利亚境内的厄立特里亚侨民的税款，对此，澳大利亚政府给予谴责。¹²⁰ 澳大利亚外交事务和贸易部通

¹¹⁷ 采访了加拿大多伦多的厄立特里亚社区成员，包括 2014 年 4 月、5 月和 6 月录制了与厄立特里亚驻多伦多领事馆一名官员谈话的人。

¹¹⁸ 2014 年 6 月，访谈了在加拿大的厄立特里亚一名前外交官和一名厄立特里亚人权活动人士。

¹¹⁹ 见 www.cbc.ca/news/politics/john-baird-warns-eritrean-consulate-over-diaspora-tax-1.2701635。

¹²⁰ 见 www.sbs.com.au/news/article/2014/03/16/australian-eritreans-forced-pay-illegal-tax。

报监测组，他们指示国家和地方相关政府机构报告任何违反第 1907(2009)号决议和第 2023(2011)号决议、在澳大利亚收税的图谋。¹²¹

109. 此外，荷兰外交部告知监测组，若干媒体文章报道了征税问题，其中称厄立特里亚人被迫支付“2%的税”。对此，外交部召见了厄立特里亚驻海牙临时代办 Negasi Kassa Tekle 先生，要其澄清在荷兰的厄立特里亚官员征收侨民税的情况。外交部通报监测组，在荷兰，厄立特里亚当局向其国民征收此税并非非法(《维也纳领事关系公约》也未禁止)，除非运用敲诈或威胁手段。虽然外交部多次收到荷兰境内厄立特里亚侨民的投诉，表明有官员在收税，但关于威胁或勒索的证据仅是传闻而已，¹²² 外交部不会就投诉采取正式行动，特别是因为收到的报告是匿名的，没有报告给地方执法部门或司法机关。

110. 2014 年 2 月 4 日，瑞典议会司法委员会举行侨民税问题辩论。最后，司法委员会中执政联盟各党拒绝了禁止向瑞典境内厄立特里亚外籍人士强行征税的举措。¹²³ 瑞典议会多数政党同意，侨民税是非法行为，特别是在瑞典和厄立特里亚之间没有常设双边协议的情况下。然而，国际法允许一个国家向居住在另一国家的公民征税。不过，委员会认为，瑞典现行法律足以制止任何敲诈勒索、威胁要挟收税的做法。议会内的共识是，受到胁迫和(或)威胁而缴税的瑞典籍厄立特里亚国民，应向当地执法部门报告。

给厄立特里亚国防军的捐助

111. 监测组此前报道(S/2012/546)，在一些国家，除“2%侨民税”外，厄立特里亚侨民可能还要捐助厄立特里亚国防预算。例如，在加拿大，2%的税表上规定了国防捐款，即“捐赠国防，抵制埃塞俄比亚入侵”。监测组收集了厄立特里亚侨民提供的许多证词，表明政府将继续为厄立特里亚武装部队筹集资金，作为在侨民中征集款项活动的一部分。¹²⁴ 此外，监测组还掌握了财务记录，显示 2013 年有一笔加拿大-厄立特里亚银行转账，价值 1 480 美元，汇至阿斯马拉的外交部。这笔转账显示，资金来自 2%的税和国防基金(又称 Mekete 基金)。电汇是通过设在德国法兰克福的相应银行转账的，转给了厄立特里亚住房和商业银行。¹²⁵ 如监测组前面指出(S/2012/545，附件 3)，为厄立特里亚军费开支筹集款项大概违反

¹²¹ 2014 年 7 月，与澳大利亚外交事务和贸易部官员的谈话。

¹²² 2014 年 6 月，与荷兰外交部一名外交官的电子邮件往来。

¹²³ 与提出禁止征收 2%税的动议的现任瑞典议员进行若干次谈话。

¹²⁴ 2013 年 11 月至 2014 年 6 月，多次采访了厄立特里亚侨民中可靠的信息来源，包括负责厄立特里亚财政和采购的前高级官员、商人和在肯尼亚、挪威、瑞典、乌干达、联合王国、美国的前高级官员。

¹²⁵ 监测组获得了一家欧洲银行的银行保密记录，说明该银行被利用为厄立特里亚住房和商业银行的代理银行。

了第 1907(2009)号决议第 5 段。该段要求各会员国采取必要措施，特别防止武器禁运规定的对厄立特里亚军事活动的财政援助。

五. 采矿部门收入

112. 在第 2023(2011)号决议第 12 段，安全理事会表示关切，厄立特里亚采矿部门有可能为破坏非洲之角稳定提供资金，呼吁厄立特里亚表明其公共财政是透明的，证明这些采矿活动的收入没有用于违反相关决议，其中包括第 1844(2008)、1862(2009)、1907(2009)和 2023(2011)号决议。

113. 在 2014 年 2 月 15 日在开罗的一次会议上，监测组向厄立特里亚总统特别政治顾问 Yemane Gebreab 提出了自然资源收入问题，Gebreab 先生同意提供过去三年的预算文件，以证明收入和支出。监测组采取后续行动，在 2014 年 3 月 7 日(见附件 1)和 2014 年 8 月 1 日(见附件 3)的两封信中要求提供这些文件，但没有收到此种材料。2014 年 7 月 28 日厄立特里亚政府给委员会的信(见附件 2)中没有充分答复监测组提出的问题。

114. 尽管没有获得官方预算数据和有关厄立特里亚政府拨款信息的重要途径，监测组就该政府是否为支持构成违反第 1907(2009)号决议行为的活动通过该政府的金融机构转移来自采矿收入的硬通货进行了调查。监测组独立获得并审查了与采矿活动有关的数百条财务记录。监测组未能查明显示来自采矿收入的资金用于违反有关决议行为的可疑转账活动。但是，厄立特里亚政府缺乏财务透明度，这造成了结构上的模糊不清并使对该国遵守第 1907(2009)号决议情况的有效监测受到限制。

115. 如同监测组以往报告(S/2012/545)所述，厄立特里亚采矿公司的外国直接投资往往通过该国一个复杂和多元化的公司网络进行。根据监测组获得的财务记录，在厄立特里亚自然资源部门运营的公司不停向该国各种商业实体和银行账户电汇大笔资金。大量汇款是汇给一个在厄立特里亚注册为“Colonnade 采矿集团”的公司。¹²⁶ 监测组确认，“Colonnade 采矿集团”是一个设在厄立特里亚的专业钻井公司，并充当多个勘探和采矿公司的服务提供商。¹²⁷ 此外，监测组发现的汇款数额巨大的原因是在该国自然资源部门运营的公司产生的业务和开发成本。持有各类许可证的公司(探矿和(或)采矿)必须在厄立特里亚汇款，以支付固定和可变业务和开发成本，并为开展其业务从当地公司和厄立特里亚本国供应商处采购。这些公司还需要为从当地和国际供应商处购买燃料、重型设备和建筑材料将资金汇入厄立特里亚。

¹²⁶ 监测组获得并检查了来自大型欧洲商业银行的数百条保密银行记录。

¹²⁷ 与一名直接了解该国自然资源部门的专家、一名前厄立特里亚高级官员和一名负责采购的前厄立特里亚外交人员的多次访谈。

116. 此外，在厄立特里亚开展业务的公司需要支付高昂的费用，在世界其他地方的业务往往没有此类费用。厄立特里亚政府坚称，勘探公司必须把在厄立特里亚的当地分支机构视为独立的金融实体，这意味着会计记录由当地企业全面审计。这些措施是为确保采矿公司在厄立特里亚纳税，并确保本地运营分支机构遵守国际会计准则。据业内专家介绍，由于实行固定汇率，在厄立特里亚经营的外国采矿公司的总成本往往是高昂的。大多数在厄立特里亚经营的采矿公司即使大部分业务是在厄立特里亚开展，在国外也拥有现金储备。因此，这些公司的周转基金必须以纳克法和美元计价。公司必须在厄立特里亚按 15 纳克法兑 1 美元的固定汇率购买当地货币。¹²⁸ 多年来当地通货膨胀迫使采矿公司以高昂成本支付粮食和电力等基本费用。

117. 考虑到这些成本，并在对显示厄立特里亚的勘探和采矿公司进行大量电汇的财务记录进行认真检查后，监测组评估认为，汇款数额巨大的原因是这些公司在实地开展业务时产生的业务和开发成本。

A. 厄立特里亚的采矿活动

118. 厄立特里亚政府一直积极努力吸引本国和外国投资者增加投资，特别是对该国采矿业的投资。该国政府向一些来自澳大利亚、加拿大和中国的外国公司颁发了开采铜、金、钾肥和锌储量的许可证。据厄立特里亚政府称，大约有 17 个外国公司已被授予矿产资源勘探和开发许可证(见附件 2)。

119. 根据采矿法，国际采矿公司可以在厄立特里亚运营，该法赋予厄立特里亚国家采矿公司(ENAMCO)参与合资的权利。¹²⁹ 除了 10% 的免费附带权益，厄立特里亚国家采矿公司有权按照商定条款再购买所有新的采矿项目 30% 的权益。¹³⁰ 如果厄立特里亚国家采矿公司决定购买有权购买的这其余 30% 的权益，它将贡献约三分之一的项目资本成本，并享有 40% 的股利。¹³¹

120. 厄立特里亚矿产和能源部和在厄立特里亚运营的勘探公司之间似乎有密切的关系。所有想要在该国运营的外国公司有权开采商业性矿床。在有效勘探许可证下发现的矿床得到该国采矿法的保证。此外，这些公司受益于有利及简单的税

¹²⁸ 与目前在厄立特里亚开展业务的多名商人和厄立特里亚侨民，包括现任和前任厄立特里亚高级官员确认了汇率。

¹²⁹ 有关厄立特里亚境内采矿和有关业务的法律框架载于采矿法中，该法包括矿产品公告第 68/1999 号，采矿收入税公告第 69/1995 号和采矿业务条例法律通告第 19/1995 号。

¹³⁰ 根据采矿法第 68/1995 号公告第 41 条：“在不妨碍采矿法第 68/1995 号公告第 7 条规定的条件下，政府可以免费获得任何矿业投资最多 10% 的参与权益。政府还有权参股，总百分比不超过 40%，其中包括上文提到的 10%，百分比、时间、供资、所产生的权利和义务以及其他详情应通过协议来规定”。

¹³¹ 在 2014 年 3 月、2014 年 5 月和 2014 年 7 月，与目前在厄立特里亚积极开展业务的一家欧洲矿业公司的首席执行官进行了谈话、电话和电子邮件交流。

制。采矿业务产生的所得税设定为 38%，并且对采矿作业所需的所有投入征收 0.5% 的名义进口关税。特许权费率从贱金属的 3.5% 到贵金属的 5% 不等，同时设有豁免及特别条件。另外，对股息免税。¹³²

许可证制度¹³³

121. 探矿许可证——一年有效，不得再次申请。

勘探许可证——初期三年有效，可以续两次，每次期限一年。

采矿许可证——20 年有效，可以续 10 年。

许可证类型	许可证费用(美元)	年租金(每公里)
探矿	80	8
勘探	240	32
采矿	960	96

生产

122. 厄立特里亚生产多种矿物质及矿物产品，包括珊瑚、花岗岩、砂石石膏、石灰、石灰石和水泥等。以下公司即将投产：

- Zara 矿业股份公司——由厄立特里亚国家采矿公司(40%)和中国上海外经集团运营，可能在今年年底投产
- Andiamo 勘探公司将在 2016 年投产
- 上海建筑集团公司和加拿大的 Sunridge 黄金公司将在 2016 年投产(阿斯马拉项目)。

123. 耐森资源公司作为唯一一家生产企业，向厄立特里亚政府支付生产税款、特许权使用费和股权付款。

B. 对厄立特里亚政府的付款

124. 据经营 Bisha 矿的加拿大矿业公司耐森公布的数据，该公司 2013 年向厄立特里亚政府支付了 8 500 万美元的收入税、特许权使用费和其他政府汇款。该公司 2012 年支付的总金额为 3.17 亿美元，大大高于 2013 年的金额。¹³⁴ 该公司估

¹³² 根据矿产公告，“颁发许可证的主管机关可在认为适当的情况下，通过请求相应的政府机构减少、暂停或免于征收特许权使用费。”

¹³³ 见 www.eritrean-embassy.se/wp-content/uploads/Eritreas-Mining-Resources-and-Opportunities-2009.pdf。

¹³⁴ 耐森 2013 年企业社会责任报告，可在以下网页查阅：http://www.nevsun.com/pdf/NevsunCSR_2013_May2013.pdf。

计，它将在未来十年中因采矿向厄立特里亚政府支付共 140 亿美元。据厄立特里亚政府称，矿产资源预计对经济增长的贡献不大(见附件 2)。此外，厄立特里亚政府称，耐森 2011 至 2013 年的付款是在支付“因购买该公司 30% 权益产生的贷款的偿债所需资金和在生产前设立厂房的初始资本支出的金额巨大的按比例付款”之前的金额。

