

Lamenting after failing only worsens the wounds

The Eritrea-Ethiopia border dispute could have been peacefully and easily solved through diplomatic discussions. However, the American government deliberately complicated matters related to the border dispute and fueled it enough to have it eventually escalated to a massively disastrous war. As a consequence, the peoples of both countries paid considerable costs and missed enormous opportunities within the lost years of conflict. In fact, the crimes of the American government are not limited only to the matters associated with the causes of the border dispute. What was done by genuinely concerned people to end the dispute by way of the Algiers Agreement has been also hindered simply because the American government complicated matters not to have the said peace accord practically implemented. Consequently, this has worsened further the negative effects experienced by the two peoples as well as the peoples of the region at large as a result of the costs paid and the opportunities missed because of lingering to have the peace accord actually implemented. The negative role of the American government began while the peace agreement was being drafted. When the peace agreement document was being drafted in Algiers, the American experts, in their role as part of the drafting group, created some problems that were revealed later. Even all the complications and obstacles caused by the TPLF regime while the buffer zone was being established as per the provisions of the peace agreement were also engineered by the American administration. However, all the conspiracies and obstacles of the American government as a patron and the TPLF as its servile government were eventually proved to be futile as a result of the senselessness and patience of the Eritrean government. Accordingly, the border commission authorized to legally end the dispute established and commenced its activities as per what was stated in the peace agreement.

From 2000 to 2002 (until the commission gave its final verdict) when the Eritrea-Ethiopian case was being considered, the American government did its best to color the decision of the border commission through bribery and intimidation. In this case, the activities linked with the unnecessary interference were carried out by CIA and other American institutions. The evidence associated with what is being said in this case will be publicized when it is the right time to do so. When the boundary commission publicly announced its verdict, the TPLF officials immediately publicized that they were provided not only with territories they claimed but they were also given territories they never asked for as a result of the decision. The TPLF officials said this officially considering what the CIA could do in favor of them.

This means the Eritrea-Ethiopia Boundary Commission faced many forms of problems associated with the interference and threats (including monetary bribes) of the American administration before it ultimately announced its decision on 13 April 2002.

When the commission publicized its decision, the TPLF foreign minister publicly (on the state media) announced that his government accepted the verdict and he praised the commission for its good job. This happened on the same date that the commission announced its decision.

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However, within three-four days, the Ethiopian government started to claim that the decision was not clear and it needed clarification about it. Hence, they presented their claims (complaints) to the commission. At that time, many were very surprised because of the contradictory nature of their official statements. What does this indicate? This indicates that the regime has not its own independently made decision or independently generated ideas regarding how it should handle such major concerns. It depends on the instructions it receives from Washington whether to accept or reject something; it is dependent on the US government for the actions it has to take in handling major issues of concern for the Ethiopian people.

It was also rumored that Washington might instruct the TPLF regime not to accept the commission's decision. In connection to this, it is important to note what was said (on the eve of the date the commission publicized its decision) by a long time CIA member who was responsible for closely supervising (spying) cases related to Eritrea:

"... The decision in relation to the Eritrea-Ethiopia border case will be announced tomorrow (on April 13, 2002). As it is being said, Ethiopia will be forced to withdraw from the territories it has occupied. This will affect the administration of the areas, the residents, and even the position of the armed forces....It is really a considerable challenge."

When these statements are coupled with what the TPLF regime used to say about such excuses as a single church may be divided between the two sides, people may be divided between the common borders as a result of the decision of the Boundary Commission, it is clear that the subsequent complications were engineered by the CIA.

In the summer of 2002 when the commission, in accordance with the provisions of the Algiers Agreement that authorized it, was done with the preparations to actually demarcate/delimit the border on the ground, it intended to erect pillars in December 2002. As a result the prepared map was given to both parties so that they would suggest on the tasks that would be done subsequently. While Eritrea presented a 17-paged document containing technical suggestions that could be helpful for accomplishing the subsequent tasks of the commission, based on the instructions of the American government the TPLF regime presented a 141-paged document that contained no technical suggestions to be useful for the accomplishment of the decisions of the boundary commission. Rather the regime amazingly presented a document that intended to influence and have some of the lines indicated by the commission adjusted.

