



## 安全理事会

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## 秘书长关于埃塞俄比亚和厄立特里亚的报告

## 一. 引言

1. 本报告是依照安全理事会 2000 年 9 月 15 日第 1320 (2000) 号决议第 12 段提出的内述自我提交 2007 年 7 月 18 日报告 (S/2007/440) 以来的最新情况, 本报告还叙述联合国埃塞俄比亚和厄立特里亚特派团 (埃厄特派团) 的活动。

## 二. 临时安全区和邻接区的情况

2. 在本报告所述期间, 临时安全区和邻接区的军事形势仍然紧张。自 2006 年 10 月起, 厄立特里亚一直在安全区驻留部队和包括坦克在内的重型军事装备。当时埃塞俄比亚部署在安全区邻接区的部队和重型装备仍然留在原地。在本报告所述期间, 厄立特里亚在安全区增调了军事人员和装备。两国部队在边界地区进行轮调、训练和集结。

3. 厄立特里亚国防军继续在临时安全区内, 包括在巴德梅邻近地点构建新的防御工事。在这方面, 埃厄特派团观察到厄立特里亚国防军在西区和中区设立了一些新的军营。厄立特里亚国防军还在中区和东分区进行部队轮调, 以及逐渐以厄立特里亚国防军正规部队替换驻守在安全区内哨所的民兵。

4. 自 9 月初起, 厄立特里亚国防军大批人员以及重型军事装备和弹药被调进临时安全区和邻接区。据埃厄特派团估计, 在 9 月和 10 月期间, 厄立特里亚向中区的安全区增调大约 1 000 名士兵、10 支重机枪和 5 卡车小武器弹药的卡车, 使 2006 年 12 月起调入该区的军事人员总数超过 2 580 人。10 月 16 日, 埃厄特派团证实在中区措里纳附近的安全区内发现三门厄立特里亚大炮。关于东分区, 厄立特里亚国防军向该地区安全区内驻的兵力目前约达 600 人。在西区, 除了 2006 年 10 月向该区派驻大约 2 000 名士兵以及坦克和大炮之外, 厄立特里亚于今年 10 月向临时安全区派驻大约 2 025 名军事人员。厄立特里亚不断实施限制, 以致埃厄特派团无法监测安全区内的所有厄立特里亚部队调动和部署



情况。如我在过去提交安理会的几份报告中所述，厄立特里亚国防军和重型军事装备继续在安全区内驻留和部署，直接违反了 2000 年 6 月 18 日的《停止敌对行动阿尔及尔协定》。

5. 在本报告所述期间，埃塞俄比亚武装部队在包括巴德梅周围在内一些地区进行训练并加固防御，以及在中区和西区用单兵武器和自动武器进行实弹射击演习。埃塞俄比亚武装部队继续在西区部署战略后备部队。埃厄特派团观察到埃塞俄比亚部队在距临时安全区邻接区以南约 20 至 30 公里处的中区和西区 3 个机械化师驻防地点重新部署了大约 14 辆装甲运兵车和 18 门中型大炮。另外观察到还有 39 辆装甲运兵车开往部署在西区的机械化编队。此外，埃厄特派团于 10 月 1 日至 10 日期间观察到埃塞俄比亚武装部队在距安全区约 10 公里处的中区邻接区部署共 22 辆 T-55 型坦克车和 1 辆装甲抢救车。埃塞俄比亚武装部队向埃厄特派团指出，该次部署是为了对厄立特里亚国防军在距安全区边界约 15 公里处部署 30 辆坦克进行防范。由于目前受到厄立特里亚的限制，埃厄特派团无法独立核实这一指控。与此同时，今年早些时候，在东分区 **Bure** 地区观察到的埃塞俄比亚武装部队坦克和大炮已撤回邻接区以南。