125. 2014 年 4 月 28 日，监测组致函耐森首席执行官，想要确认通过采矿收入获得的硬通货没有通过厄立特里亚政府的金融机构为支持违反第 1907(2009)号决议行为而拨出和分配。在 2014 年 5 月 8 日给监测组的一份书面答复中，耐森称，它与供应商有很多保密协定，这限制了该公司与第三方分享公司专有信息的能力。因此，耐森拒绝向监测组披露有关付款如何转给厄立特里亚政府或这些资金是向哪些银行、机构或公司支付的信息。该首席执行官还称，这些问题完全是耐森公司不了解或无法作出影响的，并且有关公共资金分配的问题应向厄立特里亚政府提出。与此同时，在 2014 年 7 月 28 日监测组与 Tesfay 大使代表的厄立特里亚政府进行的视频会议期间，Tesfay 先生称，监测组应向耐森公司提出具体问题，特别是有关付款是如何转给厄立特里亚政府的问题。

126. 耐森是在厄立特里亚运营的唯一采矿公司，并向厄立特里亚财政部支付特许权使用费和税款，鉴于厄立特里亚财务管理的不透明和缺少预算拨款的情况，很难确定是否采矿活动产生的资金转用于资助违反第 1907(2009)号决议的行动。

六. 阻碍执行第 1862(2009)号决议的行为

127. 监测组以前曾报告过有关阻碍执行安全理事会第 1862(2009)号决议的行为的具体情况，最近是在其 2012 年和 2013 年有关厄立特里亚的报告(S/2012/545 和 S/2013/440)中。

128. 在其第 1907(2009)号决议第 4 段，安全理事会要求厄立特里亚提供关于 2008 年 6 月 10 日至 12 日两国边境冲突以来在作战中失踪的吉布提战斗人员的信息，以便有关方面确定吉布提战俘的存在和状况。

129. 监测组在 2011 年的报告(S/2011/433)中表示注意到厄立特里亚拒绝讨论 19 名吉布提军事人员一事，这些军事人员据报在作战中失踪，吉布提当局认为他们被作为战俘扣押在厄立特里亚。

130. 2011 年 9 月 16 日，两名吉布提战俘，即上等兵 Ahmed EeleeeyeYaabe 和 KhadirSumbul Ali 从厄立特里亚监狱越狱。2011 年 10 月 6 日，吉布提常驻联合国代表致函联合国秘书长，告知有两人越狱，同时指出，厄立特里亚政府迄今一直否认关押任何吉布提战俘(S/2011/617)。随后，监测组在其 2012 年的报告(S/2012/544)中证实，厄立特里亚当局确实扣押吉布提军事人员，已知至少 5 名战俘当时还活着(S/2012/544)。

131. 此外，监测组还在其报告(S/2012/545，第 137 段)中，建议厄立特里亚政府立即提供所有与 2008 年 6 月敌对行动后在押吉布提战俘或据报战斗中失踪吉布提军事人员现况有关的现有信息。不过，提请厄立特里亚代表注意该建议的信函草稿被一位委员会成员搁置。

132. 监测组继续注意到，在 2010 年 6 月 6 日吉布提和厄立特里亚在卡塔尔国主持下签署的《全面协定》中关于战俘问题的第 3 条方面，没有取得任何进展。2014 年 4 月 22 日，在监测组和吉布提大使馆在多哈举行的一次会议上，吉布提官员告知监测组，仍有 17 名吉布提人被厄立特里亚扣押。他们补充说，吉布提准备推进卡塔尔主持下的调解进程，该进程被他们描述为“已冻结”。此外，与卡塔尔和吉布提领导层有联系的消息灵通人士告知监测组，调解进程已停滞。¹³⁵

133. 厄立特里亚政府尚未承认扣押吉布提战斗人员，也没有提供其现况信息。监测组在 2014 年 7 月 28 日的视频会议期间向 Tesfay 大使提出了有关吉布提战俘的明确问题，并且监测组在其 2014 年 8 月 1 日的信函(见附件 3)中再次提出这些问题。在其 2014 年 8 月 13 日的书面答复(见附件 4)中，厄立特里亚政府没有提到吉布提战斗人员问题，但表示致力于实施《全面协定》和卡塔尔主持的调解进程。

134. 与以往报告一样，监测组指出，安全理事会第 2023(2011)号决议要求厄立特里亚提供有关战斗中失踪或作为战俘被厄立特里亚扣押的吉布提作战人员的信息。

135. 监测组的评估结论一直是：厄立特里亚否认扣押吉布提战俘和拒绝提供信息的行为构成阻碍执行第 1862(2009)号决议，应考虑根据第 1907(2009)号决议对负责者采取有针对性的措施。

七. 阻碍监测组的调查或工作

136. 安全理事会在第 1907(2009)号决议第 15(e)段和第 2111(2013)号决议中第 3 段中禁止阻碍监察组的调查或工作，并规定此种阻碍是列名的标准。

137. 在第 2111 (2013)号决议中第 31 段中，安全理事会着重指出“安理会期待厄立特里亚政府提供方便，让监察组不再拖延地进入厄立特里亚”。此外，在第 2111(2013)号决议中第 32 段中，安全理事会敦促所有会员国“确保同监察组合作”，并确保“监察组成员可以不受阻碍地接触监察组认为与执行任务有关的人、文件和地点”。

138. 另就上文第一节 A 部分和 C 部分而言，厄立特里亚政府一直阻止监测组履行其任务，前往阿斯马拉或在厄立特里亚境内开展调查。

¹³⁵ 2013 年 11 月的欧洲联盟保密简报会；监测组 2014 年 1 月在吉布提与具有高层联系的厄立特里亚政治分析家的面谈。

139. 监测组认为那些对阻碍行为负责者违反第 1907(2009)号决议第 15(e)段和第 2111(2013)号决议第 3 段。

八. 建议

与厄立特里亚政府相互接触

140. 监测组建议，委员会请厄立特里亚政府向监测组提供在其接触中和与厄立特里亚政府的官方函件中请求提供的信息。

资助违反第 1907(2009)号决议的行为

141. 监测组建议，安全理事会请会员国鼓励为厄立特里亚银行和人阵商业实体处理账务或主管往来账户的包括跨国银行在内的国际金融机构，在监测组开展调查时与其合作。

Annex 1

**Somalia and Eritrea Monitoring Group correspondence,
dated 7 March 2014 (S/AC.29/2014/SEMG/OC.14)**

UNITED NATIONS



NATIONS UNIES

SOMALIA AND ERITREA MONITORING GROUP

REFERENCE: S/AC.29/2014/SEMG/OC.14

7 March 2014

Excellency,

I have the honour to address you in my capacity as Coordinator of the Somalia and Eritrea Monitoring Group (SEMG) mandated pursuant to paragraph 27 of Security Council resolution 2111 (2013), which is attached for ease of reference. Also attached is the letter from the Secretary-General appointing the members of the Group (S/2013/495).

In accordance with its mandate, the Monitoring Group is responsible for investigating, *inter alia*:

- violations of the arms embargos on Somalia and Eritrea;
- acts that threaten the peace, security or stability of Somalia;
- obstruction of humanitarian assistance to Somalia;
- Eritrean support for individuals and groups responsible for destabilization of, or violence in, the region;
- obstruction of the implementation of resolution 1862 (2009) concerning Djibouti;
- obstruction of the work or investigations of the Monitoring Group; and
- violations of the ban on the exportation and importation of charcoal from Somalia.

I am writing following the meeting in Cairo, Egypt, on 14 February 2014, organized under the auspices of the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, between the Monitoring Group and the Government of Eritrea, represented by Mr. Yemane Gebreab, Special Political Advisor to the President of Eritrea, and in the presence of representatives of the Republic of Korea's Mission to the United Nations and the Security Council Subsidiary Organs Branch, Security Council Affairs Division of the UN Secretariat. This meeting followed the earlier meeting between the Government of Eritrea and the Monitoring Group convened in Paris, France, on 8 December 2013.

During the meeting in Cairo, the Monitoring Group discussed the following investigations with Mr. Gebreab, who agreed to provide additional information along the lines below.

/...

His Excellency
Mr. Araya Desta
Permanent Representative of
Eritrea to the United Nations
New York

cc: Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

Arms Embargo

The Monitoring Group raised reports of possible violations that include the arming of the Tigray People's Democratic Movement (TPDM) by the Eritrean People's Militia. Mr. Gebreab was aware of such reports and the Monitoring Group requested information on the possible sources of these arms.

The Monitoring Group raised the issue of the Asha Golgol facility, which is reported to be used for military procurement by the Eritrean Defense Force. Mr. Gebreab informed the Monitoring Group that this facility is a technical facility that is used for strengthening Eritrean technical capacity in the areas of machinery, transportation, computer assembly and solar power. The Monitoring Group discussed with Mr. Gebreab potential access to the facility and in the meantime requested further information regarding this facility, which Mr. Gebreab offered to provide in following up on the request.

Diaspora Tax

The Monitoring Group raised the issue of Eritrea's diaspora tax, about which it continues to receive information, and requested feedback from Mr. Gebreab in order to better understand how the tax is collected and used. Mr. Gebreab offered to provide a detailed written response, but provided an initial explanation. Specifically, the Monitoring Group requested:

- Further details on how this tax works;
- Any information that addresses concerns about the contribution of this tax to the destabilization of the Horn of Africa; and
- Any information that addresses concerns about the manner in which the tax is collected.

Natural Resources

The Monitoring Group raised the issue of natural resources in order to better understand the use of revenues from natural resources and requested transparency with regards to Eritrea's budget and its expenditures. Mr. Gebreab acknowledged that there was insufficient information about the budget and offered to provide budget documents for the last three years of the Government of Eritrea, which give a comprehensive and complete picture of revenues and expenditures. Additionally, the Monitoring Group requested information on Eritrea's mining sector.

Visit to Eritrea

In the overall context of the issues raised during the meeting in Cairo, the Monitoring Group and Mr. Gebreab also discussed the possibility of a visit to Asmara. Accordingly, we look forward to continue this discussion.

We would appreciate your reply to the Monitoring Group's information requests above at your earliest convenience through the Secretary of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, Ms. Snjezana Gillingham (Room DC2-0854, United Nations, New York, NY 10017; fax: +1-212-963-1300; email: gillingham@un.org).

S/AC.29/2014/SEMG/OC.14

page 3

In the meantime, the Monitoring Group remains available for further dialogue and closer engagement with the Government of Eritrea.

Please accept, Excellency, the assurances of my highest consideration.



Jarat Chopra
Coordinator
Somalia and Eritrea Monitoring Group
Security Council Resolution 2111 (2013)

Annex 2

Government of Eritrea correspondence, dated 28 July 2014 (S/AC.29/2014/NOTE.27/Add.1)

SECURITY COUNCIL COMMITTEE PURSUANT
TO RESOLUTIONS 751 (1992) AND 1907 (2009)
CONCERNING SOMALIA AND ERITREA

S/AC.29/2014/COMM.65
28 July 2014
ORIGINAL: English

Note verbale dated 28 July 2014 from the Permanent Mission of
Eritrea to the United Nations addressed to the Secretary of the
Committee

The Permanent Mission of the State of Eritrea to the United Nations presents its compliments to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1991) and 1907 (2009); and in reference to latter's letter S/AC.29/2014/SEMG/C.14, dated 7 March 2014, has the honour to attach herewith Eritrea's written response to the issues contained in the aforementioned letter.

The Permanent Mission of Eritrea to the United Nations avails itself of this opportunity to renew to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1991) and 1907 (2009) the assurances of its highest consideration.



New York, 28 July 2014

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البعثة الدائمة لدولة إريتريا
لدى الأمم المتحدة - نيويورك

Permanent Mission of The State of Eritrea
To the United Nations, New York

**Eritrea's Response to the Information Request Contained in the Letter
S/AC.29/2014/SEMG/C.14**

14 July 2014

1. The Government of Eritrea (GOE) has been engaged with the Chair of the Security Council Committee, H.E. Ambassador Oh Joon, and has actively participated in good faith in the meetings that took place in Paris and Cairo, which were facilitated by his office.
2. It must also be underlined that the Government of Eritrea (GOE) on several occasions and at different venues has communicated, in writing and orally, its perspectives and explanations concerning the unjust and illegal sanction resolutions as well as different allegations levelled against it. However, in the sprite of cooperation and engagement, Eritrea sees the need to once more spell out its views on the number of issues which have been raised in the Paris and Cairo meetings in hopes of dispelling the politically motivated lingering misperception and assumptions.
3. In these written responses and meetings, Eritrea has expressed its concern regarding the manner in which SEMG has discharged its mandates. Eritrea once again reiterates the need for Somalia Eritrea Monitoring Group (SEMG) to respect the standards for investigation as stipulated in the Report of the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997) which, inter alia, underscores the need for expert panels to rely on verified information and documents, and ensure that their "assertions are corroborated by solid information and that their findings are substantiated by credible sources". It must also refrain from dwelling into matters that does not fall within its mandate. The principle of transparency, objectivity and impartiality must be respected.

