

“From the point of view of justice, the opinions of the Eritrean people must receive consideration. Nevertheless the strategic interest of the United States in the Red Sea basin and the considerations of security and world peace make it necessary that the country has to be linked with our ally Ethiopia.”

John Foster Dulles – US Secretary of State

December 1950

“In early February 2005, then Assistant Secretary for Africa, asked me to reopen the 2002 Eritrea Ethiopia Boundary Commission (EEBC) decision, which she had concluded was wrong, and award a major piece of disputed territory to Ethiopia. I was at a loss how to explain that to the Security Council...”

Source: Surrender Is Not an Option, Book by John Bolton, U.S. Ambassador to the United Nations

An open and unjustified war was waged on Eritrea from May 1998 to June 2000 (as was declared by the Ethiopian parliament, despite provocations persisted from as far back as 1997). When this war, sponsored by the US through its subservient TPLF regime, was foiled by the strong Eritrean resistance, in an effort to settle the border dispute Cessation of Hostilities and the Comprehensive Peace agreements were signed in Algiers in the months of June and December 2000 respectively.

The Algiers agreement was signed under the auspices of the OAU and the UN. Witnesses and guarantors of the agreement were Algeria, the EU, and of course, the US, which was responsible for the war in the first place and later posed as a mediator, further complicating the situation.

The Algiers Agreement stipulated the appointment of a neutral Arbitration Commission, composed of five members and with the sole mandate to deliver a final and binding delimitation and demarcation decision strictly based on pertinent colonial treaties (1900, 1902 and 1908) and Applicable International Law.

During the course of over a year, the commission: provided the two parties the opportunity to present their cases in an adversarial proceeding; weighed all the evidence presented to it by the parties; followed pertinent rules of colonial treaties and international law in its adjudication proceedings and in accordance with the Algiers' Agreement, it rendered its decision on April 13, 2002.

Following the EEBC verdict, the case should have been closed with the physical demarcation of the boundary by November 2003 in accordance with the timeline set by the Commission. The US Administration, however, had contrary aspirations. It aimed to hold Eritrea hostage in a continued military tension. It therefore started to outright sabotage the decision's implementation and derail the case out of its legal path. This resulted in delaying the decision's implementation for the first five and a half years.

During this period, the Government of Eritrea, strongly reiterating that dodging the rule of law would never be productive and that the ruling would eventually be implemented, persisted in its legitimate resistance against all US provocations and hostilities. And in the end, just as it predicted, all attempts of the US Administration miserably failed.

A Delineated Border

Due to the numerous ploys orchestrated by the US, the EEBC had a very difficult time in carrying out its activities. Aware of its responsibility to fulfill its obligations, the Commission nevertheless decided to conclude its mandate in November 2007 with a virtual demarcation of the border.

Subsequently, the Commission issued 45 maps where the boundary between Eritrea and Ethiopia, which extends for more than a 1000 kms was clearly delineated, including all geographical coordinates where the pillars would be emplaced. It submitted copies of the map to both countries and the United Nations Security Council. A copy for public reference was also deposited at the UN cartographic office. It furthermore settled all administrative and financial issues related to its activities, returned the remaining balance of funds to the United Nations Trust Fund and dissolved itself.

In its final summary report presented to the UNSC on the conclusion of its activities, the Commission said: "... The boundary delimited in accordance with the 13 April 2002 ruling and virtually demarcated in November 2007, remains binding to both parties. Any action violating or contradicting this demarcation results in an illegal occupation."

"... The Commission believes that it has fulfilled the obligations entrusted to it by the Algiers agreement. Having wrapped up all administrative and financial matters in line with the termination of its authorization, the Commission regards its mandate as fulfilled and dissolves itself."

This ascertained that the border between Eritrea & Ethiopia was once and for all settled legally and that it would in no way be ever manipulated.

The Commission has also clearly stated that apart from the failure of the United Nations

Security Council and the Algiers agreement guarantors to fulfill their obligations; and the series of obstructive actions on the part of the TPLF regime (or its sponsors); Eritrea never showed any actions whatsoever contrary to the legality and spirit of the agreement.

The Government of Eritrea, in a letter it wrote to the Commission on July 01, 2008, had said: "...While it is unfortunate that Ethiopia (its supporters that is) failed to cooperate with the commission in the demarcation process, it doesn't however obliterate in any way the final and binding nature of the ruling.

The Government of Eritrea has obtained 45 maps on a scale of 1:25,000 containing the demarcation of the boundary by coordinates, sent to both parties by the Secretary of the Commission in accordance with the decision by the Boundary Commission, due to the unwillingness of Ethiopia to abide by law.

Eritrea, therefore, considers the Commission as having fulfilled its mandate. In the same spirit, Eritrea will continue to urge the United Nations Security Council to shoulder its legitimate authority to stop the illegal occupation of Eritrea sovereign territories.

Eritrea, in the end, thanks the commission for expediting, under such challenging conditions, the mandate entrusted to it by the Algiers Agreement and bringing it to a successful conclusion. "

The conflict between Eritrea and Ethiopia, which erupted from a "border dispute", is a case that has had a verdict passed on a decade ago and resolved with a virtual demarcation five years ago. In the whole world today, only few countries, if any at all, have a boundary as clearly marked as that between Eritrea and Ethiopia.

And just as the EEBC stated in its final report, crossing the legally delineated border and occupying sovereign Eritrean territories is pure invasion and holds the invaders liable. In this respect, the US Administration remains responsible for illegally sponsoring the TPLF regime to occupy Eritrean territories

The people and government of Eritrea therefore, retain their right to a legitimate resistance until such an unlawful action stops and the invaders withdraw from occupied sovereign Eritrean territories.