In response to this claim, on 21 March 2003 the commission asked both parties for a meeting. Accordingly, the commission plainly informed both of them that nothing would be changed about what was decided on April 13, 2002. The commission clearly stated that it was authorized by the Algiers Agreement to demarcate and delimit the borders on the basis of colonial treaties and relevant aspects of international law. No more no less. When the commission unequivocally stated its principled stance, the TPLF regime gave up. After he was frustrated by this meeting, in September 2003, the TPLF regime's prime minister, based on the advice and motivation of the US administration, underestimated and despised the decision of the commission by saying, "the decisions of the commission were illegal, unjust and irresponsible." The prime minister officially asked the Security Council to search for an alternative mechanism (an alternative to the final and binding decision of the boundary commission).

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The commission, on its part, met both parties on October 19, 2003 after the aforesaid complaint was communicated to the Security Council, and reported the result of what it noted from its consultation with the two parties. This was part of the 11th report of the commission. In the report, it was stated that Ethiopia was not concerned about the procedural aspects associated with the implementation of the final and binding decision. Rather, as the commission clearly noted, Ethiopia's complaint was basically linked with the dissatisfaction related to the verdict given by the commission, which was authorized to give a final and binding decision. For clearing the hurdles associated with the implementation of the commission's decision, the commission further reminded the Security Council to force Ethiopia so as to have the decision of the boundary commission implemented. Stated differently, the commission called for the Security Council to pressurize Ethiopia as it was ultimately its responsibility to have the decision implemented.

At that time, the letters the Ethiopian prime minister used to repeatedly send to the commission and the Security Council indicated that the more contested areas constitute 15% of the border and he used to ask in his letters for an alternative mechanism to be devised for handling the issue. Consequently, one of the major responses given by the commission includes:

“Ethiopia has asked for an alternative mechanism to be devised for demarcating ‘the contested parts of the borders.’ Devising an alternative mechanism violates article 4.2 of the Algiers Agreement that authorized what the boundary commission has to do (an article authorizing its mandate). Besides, apart from what Ethiopia is saying, what has been considered or described as ‘contested part of the border’ is not at all considered or claimed to be so by other parties. The legally delimited/ demarcated Eritrea-Ethiopian border is what was officially announced on 13 April 2002.”

The commission subsequently stated in its 12th, 13th, 14th and 15th reports presented to the Security Council that it was not able to accomplish its tasks because of the continuous impediments coming from the Ethiopian regime. Finally, hoping that the hurdles created by Ethiopia would be cleared someday, the commission stated that it only reduced its staff numbers but its office would remain open so as to resume its tasks.

But the US administration tried to overtly deviate from the legal means by claiming that in order to overcome the obstacles associated with the implementation of the decision it is important to have negotiation (dialogue) commenced between the two countries. Accordingly, the American administration has been massively engaged in diplomatic campaigns so as to effectively propagate for the aforesaid purpose. It also did its best to dissuade and persuade the United Nations to consider what the former proposed by deviating from legal grounds. To this effect, Mr. Lloyd Axworthy was assigned by the Security Council to facilitate a dialogue in the name of ‘a special UN envoy’. He was sent to both countries to conduct diplomatic visits. The Eritrean Government was not fooled by this initiative. It clearly stated that the issue has nothing to do with a dialogue facilitator or a special envoy. The central concern in this case is to be associated only with the rule of law. For this reason, the Eritrean Government strongly pointed out that it would remain committed to the strict implementation of the legal verdict. In other words, the Eritrean Government strongly stated that the need for assigning a special envoy is

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illegal, and it strongly opposed the attempt to have a judge or a facilitator who is not legally more important or higher than the boundary commission. As a result, the conspiracies of the US administration were aborted at an early stage. Because it was not possible to refute the legal arguments of Eritrea, the Secretary General of the United Nations was eventually forced to cancel the idea of designating a special envoy.

Concealed Refusal – New Old Game

The attempts made by the US Administration to influence or manipulate the mediation and subsequent decision process of the Boundary Commission did not succeed. Similarly, its efforts to derail the issue and pull it back to the 'dialogue' trap also failed. And in the end of 2004, after evaluating the ineffectiveness of these techniques, it was forced to resort to another approach: a concealed refusal.

On 25 November 2004, the TPLF regime, backed by the US Administration, started a new outdated game by convening its nominal parliament and tabling a Five-Point Peace Plan, announcing its acceptance, in principle, of the Boundary Commission decision and agreeing to pay its arrears to the Boundary Commission and to appoint field liaison officers.