I. The 2% Recovery and Rehabilitation Tax (RRT)

4. Eritrea wants to underline that the levying of various taxes is surely the prerogative and sovereign right of any country and exclusive matter that concerns its citizens.

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e-mail : general@eritrea-unmission.org



Moreover, the UN Security Council Resolution 2023 (2011) does not prevent Eritrea from collecting Recovery and Rehabilitation Tax (RRT).

5. The RRT is part and parcel of Eritrea's taxation law and system. It has its own evolution and history. Historically, Eritreans in all walks of life voluntarily contributed to the national cause during the 30-year armed struggle for independence and self-determination. This was at a time when the international community had largely ignored the inalienable national rights for self-determination and predicaments of the Eritrean people. In those years, Eritreans abroad came together in civil society associations organized along professional, occupational and gender dimensions to raise funds in support of relief and developmental work in the liberated areas and to conduct public awareness campaigns. The magnitude of their contributions varied from place to place and with time. Generally, monthly contributions from members of the associations of Eritrean students hovered around 10% while that of Eritrean women and workers reached 20% of their gross income. This voluntary financial contribution was not only vital in terms of mitigating the humanitarian consequences of the protracted war for independence; but it was indispensable in reinforcing the bond between the Diaspora and their compatriots at home.
6. After Eritrea's independence in 1991, the nascent government faced enormous economic challenges and hurdles. In addition to devastated infrastructure and economy, the GOE had to address an onerous social burden for the upkeep of the families of martyrs and the disabled; over **60,000 martyrs** and over **10,000 war disabled**. The GOE allocated a monthly payment of 500 Nakfa (birr at the time) for families of martyrs that is payable for the lifetime for the parents while limited until the age of 18 years for minor dependents and siblings of the martyrs. All war disabled fighters that could not be fully rehabilitated with employable skills are also beneficiaries for monthly payments. The demobilization programme was another major project implemented in 1994 largely through government funds.
7. Under these circumstances, and as many citizens in the Diaspora launched spontaneous and voluntary but fragmented initiatives, to raise funds for the above



mentioned noble and humanitarian causes it became essential and necessary to institutionalize those initiatives. Eritreans residing abroad discussed the matter on the bases of their experience during the 30-years struggle for independence. The overriding desire was to imbue some structure and uniformity to what was effectively a burgeoning spontaneous and voluntary grassroots movement. Subsequently with clear objective of funding a countries social and development programs, in 1994, the Eritrean National Assembly enacted the Rehabilitation and Recovery Tax Proclamation (RRT). The RRT Proclamation **specifically targets** only Eritrea citizens in Diaspora, not citizens of other countries of Eritrean decent. The rate was fixed at a low of 2% of net income; in a country where personal income tax is progressive and reaches 38%.

8. The Rehabilitation and Recovery Tax was envisaged as a time-bound provision which would wind up at some time in the near future as the economy of the new country grows and the social responsibility and burdens eases. This was underlined during the discussions at the Eritrean National Assembly, although it was not articulated in the form of a definitive *sunset clause* at the time of its proclamation. However, subsequent developments, and notably the border war instigated by Ethiopia in 1998 and its sequel, have made revision of the RRT Proclamation practically impossible. It must be underlined that the border war between Eritrea and Ethiopia (1998-2000) had cost life of 19,000 Eritreans and has created additional martyrs families.
9. The legality of the RRT is unambiguous, and purposes laudable. It represents a symbolic burden sharing by the Eritreans in Diaspora with the people inside the country. In this sense, its historical, moral, humanitarian and patriotic contents and values are more significance and profound than its material dividend. In fact, the funds collected annually are modest that should not be overstated when compared with government budget and expenditure on basic social services. For the last four years, for instance, the aggregate RRT collected annually vary from a total of 14.8 million US dollars in 2010 to 24.7 million US dollars in 2013. **In those four years, the aggregate RRT collected does not exceed 73 Million US dollars, while budgetary appropriation by the Government for the family of martyrs**



and war disabled individuals for the same period hovers around 28 million US dollars annually, which is almost 112 million dollars for the four year period.

10. The distorted allegations that the GOE employs “*extortion, threats of violence, fraud and other illicit means*” to collect the RRT is utterly baseless. It is a deliberate misinformation aimed at creating misperception about the active and voluntary participation of the Eritreans in Diaspora in the affairs and development of their country. The GOE has neither the means nor the desire to enforce the RRT proclamation through extra-legal means. As is the case in all countries, Eritrea has specific clauses on the rights and obligations of citizens concerning taxation. Regarding the RRT, there are explicit enforcement measures implemented domestically such as “denial of business license and land entitlements to those who fail to meet their fiscal obligation”. These measures are not and cannot be implemented extraterritorially. They do not also curtail the natural right of Eritrean citizens to visit their home country or relatives so long as they are holders of Eritrean national identity card or passport. They don’t need a visa to enter Eritrea. Furthermore, as it is propagated in some quarters and is frequently echoed in the reports of the SEMG, there is no “*harassments against their families living in the country*”.
11. Another misperception is that the “UN Security Council Resolution 2023 (2011) prevents Eritrea from collecting the RRT”. No provision in the stated resolutions prevents Eritrea from levying 2% tax from Eritreans residing abroad. The measures imposed by some countries, under the pretext of implementing UN Security Council Resolution are incorrect and constitute at best, a misinterpretation of the Resolution. In fact, it is incumbent on the Security Council as well as the SEMG to alert the member countries when their actions in implementing the UNSC resolutions are not consistent with the provisions of the resolution.
12. Given the fact that the African Diaspora recognized as the Sixth Region of Africa by the Head of States of the African Union (AU) and the establishment African Remittance Institute becoming a reality, Eritrea which has effectively and



independence and 24-years national economic development must be commended and emulated, not punished and obstructed.

II. Eritrea's Mining Revenues

13. Eritrea is endowed with mineral resources that are expected to make a modest contribution to economic growth. At present, there are around 17 foreign companies that have been granted mineral exploration and development licenses, but to date only Bisha has been doing actual production.
14. The languages used in UNSC Resolution 2023 (2011) concerning the Eritrean mining sector leaves much to be desired. There are two aspects of the resolution that require emphasis. First, the recommended action is, once again, anchored on hypothetical assumptions and **potential use**. In the first place, the edifice from which the purported measures ensue rests on speculative and presumptive ground as it relates to a "potential" rather than an "actual" act that has been established beyond any reasonable doubt. It is not based on factual and solid evidences of Eritrea's misuse of revenues from the mining sector for acts that breach international law. In fact, the burden of proof is curiously transferred from the plaintiff to the accused party. This is not in consonance with, but rather contrary to, rudimentary legal and procedural principles. Second, the fact that these guidelines were optional underscores, even if in an implicit manner, that the sponsors of the resolution were not comfortable with the rational and logic of the case they wanted to make.
15. It must be underlined that revenues from Eritrea's first mining plant began to materialize at more or less the same period when Resolution 2023 (2011) was adopted. Although Nevsun, the Canadian-based mining company, started prospecting and exploration activities in Bisha in 2003, production began in 2010 only. Bearing in mind that the principal reason why the sanctions against Eritrea were imposed in 2009 had to do with its purported financing of Al-Shebaab well before the start of the mining operations in Bisha, the sudden switch to the "potential use of mining revenues for destabilization" is very tenuous to say the least.



16. In the Bisha Mining operation, the Canadian company, Nevsun, holds majority (60%) share in operations, while the Eritrean National Mining Company holds the remaining 40%. Nevsun is a publicly quoted company subject to Canadian commercial laws and regulations. The financial proceedings of the Bisha plant are consequently issued on a quarterly basis and available in the public domain. These financial reports naturally include the proceedings that accrue to Eritrea in the form of corporate tax, royalties and dividends for anyone to see and read.
17. As these public data corroborate, aggregate GOE revenue from royalty, taxes and dividends averages about 200 million US dollars annually for the years 2011-2013. And this is prior to its debt servicing requirements for loans incurred for purchase of 30% equity from the company as well as substantial *pro rata* payments for the initial capital expenditures for the establishment of the plant prior to production. This income that Eritrea gets from this single mining operation is small in relation to its public expenditures on education, health, food security and infrastructural projects and programmes. It does not even cover the country's annual food import bill.
18. In brief, the intrusive measures envisaged in Paragraphs 12, 13 and 14 of the Resolution that include "the issuance of due diligence guidelines" seem to have been prompted by an unhealthy desire to harass Eritrea and scare potential investors in the mining sector rather than a sincere concern on the misuse of mining revenues, which the SEMG has so far failed to prove beyond reasonable doubt.

III. Arms Embargo

19. Eritrea would like one again express its indignation at this misplaced depiction of Eritrea. Eritrea is not the perpetrator but rather the victim of regional destabilization. The time has come to acknowledge and applaud Eritrea's growing engagement and constructive role in the region. Eritrea has indeed a laudable record of seeking peaceful/arbitral solutions for good-faith border disputes when they arise and respecting the resulting verdicts without equivocation. In addition, Eritrea's developmental and national security interests are better served in an environment of regional peace. Its pronounced foreign policy is in fact anchored on the enhancement of a safe and cooperative neighbourhood



20. Eritrea finds it difficult to understand the rationale of the arms embargo imposed by the Security Council, while its land, including the town of Badme, remains occupied by Ethiopia in breach of the UN Charter, international law, the Algiers Peace Agreement, numerous Security Council resolutions and the Final and Binding Eritrea Ethiopia Boundary Commission (EEBC) 2002 Delimitation and 2007 Demarcation decisions. On the contrary, Ethiopia has no restrictions on bolstering its defence forces and continues to purchase arms without restrictions as its contracts worth 200 million dollars for tanks from Ukraine this year alone attest.
21. While Eritrea is entitled to legitimate self-defence in accordance with Article 51 of the UN Charter, the UNSC Resolutions to impose an unwarranted and lop-sided arms embargo on Eritrea is an approach that lack balance, fairness and legality in terms of the UN Charter and the requirements of peace and stability in the Horn of Africa region. It rewards culprit while it punished the victim. Therefore, the armed embargo should be imposed against Ethiopia, not Eritrea.
22. Despite repeated protestations and widely available information that the Ethiopian government does not deny, but on the contrary openly boasts about, the SEMG has refused to provide context about Ethiopian blatant destabilization actions against Eritrea and other countries in the region. Instead it has chosen to focus on spurious allegations against Eritrea.
23. The Ethiopian Government pursues an open policy of “regime change” and continues harbour, finance and arm Eritrean subversive groups. A press report issued this week talks about a meeting between Ethiopia’s defence and intelligence services and leaders of Eritrean armed opposition movements to advance this aim. (See annex 1 and 2) Yet, Ethiopia is not brought to account and no punitive measures are taken against it in spite of its flagrant violations of international law. It must be recognized that these anomalous realities are not only unfair but also carry the risk of encouraging Ethiopia to indulge in more reckless and unlawful acts of aggression against Eritrea.
24. It must be recalled that when UNSC Resolution 1907 (2009) was adopted, the principal reason evoked to impose arms embargo was Eritrea’s “military support to



Al-Shebaab in Somalia". Eritrea was then wrongly accused of sending 2000 soldiers to Somalia. This false report was never acknowledged in retrospect or formally retracted from the SEMG reports and records later although the fallacy had become common knowledge. Another bogus accusation was levelled against Eritrea in November 2011. Again, Eritrea was accused for air-lifting weapons to Al-Shebaab through Baidoa. This false accusation was timed to coincide with and influence the deliberations of the UNSC on Resolution 2023.

25. Almost five years from the imposition of unfair sanctions against Eritrea, it is now accepted that Eritrea is free from any military or financial involvement in regards to Somalia.
26. However, some quarters who have a political keeps on moving the goalpost by making other unfounded allegations which are irresponsibly echoed by the SEMG until it harms Eritrea only to be dropped quietly later without ascertaining its veracity and/or the sinister motivations of those who fabricated it in the first place. These days new fabricated allegation is paddled associating Eritrea with Riek Machar in the conflict in South Sudan. Is it a case of *déjà vu*? This is another ridiculous allegation, which was unsurprisingly made by Ethiopia. Eritrea has repeatedly made its position on the tragic crisis in South Sudan very clear. Eritrea is unequivocally opposed to a destructive armed rebellion against the legitimately established government of South Sudan. Eritrea supports a comprehensive ceasefire, containment of the situation and a peaceful settlement of the underlying issues. And yet, the Ethiopia-inspired, anti-Eritrean disinformation campaign and accusation has appeared in three subsequent reports of the Monitoring Group with at first in the February report as "circumstantial" and in the March and April reports with "credible" qualifications and endorsements.
27. It must be underscored countries that have a hostile agenda against Eritrea cannot be used as credible sources. Sadly these legitimate pleas continue to be ignored as the as following sentences from May 2014 SEMG Report illustrates: "... On 12 and 13 May 2014, in Addis Abeba, the SEMG met with Ethiopian Prime Minister, H.E. Hailemariam Desalegn, the Minister of Foreign Affairs, H.E. Tedros Adhanom



Ghebreyesus, the State Minister of the Ministry of Foreign Affairs, H.E. Berhane Gebre-Christos, as well a number of other senior ambassadors and security officials, to discuss areas of cooperation and pending investigations of the SEMG". The SEMG monthly report continues to say that "... In May 2014, the SEMG travelled to Djibouti to meet with authorities as part of its investigations into allegations that Eritrea is providing material and logistical support to Riek Machar's forces in South Sudan".