6. 埃塞俄比亚和厄立特里亚领导人曾多次表示他们无意挑起敌对行动，但双方部队在边界地区集结引起了严重的关切。在这方面，埃塞俄比亚当局于 9 月 15 日指称一名厄立特里亚狙击手向中区 **Zela Ambessa** 地区的埃塞俄比亚部队开枪射击，击伤了一名埃塞阿比亚士兵。厄立特里亚指挥官否认知道这一事件。埃塞俄比亚与厄立特里亚部队之间的另一次枪击事件据称于 10 月 8 日发生在同一地点。

7. 在本报告所述期间，埃厄特派团继续协助双方调查跨界事件，包括关于偷牛的报告。埃厄特派团还为遣返无意中跨越边界的埃塞俄比亚和厄立特里亚公民提供便利。

### 三. 限制行动自由

8. 在报告所述期间，厄立特里亚继续维持它对埃厄特派团实施的所有限制。联合国直升机仍被禁止在厄立特里亚领空飞行，某些国籍的国际工作人员仍被禁止在厄立特里亚境内执行任务。厄立特里亚还对特派团的行动自由包括对夜间巡逻，维持 45 项长期限制（逾 6 个月），并继续将其巡逻活动限制在各区安全区内的主要补给线。此外，厄立特里亚还继续关闭位于西区的厄立特里亚境内 **Om Hajer** 与埃塞阿比亚境内 **Humera** 之间以及厄立特里亚境内 **Shilalo** 与埃塞阿比亚境内 **Shiraro** 之间的战略桥梁。2007 年 9 月 26 日，厄立特里亚对埃厄特派团在中区的排雷活动施加新的限制。从 6 月第一周起，厄立特里亚开始对东分区实行新的限制，阻止埃厄特派团巡逻队监测主要公路以外的地区。

9. 8月11日，厄立特里亚警察拘留了一名在中区巡逻并于18时过后进入措里纳镇的1名军事观察员人员。8月29日，2名在阿斯马拉休补偿假的军事观察员被厄立特里亚当局拘留超过两天，因为他们去了需要厄立特里亚事先批准才能进入的地区。他们后来在埃厄特派团提出正式抗议后才获释。事件发生6周后，厄立特里亚当局要求这两名军事观察员离开该国。其后，两名军事观察员于2007年10月12日离开该国。

10. 厄立特里亚对埃厄特派团行动实施的限制严重削弱了特派团有效监测临时安全区和邻接区的能力，特别是在西区的监测能力。尽管如此，埃厄特派团固定检查哨继续尽力监测厄立特里亚部队和重型装备进出安全区特别是中区和东分区内安全区的情况。中区和东分区地势险恶，以致在主要公路以外地点无法进行重大军事调动。

11. 埃塞俄比亚已经解除它过去对埃厄特派团实施的所有限制。

#### 四. 军事协调委员会

12. 埃厄特派团自2006年7月31日举行军事协调委员会第37次会议以来，一直未能再召开该委员会的任何会议。埃塞俄比亚向特派团表示，它只会在厄立特里亚恢复临时安全区的完整后才会再参加委员会会议。与此同时，厄立特里亚则向埃厄特派团表示，如果埃塞俄比亚作出积极回应，厄立特里亚就会出席委员会的会议。埃厄特派团目前仍在等待这两个国家对特派团2007年6月21日向它们发出的出席军事协调委员会会议的邀请函作出正式回复。特派团一再敦促埃塞俄比亚当局恢复参加委员会会议。

#### 五. 安全理事会第1767(2007)号决议的执行情况

13. 埃塞俄比亚外交部长2007年6月8日致函安全理事会主席，重申埃塞俄比亚无条件接受厄立特里亚-埃塞俄比亚边界委员会2002年划界决定，但其后埃塞俄比亚仍然坚称，当前并不具备标定边界的安全条件。在这方面，埃塞俄比亚仍然认为，厄立特里亚在临时安全区不断从事暴力行为，致使安全区实际上已不存在，并认为厄立特里亚对埃厄特派团施加的种种限制严重削弱了特派团根据《阿尔及尔协定》规定监测安全区的能力。