On 21 December 2004, the United Nations Security Council, based on the Ethiopian proposal it welcomed on 7 December 2004, issued a statement ordering "the Boundary Commission to cooperate with both parties and complete its mission following Ethiopia's acceptance, in principle, of the Boundary Commission decision and its readiness for its implementation."

Accordingly, the Boundary Commission re-staffed its reduced field offices and set out to carry out its activities. Notifying both parties that it needed to conclude contracts with the firms of contractors previously chosen by the United Nations, the Commission urged their unconditional cooperation in a letter it sent to both parties on 26 January 2005.

At that time, in a paper he presented to the Eritrean Cabinet of Ministers, President Isaias Afwerki had said the following:

"The TPLF regime has been heeding advices and recommendation to take on seemingly new initiatives. But it knows very well that it can't fool the people and government of Eritrea with this new but outdated game. The clique's only aim is to draw international attention, and the subsequent staged performance of 'we have been welcomed' is a clear example..."

"... Those who are urging us to accept the 'dialogue' are only supposed to put into effect the legal decision and can never be the law or above it. Their obligation is not to urge acceptance of dialogue but to enforce the decision or implement Chapter 7 of the UN Charter. To try and replace a decision that has been deemed as final and binding with a dialogue, or accept it in principle or not, it's unthinkable. Trying that would be a thing for fools. Therefore, this new old

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game of the TPLF will be, just like all other previous conceited TPLF balloons, short-lived. The people of Eritrea will not fall for the pretext of dialogue and entertain futile games of sheep and wolves, for today, tomorrow or ever!"

Just as President Isaias Afwerki had correctly deduced even before the start of the game, the objective of the US administration and TPLF has been to mislead by posing as having accepted the decision instead of rightfully enforcing its implementation. To that end, they brought up different excuses and precondition, obstructing the Boundary Commission from effectively fulfilling its duties.

Complaining of these latest obstructions, the Eritrea-Ethiopia Boundary Commission wrote the following letter to the United Nations Security Council:

"Ethiopia is not prepared to allow demarcation to continue in the manner laid down in the Demarcation Directions and in accordance with the timeline set by the Commission. It now insists on prior "dialogue" but has rejected the opportunity for such "dialogue" within the framework of the demarcation process provided by the Commission's proposal to meet with the Parties on 22 February. This is the latest in a series of obstructive actions taken since the summer of 2002 and contradicts the frequently professed acceptance by Ethiopia of the Delimitation Decision."

The TPLF regime and US Administration's acceptance of the ruling was nothing but a diplomatic exercise, as they were in reality working to obstruct its implementation, as revealed in the repeated reports by the Boundary Commission. Consequently, in February 2005 the commission yet again closed down its Field Offices.

In its sixteenth report presented to the Secretary General of the United Nations on 24 February 2005, the commission regretted its inability to secure the resumption of the demarcation process despite the relentless efforts and preparations that the Commission has made for almost three years to do so. It further stated that the difficulties placed in its way compelled the commission to close down its already inactive field offices in Adi Grat and Addis Ababa.

Acknowledging the failure of the United Nations and the guarantors of the Algiers Peace Agreement to enforce the demarcation process, the commission also expressed strong concerns for the failure of the UN Mission that the world community has been paying 200 million dollars a year to maintain.

Realizing that the shutting down of the Boundary Commission offices proved a dangerous forerunner to expose the failure of the international community, the pretentious and double standard policies of the US-led international community and the United Nations, the US administration had to essentially resort to other forms of deception.

Therefore, in early 2006, the US, in an initiative to "facilitate demarcation process", appointed a General Fulford as the 'technical expert' who would oversee the new game. The objective of this initiative was to engineer an endless cycle of debates prior to the ruling's implementation, thereby undoing the April 13 verdict by political mediation. All its contents and execution plans being illegal and fundamentally inconsistent with the demarcation procedures previously issued by the Boundary Commission, the initiative was totally rejected by the Eritrean government. The

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fact that General Fulford wrote to Eritrea's Legal Counsel seeking operational latitude to shift the boundary by about 1km, exposed the illegal plan brought up under the disguise of facilitating demarcation.

Mention can be made of another example that corroborates this evidence. On January 2006, Jendayi Frazer, US Assistant Secretary of State for African Affairs, non-informing the Eritrean government and yet accompanied by Ethiopian officials, paid a visit to the occupied Eritrean territory of Badme. Her proposal during that illegitimate visit for a referendum over the future of Badme, is an additional event recorded in history and that amply demonstrates the illegal actions of the US administration.