28. As Eritrea has pointed out in many of its previous communications, it is incumbent on the SEMG to be objective, transparent, impartial and non-political and conduct thorough validation process of the accusations levelled against Eritrea. It is high time to stop wild and unfounded and politically motivated accusations against Eritrea from the usual suspects that are bent on using the SEMG for their own interests. Instead, those who repeatedly make accusations that have been proven false in the past should be accounted. In this context, it is important to state that as clearly articulated in a recently leaked Ethiopian Ministry of Foreign Affairs document that was sent on 20 February 2014 to all its diplomatic missions the State Minister Ambassador Berhane Gebre-Christos has instructed his diplomats, inter alia, **"to constantly provide information to the security and intelligence agencies of the countries of the region so that they will understand and explain Eritrea's destabilizing role in the region;.... to lobby member states of the UNSC to accept the reports of the SEMG as credible; and,..... to develop close relations with the relevant departments in the UN Secretariat in order to ensure that the reports are in line with Ethiopia's position, or at least don't hurt Ethiopia's position."** (See Annex 3)

IV. Conclusion

29. It is now five years since the unjust sanctions were imposed on Eritrea. They have not contributed to regional peace and security in the Horn of Africa. In fact, if they are not lifted they will bring and perpetuate more instability and conflict in the region. Indeed, they have harming the people of Eritrea, hampering economic and social development. And it is now clear that there is no justification for their continuation.



30. The initial and principal accusation concerning Eritrean support to Al-Shabaab has long been proven to be non-existent. Moreover, Eritrea is committed to the facilitation by the State of Qatar to overcome enhance its relationship with Djibouti.
31. Therefore, it is now clear that there is no justification for their continuation. Eritrea once again appeals to the United Nations Security Council to urgently lift these unjust and counterproductive sanctions.
32. The event over the past 15-year and the facts on the ground clearly shows that it is Ethiopia, not Eritrea that is actively engaged in destabilizing the region. Its continued occupation of sovereign Eritrean territory, including the town of Badme, with impunity, in violation of the United Nations Charter and its treaty obligation is the main cause of the instability in the Horn of Africa. In the interest of peace and security in the region and within the context of Resolutions 1907 (2009) and 2023 (2011), which reaffirms respect for the sovereigntys and territorial integrity of Eritrea, Ethiopia must be urged immediately and without any precondition to withdraw from sovereign Eritrean territories , including the town of Badme.

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Attached:

1. Ethiopian Military Meets With Eritrean Opposition Military Leaders (Annex 1)
2. Eritrean refugees in Ethiopia vow to join armed struggle (Annex 2)
3. Leaked Ethiopia's foreign ministry memo exposes its destabilizing policy against Eritrea (EXCERPTS) (Annex 3)

Annex 3

**Somalia and Eritrea Monitoring Group correspondence,
dated 1 August 2014 (S/AC.29/2014/SEMG/OC.64)**

UNITED NATIONS



NATIONS UNIES

SOMALIA AND ERITREA MONITORING GROUP

REFERENCE: S/AC.29/2014/SEMG/OC.64

1 August 2014

Excellency,

I have the honour to address you in my capacity as Coordinator of the Somalia and Eritrea Monitoring Group (SEMG) mandated pursuant to paragraph 27 of Security Council resolution 2111 (2013).

In accordance with its mandate, the Monitoring Group is responsible for investigating, *inter alia*:

- violations of the arms embargos on Somalia and Eritrea;
- acts that threaten the peace, security or stability of Somalia;
- obstruction of humanitarian assistance to Somalia;
- Eritrean support for individuals and groups responsible for destabilization of, or violence in, the region;
- obstruction of the implementation of resolution 1862 (2009) concerning Djibouti;
- obstruction of the work or investigations of the Monitoring Group; and
- violations of the ban on the exportation and importation of charcoal from Somalia.

I am writing following the New York and Nairobi, Kenya, videoconference on 28 July 2014 organized under the auspices of the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (hereafter "the Committee"), between the Monitoring Group and the Government of Eritrea, represented by you as Permanent Representative of Eritrea to the United Nations, and in the presence of the Chair of the Committee as well as its Acting Secretary and the Chief of the Security Council Subsidiary Organs Branch, Security Council Affairs Division of the United Nations Secretariat. This videoconference followed the earlier meetings outside Eritrea between the Monitoring Group and the Government of Eritrea convened in Paris, France, on 8 December 2013 and in Cairo, Egypt, on 14 February 2014.

His Excellency
Mr. Girma Asmerom Tesfay
Permanent Representative of
Eritrea to the United Nations
New York

cc: Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

Following the meeting in Cairo, the Monitoring Group sent a letter dated 7 March 2014 (S/AC.29/2014/SEMG/OC.14) to H.E. Mr. Araya Desta, then Permanent Representative of Eritrea to the United Nations, outlining the investigations of the Monitoring Group at that time, in advance of the Group's midterm briefing to the Committee, and the additional information that Mr. Yemane Gebreab, Special Political Advisor to the President of Eritrea, agreed to provide following the meeting.

While in the interim the Monitoring Group did not receive the information from Mr. Gebreab agreed to in Cairo, the Group appreciates the set of documents you provided during the 28 July 2014 videoconference. The Monitoring Group has had the opportunity to review the documents that you provided, but finds that they do not fully address the issues raised in Cairo and reflected in the Group's letter of 7 March 2014.

During our videoconference, the Monitoring Group explained that it had completed its investigative phase and was currently drafting its final report on Eritrea. Prior to reaching its final conclusions and completing its report, and in order to seek the views of the Government of Eritrea, the Monitoring Group described its investigations and requested additional information along the lines below.

Armed Groups

1. ONLF

The Monitoring Group raised the issue of Eritrea's support for the Ogaden National Liberation Front (ONLF). The Group's current findings show that this support included the hosting of a conference in Eritrea in August 2013, attended by senior members of the ONLF and Eritrean officials, as well as the provision of financial support to the armed group. Specifically, the Monitoring Group requested the Government of Eritrea to provide:

- Further details regarding the meeting that took place in August 2013, including information about the decisions taken during the meeting, and the role of the Eritrean officials present at the meeting;
- Details regarding the relationship between Eritrea and the ONLF, as well as regarding the presence of the ONLF in Eritrea.

2. TPDM

The Monitoring Group raised the issue of Eritrea's military and financial support to the Tigray People's Democratic Movement (TPDM). The Group had earlier raised this issue with Mr. Gebreab in Cairo. The Monitoring Group would like to reiterate its previous request to the Government of Eritrea and additionally request information regarding:

- The nature of the relationship between Eritrea and the TPDM;
- The sources of the arms provided to the TPDM by Eritrea; and
- Information regarding the location of military camps where the TPDM is being trained.

3. Ginbot Sebat

The Monitoring Group raised the issue of Eritrea's support for Ginbot Sebat. The Group's current findings show that this support included the training, arming and facilitation of members of Ginbot Sebat. The Group informed the Government of Eritrea that it had recovered travel documents issued by Eritrea for Ginbot Sebat fighters, as well as grenade pins with serial numbers consistent with a sequence of serial numbers of other grenade pins provided by Eritrea to another armed group in 2011. Specifically, the Monitoring Group requested the Government of Eritrea to provide:

- Further details regarding the relationship between Eritrea and Ginbot Sebat;
- An explanation of the travel documents and the consistency of serial numbers of the grenade pins described by the Monitoring Group; and
- Information regarding the location of the military camp where Ginbot Sebat is being trained.

Arms Embargo

4. South Sudan

The Monitoring Group explained that it had received credible information that Eritrea provided military and logistical support to three armed rebel groups in South Sudan: the SPLA-O forces loyal to former Vice President Riek Machar, the David YauYau group and George Athor Deng's rebel forces. As of this date, the Monitoring Group has not received evidence to support this information. The Monitoring Group requested the Government of Eritrea to provide the following:

- Information and a clarification regarding the source and origin of these reports; and
- The Monitoring Group notes the documents you provided during the videoconference state the position that "Eritrea is unequivocally opposed to a destructive armed rebellion against the legitimately established government of South Sudan. Eritrea supports a comprehensive ceasefire, containment of the situation and a peaceful settlement of the underlying issues." The Monitoring Group would like to request a response from the Government of Eritrea regarding the specific details pertaining to the delivery of weapons in January and February 2014 that the Monitoring Group received and which it shared with you during the videoconference.

5. Eastern Sudan

The Monitoring Group explained that it had received credible evidence that Eritrea is smuggling weapons from the eastern regions in Sudan to Eritrea. The Group understands that this trade is directed by Colonel Tesfaldet Habtesailasie and Nusredin Ali Bekit, manager of the Tesseney branch of the Red Sea Corporation. Specifically, the Monitoring Group requested the Government of Eritrea to provide:

- A clarification pertaining to the nature of the arms trade relationship between Eritrea and the Sudan; and
- Details regarding the roles of Colonel Habtesailasie and Nusredin Bekit in the arms trade.

Financial Issues

6. Diaspora Tax

The Monitoring Group raised the issue of the diaspora tax collected by Eritrean consulates and embassies worldwide. In some cases, the collection of the tax appears to be non-voluntary, as officials can deny consular services to Eritreans who refuse to pay the tax. The Monitoring Group previously raised this issue with Mr. Gebreab in Cairo. Mr. Gebreab offered to provide a detailed written response, but at the time provided an initial explanation of how the tax works and addressed concerns that Eritrea employs extortion, threats of violence, fraud and other illicit means to collect taxes. The Monitoring Group would like to reiterate its earlier request for information and additionally request from the Government of Eritrea the following:

- Information on the methods utilized to collect the tax; and
- The Monitoring Group notes the documents you provided during the videoconference state, in terms of the revenue collected through the diaspora tax, that: "In those four years, the aggregate RRT collected does not exceed 73 Million US dollars, while budgetary appropriation by the Government for the family of martyrs and war disabled individuals for the same period hovers around 28 million US dollars annually, which is almost 112 million dollars for the four year period". The Monitoring Group would like to request documentation showing that the revenue collected annually is appropriated by the Government of Eritrea for the families of martyrs and war disabled.

7. Natural Resources

The Monitoring Group discussed the issue of natural resources in order to better understand the use of revenues. During the meeting in Cairo, Mr. Gebreab acknowledged that there was insufficient information about the national budget and offered to provide budget documents for the last three years of the Government of Eritrea, which give a comprehensive and complete picture of revenues and expenditures. During the videoconference, the Monitoring Group reiterated its request made during the Cairo meeting for transparency with regards to Eritrea's budget and expenditures and asked for budget documents that clearly demonstrate the use of revenues derived from the mining sector by the Government of Eritrea. In addition, the Monitoring Group further requested the Government of Eritrea to provide financial information and evidence showing the allocation of revenues derived from mining operations that covers the period from December 2009 to the present date, including:

- Detailed information on the destination and allocation of funds derived from mining activities, including any documents that reflect the ultimate disposition of funds received;
- Names of entities or individuals inside and outside Eritrea receiving payments of more than USD 10,000 in cash or equivalent from Nevsun, its subsidiaries and sub-contractors;
- The purpose, method and date of these payments;
- The recipient bank's full name, routing number and full address; and
- The full name and address of the account holder and account numbers to which such payments were made.

Djibouti-Related Issues

8. POWs and Qatari Mediation

The Monitoring Group explained that it had spoken with officials of Djibouti, which maintains that Eritrea continues to hold 17 prisoners of war. The Monitoring Group would like the Government of Eritrea to provide:

- A response to whether or not Eritrea is holding Djiboutian prisoners of war; and
- A clarification of the status of the mediation process sponsored by Qatar.

Visit to Eritrea

In the overall context of the issues raised during the meeting in Cairo, the Monitoring Group and Mr. Gebreab also discussed the possibility of a visit to Asmara. Similarly, the Monitoring Group raised the issue again during the videoconference. Accordingly, we look forward to following up directly with the Permanent Mission of Eritrea to the United Nations.

We would appreciate your reply to the Monitoring Group's information requests above at your earliest convenience, but no later than 15 August 2014, through the Acting Secretary of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, Ms. Snjezana Gillingham (Room DC2-2052, United Nations, New York, NY 10017; fax: +1-212-963-1300; email: gillingham@un.org).

Please accept, Excellency, the assurances of my highest consideration.



Jarat Chopra
Coordinator

Somalia and Eritrea Monitoring Group
Security Council Resolution 2111 (2013)

Annex 4

**Government of Eritrea correspondence, dated
13 August 2014 (S/AC.29/2014/NOTE.79/Add.1)**

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البعثة الدائمة لدولة إريتريا
لدى الأمم المتحدة - نيويورك

Permanent Mission of The State of Eritrea
To the United Nations, New York

Permanent Mission of the State of Eritrea to the United Nations presents its compliments to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1992) and 1907 (2009); and in reference to the letter of the Monitoring Group S/AC.29/2014/SEMG/OC.64.14, dated 01 August 2014, has the honour to attach herewith Eritrea Government's written response Dated 12 August 2014.

