



Press Release

Ethiopia’s Occupation Must End

The Government and the people of Eritrea have all along been a good host to the troops of the United Nations who are serving in the mission area. Eritrea maintains that there is no threat to the security and safety of the United Nations troops in Eritrea. However, it is sad that the issue of fuel has been deliberately blown out of proportion, and the fabricated news about “cutting of food supply to the troops” and “seizing of troop equipment” were disseminated to divert the attention and responsibility of the Security Council from addressing the occupation of Eritrean sovereign territory by Ethiopia.

This is not without precedence. The situation in early 2006 is similar in many respects to the current situation that attempts to derail the peace process. The border dispute is now over. The Eritrea-Ethiopia Boundary Commission (EEBC), a neutral body established in accordance with Article 4.2 of the Algiers Agreement, has officially submitted signed maps to the parties and to the United Nations at the end of last November, as noted in the 26th report of the Boundary Commission to the UN Secretary-General.

The peaceful and legal conclusion of the border conflict between Eritrea and Ethiopia as envisioned in the provisions of the Algiers Agreements was a good occasion for the Security Council to consider the matter and take the necessary steps to ensure that the rule of law is fully respected. The consideration of the new development was postponed for January 2008 to time it with the expiration of UNMEE’s mandate where discussions focused on the future of UNMEE, but not on the future of the one million inhabitants of Eritrea in the temporary security zone that waited patiently for over seven years to resume their normal lives in a safe and secure border.

In this regard, the UN Security Council resolution 1798 of 30 January 2008 is very revealing in its intent and its direction. The resolution totally disregards the final demarcation decision of the Boundary Commission which has the sole jurisdiction for determining the boundary on the basis of the Colonial Treaties and international law (Articles 4.1 and 4.2 of the Algiers Agreement). Moreover, the resolution ignored that the Delimitation and Demarcation Decision of the Algiers Agreement is also final and binding on the parties, and “Each party shall respect the border so determined, as well as the territorial integrity and sovereignty of the other party” (Article 4.15 of the Algiers Agreement).

To remain silent, however, at the time when the matter was concluded in November 2007 and to dwell on peripheral issues when the opportunity arose to discuss the issue of Eritrea and Ethiopia, raises a serious concern about the Security Council’s readiness to contribute to regional peace and security. The Security Council needs to remind itself that the core of the problem has been Ethiopia’s refusal to meet its treaty obligation. It is important to recall that it is Ethiopia and not Eritrea that is responsible for the fact that boundary pillars have not been erected. Indeed, had Ethiopia not rejected the Delimitation Decision and the Demarcation directives and orders of the Commission as originally foreseen, the problem would have been

resolved in 2004 within the timeline anticipated then. Physical demarcation could not be implemented because Ethiopia reneged its treaty obligation and commitments and the UN Security Council failed to secure Ethiopia's compliance.

Thus, ignoring the underlying issue in the Security Council has given the green light to Ethiopia to continue to occupy sovereign Eritrea territory. The Security Council should not fail to exercise its moral and legal responsibility under the UN Charter. Ambassador John Bolton's book "Surrender is not an Option" gives an account how the peace process was undermined to accommodate Ethiopia. The same rules and standards must be applied to all members of the United Nations, and Ethiopia cannot be above the law and it must be held responsible for violating the Algiers Agreement and international law.

Numerous key provisions of the Algiers Agreements were systematically violated by Ethiopia with impunity. In order to delay and prevent the demarcation by pillars, Ethiopia has repeatedly been breaching the Algiers Peace Agreement, inter alia, by:

- Refusing to comply with UN Security Council resolution 1430 (2002) to evacuate from the illegal settlement it made in Eritrea in July 2002, few months after the legal delimitation verdict was awarded;
- Rejecting the final and binding EEBC award as "illegal, unjust and irresponsible" and proposing that the Security Council set up an alternative mechanism to areas that it contests; (2003);
- Illegally sending its militia armed with AK-47 to the TSZ and threatening UNMEE peacekeepers by firing over their heads;
- Harassing United Nations and Boundary Commission personnel attempting to carry on their field work in the border region; halting the EEBC staff from continuing the physical demarcation which started on the eastern sector of 1000 km long border; and forcing the Boundary Commission to close its field offices;
- Failing to meet its financial obligation to the Trust Fund for demarcation; failing to respond to the Commission's request for assurances of freedom of movement and security for its staff traveling to the region to reopen the Commission's Field Offices; and refusing to appoint liaison officers;
- Deploying and steady building of armed forces near the southern boundary of the temporary security zone;

Yet, the Security Council treated Ethiopia's flagrant violations as non consequential to the regional peace and security. Eritrea reiterates urging the Security Council to exercise its moral and legal responsibility in bringing an end to Ethiopia's occupation and restoring the territorial integrity of Eritrea.

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