14. 9月22日，埃塞俄比亚外交部长致信厄立特里亚外交部长表示，厄立特里亚自2006年10月以来将军队和重型军事装备调入临时安全区，严重违反了《阿尔及尔协定》。信中还指出，除非厄立特里亚恢复遵守《协定》，这种违反行为可能会迫使埃塞俄比亚考虑根据国际法诉诸“和平的法律途径”，包括终止或暂停参加《协定》。信中还重申埃塞俄比亚反对厄立特里亚-埃塞俄比亚边界委员会采用地图坐标进行划界的计划。

15. 9月27日，厄立特里亚外交部长致信安全理事会主席、《阿尔及尔协定》见证人、欧洲联盟和我本人，对埃塞俄比亚9月22日的信作了回应。这位部长在信中强调，厄立特里亚-埃塞俄比亚边界委员会是解决标界问题的“唯一合法论坛”。信中还指出，埃塞俄比亚“几乎自2002年4月第一次宣布裁决之日起，就拒不配合执行边界委员会的依法命令”，而且“一再违反《阿尔及尔协定》”。该部长还敦促安全理事会强制执行埃厄边界委的裁决。

16. 我一直努力促使双方参与和平进程，为此我派遣主管政治事务副秘书长于8月27日至29日访问厄立特里亚和埃塞俄比亚执行任务，期间他与厄立特里亚总统和埃塞俄比亚总理进行了协商，讨论与和平进程有关的事项以及各种区域问题。副秘书长与这两位领导人的会谈极富建设性，而且双方也表示愿意克服两国关系目前出现的僵局，这使我深受鼓励。

17. 10月2日，我分别与厄立特里亚和埃塞俄比亚两国的外交部长举行会议。厄立特里亚外交部长重申该国政府的立场，即厄立特里亚愿意满足厄立特里亚-埃塞俄比亚边界委员会的所有要求，包括在一定程度上放松对埃厄特派团的限制，而且如果其部队的存在会冲击边界委员会的业务，它愿意从临时安全区撤出部队。厄立特里亚外交部长也表示，在标定边界之前绝无可能就正常化问题进行对话，并表示目前阶段只能与埃塞俄比亚讨论如何在实地放置界石的问题。埃塞俄比亚外交部长确认该国政府希望推进标界进程，但表示，只要厄立特里亚部队继续部署在安全区内，就不可能取得进展，并说，仍然有必要就与标定边界有关的众多实际问题进行对话。

## 六. 厄立特里亚-埃塞俄比亚边界委员会

18. 厄立特里亚和埃塞俄比亚的代表参加了厄立特里亚-埃塞俄比亚边界委员会9月6日和7日在海牙召集的会议。不过，在执行厄立特里亚-埃塞俄比亚边界委员会2002年划界决定方面，毫无进展。本报告附件二详述了委员会的工作情况。

## 七. 行政和支助

19. 在厄立特里亚境内向埃厄特派团提供行政和后勤支助的工作因厄立特里亚当局继续施加限制而受阻碍，特别是禁止直升机飞行、不允许某些国籍的联合国工作人员在厄立特里亚境内从事服务、限制柴油燃料供应以及其他限制。这些限制继续给特派团带来重大的作业困难。

## 八. 地雷行动

20. 地雷和未爆弹药继续对在临时安全区及其邻接区内生活和工作的人们带来极大威胁。在本报告所述期间，埃厄特派团继续开展人道主义排雷行动。大

约 181 255 平方米和 168 公里的道路已排除地雷，还有 1 019 公里的道路在本报告所述期间经过了核查。特派团也处置未爆弹药，其间销毁了 43 枚反坦克雷、四枚杀伤人员地雷和 546 件军械。特派团继续对当地居民和新到达的埃厄特派团人员进行雷险教育。对六起触雷事件进行了调查，这些事故涉及西区和中区的当地平民，有九人死亡，六人受伤。但由于厄立特里亚施加上文第 10 段所述的新限制，排雷行动受阻。