The Permanent Mission of Eritrea to the United Nations avails itself of this opportunity to renew to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1991) and 1907 (2009) the assurances of its highest consideration.



New York, 13 August 2014

Secretary of the Security Council Committee
established pursuant to Security Council
Resolutions 751 (1992) and 1907 (2009)
concerning Somalia and Eritrea
New York, NY 10017

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ግዚአብሔር ገዳኖች ወዳኒ



دولة إرتريا
وزارة الشؤون الخارجية

The State of Eritrea
Ministry of Foreign Affairs

ERITREA'S RESPONSE TO THE QUERIES CONTAINED IN THE LETTER S/AC.29/2014/SEMG/OC.64

Asmara, 12 August 2014

Eritrea has been asked, pursuant to the Monitoring Group's (SEMG) letter of 01 August 2014, Ref. No. S/AC.29/2014/SEMG/OC.64, to provide supplementary response to queries that were forwarded to it on previous occasions and that were specifically raised during the video conference held in New York on 28 July 2014 with Eritrea's Permanent Representative to the UN, Ambassador Girma Asmerom, through the good offices and facilitation of the Chair of the Security Council Committee.

Eritrea wishes to emphasize at the outset that it has provided extensive written and oral explanations to these questions through various communications in the past as well as during the meetings that took place in Paris and Cairo. This was also repeated through written and oral submissions at the most recent meeting that took place on 28 July 2014 in New York. In this context, the response here will be brief. It will be limited to issues that may require further elaboration.

1. Alleged support to South Sudanese rebel forces

The Monitoring Group states in its letter that it has "received credible information that Eritrea provided military and logistical support to three armed rebel groups in South Sudan: the SPLA-O forces loyal to former Vice President Reik Machar, the David Yaw Yau group and George Athor Deng's rebel forces". In the same paragraph, however, the SEMG asserts that "it has not received, as of this date, evidence to support this information". Why then is the SEMG asking Eritrea to explain these baseless accusations.

Eritrea strongly feels that the SEMG should have dismissed outright this, and any other uncorroborated accusations that it may have received, as pure defamatory hearsay not worthy of further probing. Unfortunately, Eritrea is once again asked in the letter to "provide information and a clarification regarding the source and origin of these reports".

This is inappropriate. Eritrea cannot, surely, be asked to second-guess the identities of, and speculate about, the "sources and origin of these reports". As the accused party, Eritrea deserves to be provided with the full particulars of all those who have fed false information

to the SEMG for a variety of political objectives and considerations. Eritrea would then be in a position to shed light on their particular motivations.

This typical episode amplifies the vexing manner in which the SEMG collects and validates its information. We have underlined, time and again, the importance for the SEMG to disclose all the details of its sources to Eritrea as the accused party. Reasons of transparency, accountability as well as the basic legal principle of the equality of arms all warrant that this be the normative state of affairs. Unfortunately, the SEMG routinely invokes “confidentiality” and other implausible reasons to ignore Eritrea’s persistent requests and deny it indispensable information.

The SEMG argues that its validation process of seeking multiple testimonies for information originating from a hostile or interested party against Eritrea precludes “biased and unwarranted conclusions”. The flaws in this argument and methodology are again palpable. A fabricated story prompted by Ethiopia, and any other adversary of Eritrea for that matter, could be repeated by multiple sources in different countries that belong to, or are linked with, the same opaque league and network. In the event, *multiplicity of sources cannot be a sufficient condition for validating baseless accusations.*

In its letter of 01 August 2014, the SEMG further requests Eritrea to give specific responses to alleged reports of the “delivery of weapons in to the SPLM-in-Opposition in January 2014 and February 2014”. In previous communications, the SEMG talks about “information it has obtained of weapons supplies, including AK 47 and Iranian made rifles (sic?), to David Yau Yau group in February and July 2014; and the airdropping of logistical items such as sugar and other items etc.”.

All these wild accusations have no grain of truth whatsoever. The SEMG itself acknowledges the lack of any evidence. Why it has chosen to ask Eritrea to explain non-events and groundless accusations is really a riddle we cannot figure out.

As we have underlined in our previous oral and written responses, Eritrea remains deeply concerned by the tragic crisis in South Sudan. Eritrea harbours sincere good wishes for a speedy resolution of this crisis which has dragged for too long entailing huge sufferings to the South Sudanese people.

Moreover, the timing of this groundless accusation of involvement with rebel groups in South Sudan is suspect and provokes grave concerns in Eritrea of an almost predictable and consistent pattern of deliberately floating sensational stories and disinformation in the weeks prior to any UNSC discussion concerning Eritrea.

As it happened, Eritrea was accused of sending 2000 soldiers to Somalia in the months before the UNSC imposed Sanctions Resolution 1907 against Eritrea. This deliberate

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disinformation was not seriously questioned at the time and was quietly discarded later once it had served its purpose. The SEMG did not take the trouble to apologize to Eritrea and/or correct this baseless information even in retrospect. Similarly, another bogus accusation was leveled against Eritrea in November 2011. Again, Eritrea was accused for air-lifting weapons to Al-Shebaab through Baidoa. This false accusation was made to coincide with and influence the deliberations of the UNSC on Resolution 2023. Once again, this calculated and deliberate disinformation was quietly discarded after it had achieved its intended objective of tightening the sanctions against Eritrea. Today, for the third time, we see new allegations associating Eritrea with rebel groups in South Sudan. This pattern must be stopped. Furthermore, such baseless and unsubstantiated allegations against Eritrea should not be reported by the SEMG to the Sanctions Committee under dubious validation procedures and seemingly plausible qualifications.

2. Support to Ethiopian Armed Groups

The Monitoring Group mentions to alleged meetings that took place between Eritrean officials and the ONLF; refers to “travel documents” that Eritrea presumably issued to some members of “Ginbot Sebat”; talks about “grenade pins with serial numbers consistent with a sequence of serial numbers of other grenade pins provided by Eritrea to another armed group in 2011”; reveals that it has “received information on financial and military support as well as training extended by Eritrea to the TPDm”; and, requests Eritrea to provide responses to these specific accusations.

Obviously, this elaborate reference to “grenade pins...serial numbers...travel documents...” etc is designed to convey the impression of the “existence of incontrovertible evidences”, of a smoking gun so to speak, of Eritrea’s deep involvement in acts of destabilizing against Ethiopia. Travel documents that may have been easily forged by forces who have an interest in framing Eritrea; serial numbers of bullets or weapons that may have exchanged hands between Eritrea and Ethiopia in the course of their multiple wars in the past years ...etc, cannot be taken as iron-clad proofs of Eritrea’s misconduct that entail punitive action by the UN Security Council.

On a more substantive level, Eritrea questions the legality, fairness and justification of this asymmetric approach that obviously treats “regional destabilization” in a one-sided, linear way. The SEMG is acutely aware that Ethiopia is fully involved in blatant acts of destabilization against Eritrea. Addis Abeba hosts several armed subversive groups that intermittently unleash terrorist forays into Eritrea. These acts are in the public domain as they are publicized, almost routinely, by these groups and by Ethiopia’s official media outlets.

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Furthermore, Ethiopia has and pursues an official policy of "regime change" against Eritrea in contravention of articles 2.3 and 2.4 of the UN Charter on the "peaceful settlement of disputes" and the "use of force or threats against the territorial integrity or political independence of any Member State". And above all, Ethiopia continues to occupy sovereign Eritrean territories, including the town of Badme, in violation of the UN Charter, the EEBC arbitration Award that was given 12 years ago and in flagrant breach of the Algiers Peace Agreement that was brokered by major international powers and guaranteed by the United Nations and the African Union.

In spite of all these facts, the SEMG routinely invokes "mandate limitations" to ignore Ethiopia's egregious acts of regional destabilization while it turns every stone to "validate" fabricated accusations against Eritrea that primarily emanate from Ethiopian military and security officials, and its international allies.

If the SEMG's skewed approach is seen as appropriate from a narrow/technical interpretation of its mandate, the onus must then rest on the UN Security Council to remedy this anomaly.

The UN Security Council has responsibilities, in accordance with Article 39 of the UN Charter, to determine "the existence of any threat to the peace, breach of the peace, or act of aggression" and to take appropriate measures against Ethiopia, in accordance with Articles 41 and 42, to maintain or restore international peace and security. Indeed, *Ethiopia has committed an act of aggression against Eritrea by occupying its sovereign territories; it is involved in sponsoring armed subversive groups against Eritrea for purposes of destabilization, and it remains wedded to a reckless and illegal policy of "regime change"*. In the circumstances, the whole exercise of portraying Ethiopia as a "victim of Eritrea's acts of destabilization" is unwarranted and untenable both morally and legally. Once again, this approach must be corrected. The UN Security Council should urge Ethiopia to withdraw from sovereign Eritrean territories, including the town of Badme, and cease its policy of destabilizing Eritrea.

3. Arms Embargo

In this section, Eritrea is asked to provide "clarification pertaining to the nature of the arms trade relationship between Eritrea and the Sudan" and, "details regarding the roles of Colonel Habteseliasie and Nusredin Bekit in the arms trade". These queries are presumably prompted by "credible evidence" that the SEMG has obtained about the "smuggling of weapons by Eritrea from the eastern regions in the Sudan".

As we have pointed out earlier, Eritrea must be given, as the accused party, all the documentations of the "credible evidences" that the SEMG has in its possession when and if it is required to provide a response or rebuttal.

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In any case, while underlying this basic legal principle as a matter of right, Eritrea dismisses categorically these unfounded allegations. The persons referred to are government officials. They are not, and cannot be, involved in illicit acts of the smuggling of weapons. Colonel Habteselassie is Head of Communications in the Office of the President. Mr. Nusredin Bekit was Regional Manager of Red Sea Corporations in the past years prior to his appointment as the Minister of Trade and Industry last month.

At this juncture, Eritrea would also like to emphasize one critical point. Eritrea's focus has been and remains hinged on tackling its myriad economic and human developmental challenges. It harbours neither the desire nor the financial wherewithal to funnel much-needed funds for unnecessary military expenditures. Nonetheless, it finds the unilateral arms embargo as unfair and inappropriate in view of the occupation of its lands by Ethiopia. Eritrea believes that the Security Council has acted inappropriately and in breach of Article 51 of the UN Charter when it passed Resolution 1907 without proper consideration of these facts. As we have highlighted in our previous communications, Ethiopia is on an arms spending spree and has recently purchased weapons worth 200 million US dollars from Ukraine alone. Eritrea maintains that the UN Security Council should approach this matter in a more holistic and balanced manner. UN Security Council unilateral arms embargo against Eritrea indeed remains fraught with dangerous consequences for regional peace and stability as it may create imbalances as well as tempt Ethiopia to contemplate another reckless adventure of aggression against Eritrea.

4. Recovery and Rehabilitation Tax (RRT)

Eritrea has provided exhaustive information on the RRT in its previous written and verbal communications. At the outset it must be underlined the proper appellation is Recovery and Rehabilitation Tax (RRT) and should be referred to as such; not "Diaspora Tax". The RRT is legal and laudable in terms of its origins, aims and objectives. At 2%, it is not onerous on Eritrea's citizens who live abroad and who are asked to share some of the burdens of rehabilitation for the families of the war-wounded and the martyrs.

Eritrea does not employ extra-legal and extra-territorial measures in its methods of levying/enforcement of the tax. Those who do not wish to pay the 2% RRT, in accordance with the provisions of a national law, must naturally shoulder the explicit consequences spelled out in relevant regulations of enforcement. In this particular case, Eritrean citizens who opt out of the tax, forfeit entitlements such as access to urban land, power of attorney to process inheritance, etc. Contrary to the claims made by the SEMG, these measures are not inordinate and cannot be described as "extortion" and "intimidation" by any standards. Furthermore, as falsely propagated by some quarters and frequently reflected in the reports of the SEMG, Eritreans are not denied their natural right of visiting their country. They do not

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need an entry visa. All they are required to do is show a valid Eritrean identity card or passport on arrival.

The SEMG requests “documentation showing that the revenue collected annually is appropriated by the Government of Eritrea for the families of martyrs and war disabled”. This aspect was fully addressed in our previous communications. The collected tax goes to the Department of Treasury which administers the government budget. As explained before, the aggregate RRT collected in the past four years did not exceed 73 million US dollars, while budgetary appropriation by the Government for the families of martyrs and war disabled individuals for the same period hovered around 112 million US dollars. The earmarking and utilization of these funds is indeed transparent and the expenditures are frequently broadcast by the Eritrean Television and other local and international Eritrean media outlets.

5. Natural Resources

Eritrea finds the recent requests for clarification by the SEMG on the use of revenues from mining rather difficult to understand. Eritrea is asked to provide “names of entities or individuals inside and outside Eritrea receiving payments of more than USD 10,000 in cash or equivalent from Nevsun, its subsidiaries and sub-contractors”. In addition, the letter goes on to seek information from Eritrea on; “the purpose, method and date of these payments; the recipient bank’s full name, routing number and full address; and, the full name and address of the account holder and account numbers to which such payments are made”.

These are corporate matters that concern Bisha Share Company; where the parent Canadian company holds 60% of the stock while Eritrea’s National Mining Corporation (ENAMCO) holds the remaining 40% of the equity. Bisha Share Company has all the rights and business prerogatives to procure services and goods and enter into business transactions with other enterprises in accordance with its internal corporate rules and Eritrea’s investment and commercial laws. In this respect, Eritrea’s investment and commercial laws impose no upper ceilings on contracts/payments that the company can make to ensure its business operations and/or on the repatriation of the company’s profits. All the information that the SEMG asks are not, accordingly, matters that concern Eritrea.

The SEMG further requests for “detailed information on the destination and allocation of funds derived from mining activities, including any documents that reflect the ultimate disposition of funds received”.

Revenues that the GOE obtains from mining and/or other activities are funneled into the government’s coffers. Once annual budget allocations are determined by the Government through its normative institutional bodies and established procedures, the appropriation of the

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budget is administered by the Treasury in a holistic manner. And as explained in our previous communications, revenues from mining from 2011 until the first half of this year in the past four years have fluctuated every year but do not exceed 150 million US dollars when averaged over the same period. Leaving government expenditures on education, health etc. aside, GOE's annual food imports for essential consumables exceed 200 million US dollars.

In the event, Eritrea finds the laborious attention that the SEMG has given to "mining revenues" quite inexplicable and counter-productive. It also exceeds its purview as spelled out in the sanctions resolutions.

It is about time for the SEMG to stop stretching its mandate in regard to the 2% RRT and the mining sector of the Eritrean economy. If the SEMG has incontrovertible evidences that these revenues are funnelled for "acts of destabilization" in violation of the UNSC Resolutions, as it is insinuating, it must publish these figures with all the necessary details.

6. On Djibouti

The Presidents of Eritrea and Djibouti have signed a comprehensive agreement mandating the Emir of Qatar to facilitate the resolution of all outstanding issues between the two countries. Eritrea remains fully committed to the agreement and the process underway. It is also ready to discuss in good-faith all pending issues with Djibouti within the framework of the Qatari facilitation process.

7. Conclusion

Eritrea wishes to reiterate, once again, the unfairness of the sanctions resolutions which have been imposed on it for the last four years for political reasons. Eritrea's alleged acts of destabilization in Somalia and its presumed linkages with Al-Shebaab were the primary accusations that prompted the original, unfair, sanctions resolution against Eritrea.

As the hollowness of these accusations have become clearer with time and as the chorus for timely review is growing, we see a shift of the goalpost where the fulcrum is apparently moving to "acts of destabilization against Ethiopia". This trend cannot be acceptable by any standards. Eritrea is the aggrieved and injured party in this troubled relationship; not only historically for the last sixty years but also during these past turbulent years. International law and the UN Security Council must side with Eritrea to remedy historic injustices; not conjure up unbalanced and asymmetric standards to harm the injured party and provide carte blanche to the injurer or occupying party to perpetrate yet more acts of aggression. In the event, Eritrea calls for the rescinding of the sanctions resolutions against Eritrea and to bring Ethiopia to account for its occupation of sovereign Eritrean territories, including the town of Badme, and for associated acts of destabilization against its neighbour.

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One last issue that merits investigation. Eritrea had raised in the past serious questions in regard to the professionalism, objectivity and integrity of the SEMG. These concerns pertain both to the manner of its selective collection and validation of data and other suspect and unhealthy associations that have come to light. Eritrea's misgivings were also shared by several members of the Security Council. Eritrea had felt that certain measures taken against some former members of the SEMG team were, even if tacit, an acknowledgement and partial remedy to the problem. Unfortunately, and in spite of Eritrea's constructive engagement, the situation has not changed significantly.

Eritrea has in its possession a letter circulated by a senior member of the SEMG that compromises his professional neutrality and exposes his active association with an agenda of "regime change" above and beyond his entrusted mandate. Eritrea maintains that this conduct cannot be tolerated. And, beyond taking the necessary corrective measures against the individual concerned, Eritrea argues that this episode must have a bearing on the credibility of the entire report.

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Annex 5

Eastern Sudan

Annex 5.1

Map of Kassala, Lafa and Teseney



Annex 5.2

Kassala weapons depot

The stockroom of the Kassala weapons depot



Annex 5.3

Military vehicles around the Kassala weapons depot







Annex 5.4

Rocket-propelled grenades inside the Kassala depot



Annex 5.5

Documents from the Kassala depot

Packaging list of arms being shipped to Eritrea

The document reads as follows:

Directorate of the Unit of Kassala

Permit for the passage of weapons and ammunition to be delivered to the State of Eritrea.

The first box details the weapons being shipped: 2 Doshkas, 10 Kalashnikovs, 10 RPGs, and 3 mortar tubes.

The second box details the ammunition being shipped: 200 for Doshkas, 500 for Kalashnikovs, 30 for RPGs, and 9 for mortars.

The document is dated 22 February 2014 and signed by B.G. Omar Al Naqi in Kassala.

إدارة وحدة أمن كسلا
تصريح عبور لأسلحة وذخائر لدولة إريتريا

السلاح

النوع	دوشكا	كلاش	أرجي	هاون	العدد
	٢	١٠	١٠	٣	٠.١

الذخيرة

النوع	دوشكا	كلاش	أرجي	هاون	العدد
	٢٠٠	٥٠٠	٣٠	٩	٠.٢

المحطة : كسلا
التاريخ : ٢٠١٤/٢/٢٢ م.

ع/وحدة أمن كسلا

Inventory list of ammunition at the depot on 22 February 2014

The document reads as follows:

Top Secret

National Intelligence and Security Apparatus, Kassala Unit, Ammunition Inventory

The box details the ammunition: 600 for Kalashnikovs; 500 for Tirab rifles; 900 for PKMs; 300 for Doshka; 16 for RPGs; 10 rounds for SPG-9 guns.

The document is dated 22 February 2014 and signed by B.G. Omar Al Naqi in Kassala.

بسم الله الرحمن الرحيم

سري للغاية
جهاز الأمن والمخابرات الوطني
وحدة أمن كسلا
راجعة التخيرة

م	الوصف	الكمية الموحدة	المتصرف	ملاحظات
١	تخيرة كلاش	٦٠٠	٣٠٠	
٢	تخيرة تيراب	٥٠٠	٠٠	
٣	تخيرة قرونف	٩٠٠	٣٠٠	
٤	تخيرة دوشكا	٣٠٠	٩٠٠	
٥	دالة اريجي	١٦	٠٠	
٦	دالة S.P.G.9	١٠	٠٠	

المحطة: كسلا
التاريخ ٢٠١٤/٢/٢٢م

ب.ع. ا. ن. ق. / وحدة أمن كسلا

Annex 6

Ogaden National Liberation Front

Annex 6.1**Ogaden National Liberation Front central committee members that were present at the conference in Asmara in August 2013**

Abdurahman Mohamed Umar Osman	Chairman of the ONLF
Mohamed Umar Ismail	Deputy Chairman of the ONLF
Mohamed Abdi Yasin	Secretary of the ONLF
Abdirahman Mahdi	Head of Foreign Relations of the ONLF
Dr. Ibado Hirsi	Head of Finance and Economic Affairs
Mohamed Nuur Abbas	Head of Strategic Planning of the Executive Committee
Hussein Nuur	Head of Information and Public Relation Affairs
Ahmed Mehumed Mohamed	Head of Defense Affairs
Abdukadir Sheik Hassan Hirmoge	Representative and Liaison in Australia
Ahmed Yassin	Head of Social Affairs
Abdukerim Sheik Musse	Head of General Command in Ethiopia
Abdullahi Muktar	Head of Organizational Affairs and adviser to the Chairman
Ali Ahmed Hussein	Deputy Head of Intelligence Affairs
Bedal Hassan	Member of the Central Committee
Ahmed Mejjertain	Community Affairs Coordinator in the USA
Abdellahi Ahmed	Community Affairs Coordinator in Saudi Arabia
Mohamed Sherif	Member of the Committee and Commander
Hassan Shekiye	Secretary of the General Committee
Mohamed Yusuf	Deputy Head of Economic Affairs
Abdukadir Gamadid	Member of the Central Committee
Professor Mohamed Wadi	Member of the Central Committee
Mohamed Ibrahim	Member of the Central Committee
Hassan Mohammed Macalin	Deputy Head of Community Affairs in Denmark
Abdelahi Ogas	Member of the Central Committee
Faisal Dhahir	ONLF Representative based in Asmara

Annex 6.2

Copy of an Eritrean-issued visa to Yussuf Mohamed Hussein

IB/S.2
10/2000

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دولة اريتريا
إدارة الهجرة والجنسية
STATE OF ERITREA
DEPT. OF IMMIGRATION & NATIONALITY
EXIT/EXIT RE-ENTRY PERMIT No 01052

VISA TYPE: EXIT EXIT/RE-ENTRY

FULL NAME Yussuf Mohamed Hussein

DATE OF BIRTH 10/01/1981

PLACE OF BIRTH Asmara

NATIONALITY Eritrean

DOCUMENT TYPE P

DOCUMENT No. P/0001052

OCCUPATION Lawyer

SIGNATURE OF BEARER [Signature]

PLACE OF ISSUE Asmara

DATE OF ISSUE 11/01/2013

NAME & SIGNATURE OF AUTHORITY [Signature]

ERITREA VISA
0894267

Passport no. P/0001052 ... Valid until 11/01/2013 ...
Visa type P ...
Entry up to 15 days ...
Enter/Leave before 11/01/2013 ...
Date of issue 11/01/2013 ...
Home in no. of validity 1

Yussuf Mohamed Hussein

Annex 7

Tigray People's Democratic Movement and Ginbot Sebat

Annex 7.1

Location of Harena training camp



Annex 7.2

Strategic locations inside Ethiopia that were identified by Ginbot Sebat fighters for the future movement of weapons



Annex 7.3

Weapons found on a captured Ginbot Sebat fighter while he was travelling through Ethiopia with two other fighters





Annex 7.4

Grenade pins that the Monitoring Group recovered in 2011 on Ogaden National Liberation Front fighters compared with the same “79” serial number as the grenade pins recovered from a Ginbot Sebat fighter

Below are three of the grenade pins that were found on ONLF fighters in 2011





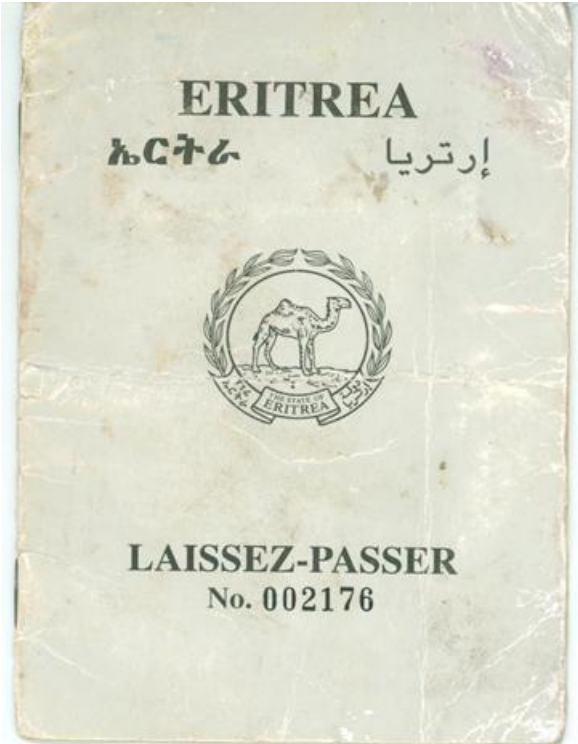
Below are the grenade pins recovered on Ginbot Sebat fighters in 2013



Annex 7.5

Documents found on a Ginbot Sebat fighter who escaped to Ethiopia

Eritrean laissez-passer issued at the Eritrean Embassy in Pretoria, South Africa



Special Remarks
ملاحظات خاصة



Full Name: COSMOS GHEBREMICHAEL
Full Name: الاسم بالكامل

ID Card No. _____
Occupation: _____
العنوان رقم البطاقة الشخصية

Date and Place of Birth: 24.08.84 ARUSI
تاريخ ومكان الميلاد

Address: JOHANNESBURG
Height: 1.78m
العنوان القامة

Identifying Details
Date of issue: 19.10.12
Place of Issue: PRETORIA
تاريخ الإصدار مكان الإصدار

Expiry Date: 08.01.2013
تاريخ انتهاء الصلاحية

Signature of Issuing Authority: _____
إمضاء المسؤول

Signature of Holder: _____
إمضاء حامل

VISAS
تصاريح



ENTRY
0 OCT 2012
ASMARA (085)
Int. Airport Immigration
578
2012-10-18
IMMIGRATION DEPARTMENT
ASMA

Electronic ticket detailing the former fighter's travel from Johannesburg to Asmara on 18 October 2012

COSMOS/GHEBREMICHAEL 18OCT JNB CAI

This document is automatically generated.
Please do not respond to this mail.

ASMARA EGYPTAIR OFFICE
BAHTI MESKEREM SQAURE-BLOCK NO 2
ASMARA
TELEPHONE: 0029(11)127510,
FAX : +29(11)127473

DATE 10OCTOBER12
BOOKING REF 5AXOYS
COSMOS/GHEBREMICHAEL

SERVICE	FROM	TO
DEPART	ARRIVE	
EGYPTAIR - MS 840		
THU 18OCT	JOHANNESBURG ZA	CAIRO EG
2145	0540	
NON STOP	O.R. TAMBO INTL	CAIRO
INTL	19OCT	
EQUIPMENT: AIRBUS INDUSTRIE A330-300		
RESERVATION CONFIRMED - K ECONOMY		

EGYPTAIR - MS 833		
FRI 19OCT	CAIRO EG	ASMARA ER
2320	0310	
NON STOP	CAIRO INTL	ASMARA
INTERNATIONALA	20OCT	
EQUIPMENT: AIRBUS INDUSTRIE A320-100/200		
RESERVATION CONFIRMED - K ECONOMY		

RESERVATION NUMBER(S) MS/5AXOYS

COSMOS/GHEBREMICHAEL
2414742403

TICKET: MS/ETKT 077

CLICK THE FOLLOWING LINK TO ACCESS YOUR ONLINE ITINERARY :

WWW.CHECKMYTRIP.COM/CMTSERVLET?R=5AXOYS&L=GB&N=COSMOS

Annex 8

Clandestine business networks of the People's Front for Democracy and Justice

Annex 8.1

Incorporation documents of “H.T. Trust Limited”

09535
C/PRUS

DECLARATION/ UNDERTAKING GIVEN BY
NOMINEE/S AND INTRODUCER/S

I/We the undersignedEsano Nominees and Esano Secretarial.....
being the nominee shareholder(s) of ...H.T.Trust Ltd.....(name of
company) which wishes to apply for the opening of an account with your Bank
declare the following:

A. I/We hereby confirm to your Bank that the ultimate beneficial owner/s of the
above Company is/are the individual/s listed below:

1. Name:Hagos Ghebrehwet Wikidal.....
Full Residential Address:Redsea Building 1, 6th Floor.....
.....Eretrea.....
Nationality:Eretrean
Passport No.
Profession/occupationDiplomat.....

2. Name:
Full Residential Address:
.....
Nationality:
Passport No.
Profession/occupation

C. Information Requirements

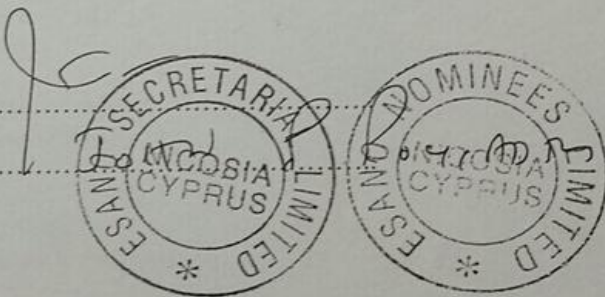
68
14

1. I/We confirm the main business activities of the company is/are:
.....Trading clothes and shoes.....
2. I/We confirm that the purpose/reason for applying for the opening of an account is:
.....Trading.....
3. I/We confirm that the anticipated credit turnover in connection with all of the above mentioned company's accounts will be:
.....50.000.000 USD.....
4. I am/We are, aware of my/our legal obligation to report to the Republic of Cyprus's Unit for Combating Money Laundering (UCML) any suspicion of Money Laundering (particularly with regard to the above mention company's account/s) in accordance with the provisions of The Prevention and Suppression of Money Laundering Activities Law of 1996 and all amendments to the law thereafter.

Signed by the said Nominee(s):

Name (in Print) and position:

Date: 27/10/12

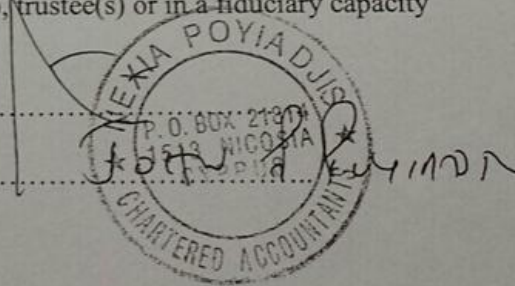


I/We the **Undersigned Introducer(s)** of the above named company:

- a) confirm and corroborate the authenticity of above signature and,
- b) having performed all necessary due diligence checks, **Certify that all documentation and information supplied above by the Nominee(s) is correct and truthful.**
- c) Confirm that the ultimate beneficial owners declared above are acting on his/her/their own behalf and not as nominee(s), trustee(s) or in a fiduciary capacity on behalf of any other person(s).

Signed by the Introducer(s):

Name (in Print) and position:



In the presence of:

Name (in Print) and position:

Date: ___/___/___

Annex 8.2

Bank wire transfers from “H.T. Trust Limited” to “Deliza Limited”

* 29/10	808.010,03	291003	00205073 DELIZIA LTD	H.T.TRUS	155
* TOTAL	846.624,10*	2	DEBITS		

DATE	AMOUNT	VAL. DATE	DESCRIPTION	BRANCH	
* 01/09	808.009,42	010903	00193548 DELIZIA LIMITED H.T. TRU	H.T. TRUS	155
* 22/09	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	155
* 26/09	808.009,84	260903	00232853 DELIZIA	H.T. TRUS	155
* 30/09	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	105

* 06/08	[REDACTED]	[REDACTED]	[REDACTED]	H.T. TRUS	155
* 25/08	209.430,31	250803	00193830 DELIZIA	H.T.	155
* TOTAL	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

*OTHER DEBITS					
DATE	AMOUNT	VAL. DATE	DESCRIPTION	BRANCH	
* 17/11	45.176,14	171103	00206712 DELIZIA	H.T.	155

Annex 9

Diaspora taxation


Annex 9.1

Sample documentation relating to 2 per cent taxation and defence contribution

1. Sweden

Tax payment receipt

ሃገረ ኢርትራ
ገንዘብ ፋይናንስ



دولة ارتريا
وزارة المالية

Customer Copy

THE STATE OF ERITREA
Ministry of Finance

Ministry of Foreign Affairs
Foreign Mission - Sweden
Telephone: +46 8 441 71 70

Customer Copy

Tax and Duties Payment Receipt

Receipt No.: [REDACTED] Date: [REDACTED] /Jun/2014

ID Number: [REDACTED] Payment Method: **Bank**

Name: [REDACTED]

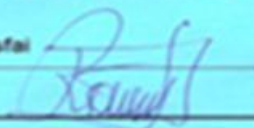
Description: **Recovery tax+Mekete 2008+Contribution to national defence+fax+cl pg.110**

Item Code	Description	Amount (SEK)
110109	Recovery tax	39,300.00
220114	Charges for official copies of documents	60.00
260199	Other miscellaneous receipts not classifi	30.00
260199	Other miscellaneous receipts not classifi	10.00
420414	Contribution for national defense	4,600.00
240108	Contribution to National Mekete	3,000.00

SEK 47,000.00

Amount in Words: **Forty-seven thousand SEK and Zero öre**


Name: Robel Tesfai

Signature: 

Note: *The receipt is prepared in coloured three copies. The first copy to the payee, the second copy to the accounts and the third copy remains in the computer.*

To use white paper as a receipt is forbidden.

Tax clearance form



ለምሳሌ ሃገር ለርትራ - ንግድ
 سفارة دولة اريتريا
 السويد
EMBASSY OF THE STATE OF ERITREA - SWEDEN
 ለምሳሌ ሃገር ለርትራ - ንግድ


ዕርገጻ ንዝተሰጠ ግዳት/CLEARANCE

ቁ. ግዳት _____ ወንጌል ወይ 2014
 ዕድሜ _____ ደ. ሰዓት _____
 ለርትራ _____ ሰዓት ነገር _____
 ለደረጃ ወይ ዕድሜ _____ የሚገባ / VALID TO _____

ዓ.ም	ዕለት	ጠቅላላ	ደብዳቤ ቁጥር
1992	2 488,00	Two Thousand Four Hundred Eighty Eight Kr.	700
1993	2 760,00	Two Thousand Seven Hundred Sixty Kr.	700
1994	3 888,00	Three Thousand Eight Hundred Eighty Six Kr.	700
1995	2 753,00	Two Thousand Seven Hundred Fifty Three Kr.	700
1996	2 900,00	Two Thousand Nine Hundred Kr.	700
1997	2 892,00	Two Thousand Eight Hundred Ninety Two Kr.	700
1998	2 388,00	Two Thousand Three Hundred Eighty Six Kr.	700
1999	2 855,00	Two Thousand Eight Hundred Fifty Five Kr.	700
2000	3 212,00	Three Thousand Two Hundred Twelve Kr.	700
2001	3 620,00	Three Thousand Six Hundred Twenty Kr.	700
2002	4 415,00	Four Thousand Four Hundred Fifteen Kr.	700
2003	3 776,00	Three Thousand Seven Hundred Seventy Six Kr.	700
2004	4 138,00	Four Thousand One Hundred Thirty Five Kr.	700
2005	4 897,00	Four Thousand Eight Hundred Ninety Seven Kr.	700
2006	5 208,00	Five Thousand Two Hundred Eight Kr.	700
2007	5 187,00	Five Thousand One Hundred Eighty Seven Kr.	700
2008	5 148,00	Five Thousand One Hundred Forty Six Kr.	700
2009	6 214,00	Six Thousand Two Hundred Fourteen Kr.	700
2010	6 342,00	Six Thousand Three Hundred Forty Two Kr.	700
2011	5 841,00	Five Thousand Eight Hundred Forty One Kr.	700
2012	5 006,00	Five Thousand Five Kr.	700
2001	8 000,00	Eight Thousand Kr.	
2002	500,00	Five Hundred Kr.	
2003	3 800,00	Three Thousand Six Hundred Kr.	
2004	500,00	Five Hundred Kr.	
2007	3 900,00	Three Thousand Kr.	

የዕድሜ ሰዓት
 COMPLETE UPTO 2012, VALID FOR SERVICE UNTIL 30-06-2014

ግዳት የሚገባ ለምሳሌ ሃገር ለርትራ ንግድ



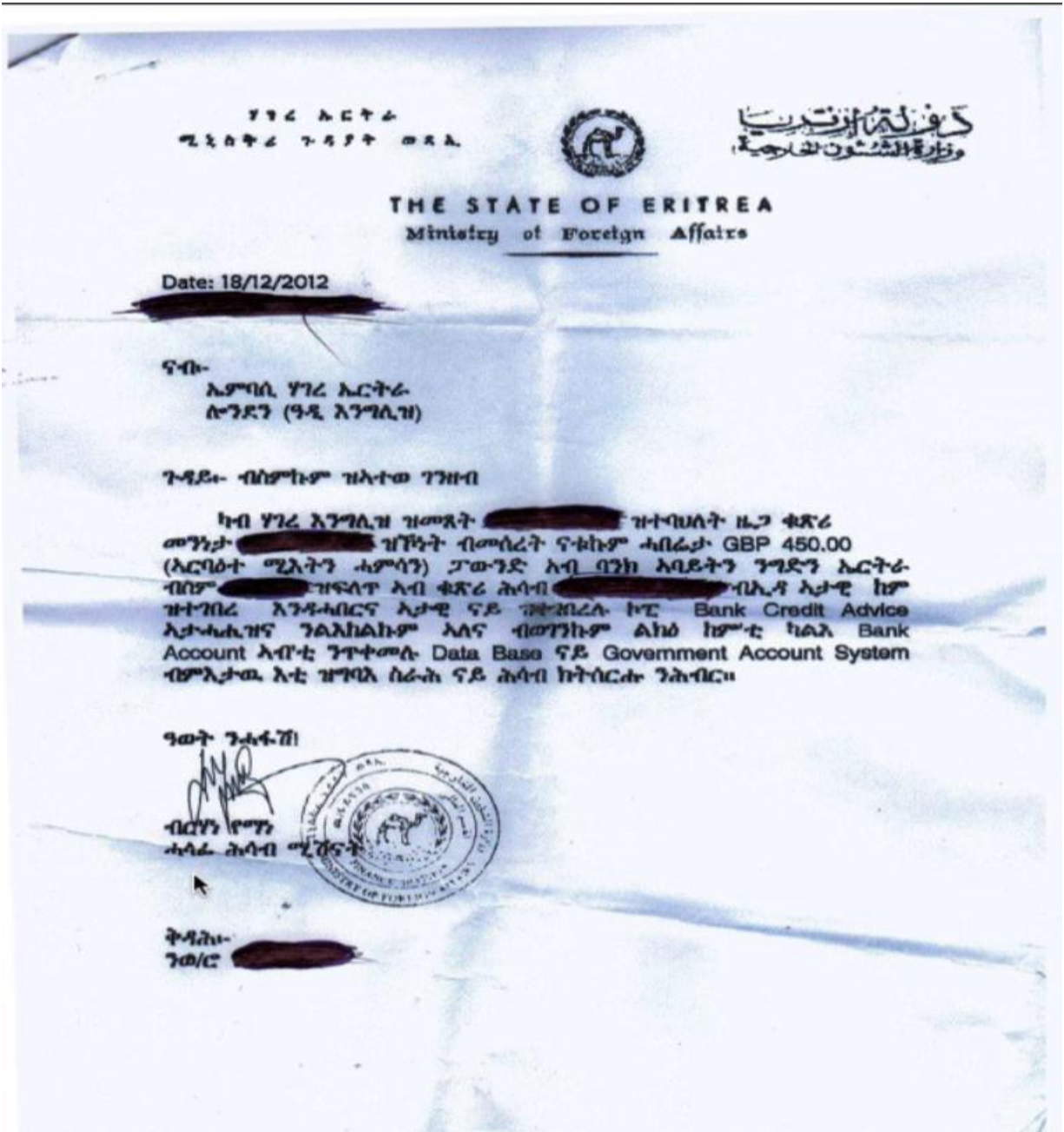
Yonas Mawra Bahra
Counsellor

Tel 08-441 71 70 Fax 08-448 73 48

2. United Kingdom

A Letter addressed to the Eritrean Embassy, United Kingdom

The subject on the document is a resident in the United Kingdom and has been asked to pay GBP 450 to a bank account. The letter also states that an advice of credit will be sent upon completion of the payment by the subject.



Letter addressed to Eritrea's Ministry of Foreign Affairs, Mr. Berhane Yemane

(An unofficial translation is provided below)

To the ministry of Foreign affairs

Mr Berhane Yemane

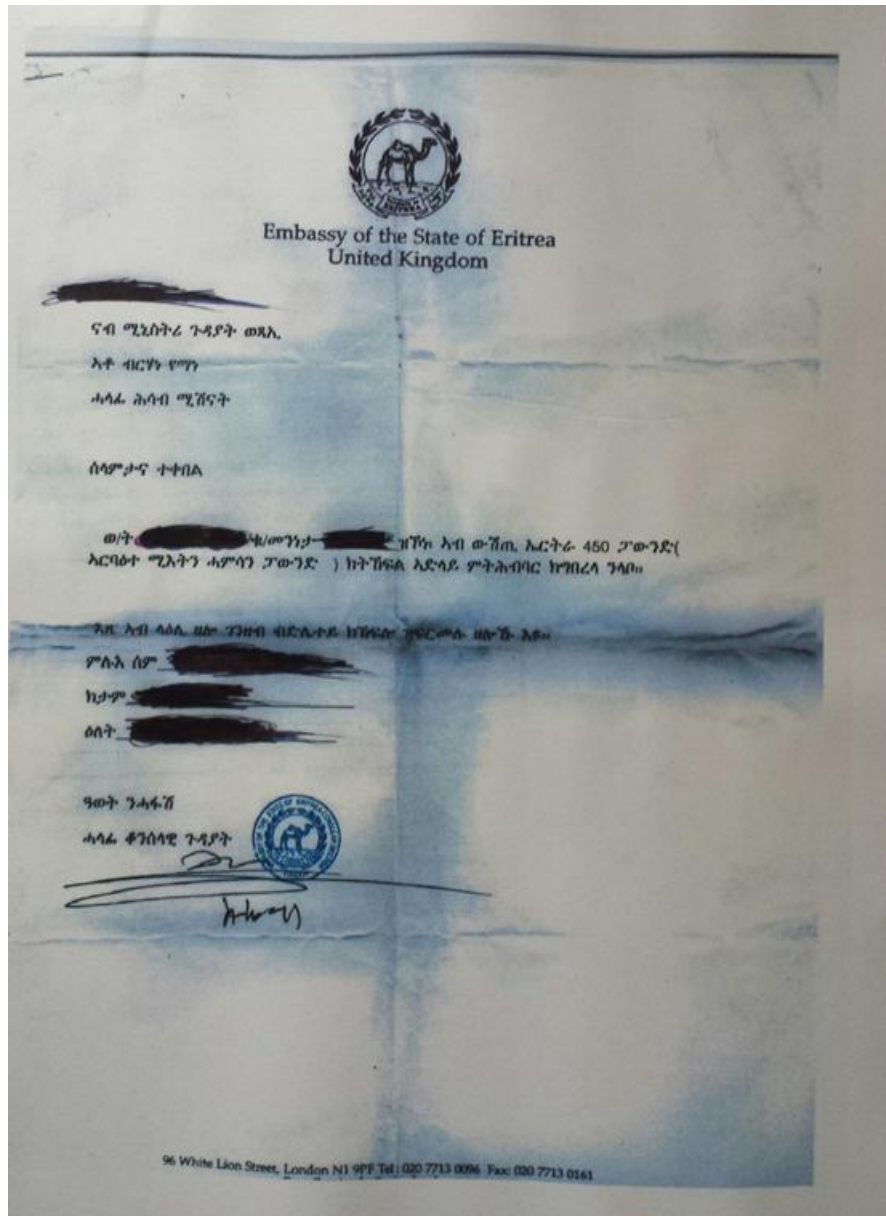
Greetings,

Mrs xxxx ID number xxxx, must pay GDP 450 (Four Hundred and fifty pound).

Please assist her where necessary. The monies mentions above, is money I have paid of my free will.

name of Payee: xxxx

Stamp:



On 18 December 2013, an Eritrean activist entered the premises of the Embassy of Eritrea in London (96 White Lion Street, London N1 9PF), in order to document the process of sending some items and packages to relatives and family in Eritrea. Mr. Tesfamariam wore a concealed camera and recorded the exchanges below with an employee from the Embassy.¹³⁶ During the exchange the individual is instructed that he has to fulfil his tax obligations to receive “clearance” before asking for services such as a Power of Attorney.

EE: Eritrean Embassy staff
 ST: Simon [REDACTED]

EE What was your address when you last paid?
 S [REDACTED] When I paid? 90 Guinness court I think.
 EE Since then, there hasn't been any payment.
 S [REDACTED] Well it's probably because I was still a student then. I was told to pay for my ID card.
 EE Yes, you paid for ID card. You were underage so 2% tax was not applicable. Bring your ID.
 S [REDACTED] From when do I need to pay according to this?
 EE OK.... The year you were born is 1978, right?
 S [REDACTED] Yes.
 (Embassy staff turns to speak to someone else)
 Coming back to ST:
 EE In 1996, you turned 18 years old. You have not paid anything since 1996. If you were a student, you have to bring proof of that.
 S [REDACTED] Well I was a student until 2001, until I finished university.
 EE You have to bring proof if you were in college or university.
 S [REDACTED] So I have to bring proof that I finished university?
 EE OK, You know you were under age until 1996 and then from then until 2001, in education. Proof is needed or if you were under social services and so on.
 S [REDACTED] Well, I was under social services from 1995-1997 but not after

¹³⁶ The audio recording can be viewed at: <https://www.youtube.com/watch?v=QyWkoZgBUeY>

that. I was living in a children's home.

EE OK from 1996-2004 what were you doing? Were you working, studying, you have to bring proof. Anyway even if you were a student, £50/year is paid by everyone. For the rest, until 2013 you have to provide proof of income.

Before 1996, you don't need to. However, after and until 2013 you need to bring a payslip, a P60 or anything that indicates your income. When you come with all these documents, then you can pay the 2% tax.

S Do I have to pay it all at once?

EE No you don't have to pay it all at once; you can break it down and pay in Eritrea.

S So do I have to pay it in Eritrea?

EE Yes you have to pay it in Eritrea.

S But do I have to go myself? How can I?

EE You can send it.

S OK, so it has to be paid there in pounds?

EE Yes in pounds.

EE However if you have anything to do there any query, e.g Power of Attorney (wekelena), or anything to do there, you will have to pay it all and get clearance. You will not be able to do anything without clearance. However, If you have no query or nothing to do, then you can pay it little by little.

S But I don't get clearance until everything is clear.

EE Yes, clear.

S So they will notify you that everything has been paid from there and I get my receipt.

EE Yes you get your receipt here and if they tell us that you have paid, then we deal with your query.

EE **A Call from Asmara**

EE Yes we are very busy. Who is here? What's his ID number? 80xxx
OK we will send it to you guys. If he paid there is no problem. There is another brother called Eyob, we sent you guys his information ten times. They have not received it.

We don't keep it here overnight. Confirmation of tax is sent

straight away, never kept overnight.

We will send for Yosef now. OK Bye.

EE Ummm...Simon, we need a picture of you.

ST Oh, OK.

EE You come with your picture, and your documents then we can talk about payment. But until everything has been cleared, nothing is done.

ST I need to get a mortgage to pay all this!

(both laugh)

EE OK, bring the paperwork then we will see.

ST OK. What's my ID number just in case?

(ID number given out)

ST OK Bye.

3. Canada

A verbatim transcript of a telephone conversation between an Eritrean national and an official from the Consulate General of Eritrea in Toronto, Canada.

The Eritrean official informs the caller that he/she needs to fulfil the 2% tax obligations in order to receive a renewal of her/his passport. The audio was recorded in May 2014.

Ketem(K)- Hello, good afternoon Eritrean Consulate Ketem speaking.

Wogahta(W)- Hi Ketem, How have you been?

Ketem(K)- Good, praise the Lord.

W- This is Wogahta speaking. How are you?

K- Hi Wogahta. How have you been? Missed your call earlier. What can I help you?

W- Last time, you told me that you will review the amount of the 2% tax you levied on me to pay as it is a heavy burden for me to pay all the amount. I would like you to update me on the discount of the 2% tax you guys are enforcing me to pay.

K- You have an income. Since the income declared on your income tax claim is your real income and you paid based on that amount to the Canadian federal and provincial taxes, the same amount should be used to levy the 2% tax that you should pay. Dues and obligations are the same like the Canadian income tax dues and obligations. Even those who are in post grad school who work on part time bases are obliged to declare their income and pay their 2%tax dues accordingly. They should submit all their income including bank loans.

W- Oh yeah, How come then it is way too much?

K- It is the way it is. You can work it out.

W- So..HMMMM I don't know what to do.....deep breath..... It is way too much. Is there any way that I can pay by installment??

K- No..No...there is no way. All the payment is done in Asmara. All the monies have to be paid in Asmara.

W- So...does that mean that I can ask the payment processors in Asmara for installment?

K- There is no way that they will allow you to pay by installment. They don't issue you clearance. The only thing they do is they will issue you a receipt upon your payment. (she is talking about 2% which I could hardly listen) You can't get power of attorney paper and clearance until you make the full payment.

W- ohmmm.....but I am not looking for clearance. I just want passport renewal.

K- Yes.....I know. If you want to renew your passport you need a clearance that declares you have paid all your 2% obligations for all the years until 2012 tax year for which you will get a receipt.

W- k...so if I find someone who can pay for me the 2% tax then I will get the receipt from Asmara?

K- Yes. You need to advise the person who is paying for you in Asmara to e-mail you a scanned copy of the receipt or send you by facsimile immediately. Consequently, you send copy of your receipt and your passport to Teklit (consulate staff) for renewal.

W-K....

K- Do you know how much the amount of the 2% tax that you should pay?

W- Yeah, I have it.

K- So inform to the person who is paying on behalf of you in Asmara and let me know so that I will send your file to Asmara.

W- The payment to be made in Canadian dollars, isn't it?

K- Yes, it must be paid in Canadian currency.

w-mmmm....that's the hardest part again. If I transfer money from here to the person in Asmara, he is allowed to get it in local currency. How can I pay in Canadian dollars?

K- no no no. they can accept in Canadian. Just send it with someone who travels to Asmara. If you send it with someone travelling to Asmara, they can get it in Canadian dollars.

W- oh...but where can I find a person who will take my money with him? I don't know anyone who travels to Asmara. It is hard to look for someone who travels to Asmara and give my money to the person to give it to the person in Asmara who will pay on behalf of me.

K- Everybody is doing what I am telling you to do. People (Eritrean Canadians) are either sending Canadian dollars or ask families to pay for them in Canadian currency in Asmara if they have Canadian currency locally. Either way it is the persons (Eritrean Canadian) responsibility on finding ways of making the payment. We are here to solicit and calculate the 2% tax. And inform accordingly.

W- hmmmmmm....

K-yea.....

W- K...then I don't know what to do.

K- It is your onus to make the payments. Look for a person who travels to Asmara or ask means of sending /transferring the money.

W-....I don't know what to do.

K- Let me know your status in the course of time. The office in Asmara will ask for your file so we have to send your file in order for the local office in Asmara process your payment.

W- Ok...Ok....

K- Ok then....

W- Ohhhhh....I don't know...I have no one I know.....and....

K- Try your best...look around and ask.....

W- Could you help me... I don't know.....if you know somebody....