## 九. 人权

21. 根据埃厄特派团的任务规定，特派团在临时安全区及其邻接区内的活动应与联合国和其他组织在这些地区的人道主义及人权活动相协调。因此，特派团继续监测临时安全区及其邻接区内的人权状况。7 月 27 日，在红十字国际委员会主持下，特派团监督从厄立特里亚遣返了 576 名埃塞俄比亚国民以及从埃塞俄比亚遣返了 20 名厄立特里亚国民。

22. 7 月 31 日，埃厄特派团前往埃塞俄比亚境内 Shimelba 难民营进行实地考察以监测厄立特里亚难民的境况。难民营行政管理当局告知埃厄特派团说，最近以来每月大约有 350 至 400 名厄立特里亚人前来难民营寻求庇护。难民营官员报告说，经世界粮食计划署（粮食计划署）努力增加资源以确保营内难民的口粮达到公认的标准，难民的营养情况已有所改善。

## 十. 新闻

23. 埃厄特派团继续积极努力满足当地对新闻的强烈需求，包括通过发行特派团的双月期刊《埃厄特派团新闻》、每周广播专题节目和影像制品等途径。所有的新闻制品均以当地文字和英文印发或广播。特派团的网站以及设在埃塞俄比亚的斯亚贝巴、默克莱和阿迪格拉特等地的外联中心也提供这些制品。埃厄特派团设在厄立特里亚的外联中心自 2003 年以来一直关闭。

## 十一. 人道主义状况

24. 在厄立特里亚，该国西部加什-巴尔卡地区的 20 000 名境内流离失所者在联合国及其伙伴的帮助下，于 5 月和 6 月回归并重新安置，该地区的境内流离失所者营地自此全部关闭。但是，重新安置的以及仍留在厄立特里亚南部德巴布地区各营地的另外 12 000 名境内流离失所者依然需要人道主义援助，尤其是基本需求援助。重新安置方案仍在进行之中，所剩的营地一旦其居民全部得到重新安置即会关闭。

25. 2007 年 6 月在内罗毕举行的非洲之角粮食安全问题的协商进程之后不久，厄立特里亚政府告知联合国，它正在制订粮食安全路线图。同时，雨季已经开始，降雨量普遍高于平均数。因此，官方对目前农季的总体预测是良好的。



26. 作为一项防洪和早期抗洪措施，埃塞俄比亚政府及其人道主义合作伙伴于 2007 年 8 月 13 日启动了联合防洪应急计划，募求 2 100 万美元以解决估计 32.4 万受益人在最可能情况下的救济和复原需求。另外，人道主义应急基金已认捐 2 百万美元防洪资金。由于缺乏饮用水而且环境卫生服务差，急性水腹泻在埃塞俄比亚一些地区持续发生。为了应对这一问题，中央应急基金已向埃塞俄比亚赠款 3 百万美元，以支助供水、环境卫生和保健方面项目。

## 十二. 行为和纪律

27. 自我上次报告以来，埃厄特派团报告了三起不当行为案件，其中两起正在调查之中。第三起涉及一名被地方当局以行为失检为由强迫离开厄立特里亚的埃厄特派团官员，该案的调查已接近完成。埃厄特派团还继续培训其工作人员，在本报告所述期间，有 1 500 多名特派团人员接受了有关性剥削和性虐待等涉及行为相关问题的培训。

28. 埃厄特派团在任务区内进行了一次关于娱乐设施的调查，以制定特派团人员娱乐和福利战略。特派团还实施了若干举措，例如离职面谈和提供纪律咨询的帮助专线。离职面谈使即将离职的工作人员有机会就改进制度和机制以及找出不足，提出意见。帮助专线使工作人员能够从行为和纪律股获得咨询。此外，还启动了一个四种语言的无线电广播节目，目的是让当地群众了解联合国的零容忍政策以及申诉机制。

## 十三. 艾滋病毒/艾滋病活动

29. 在本报告所述期间，埃厄特派团的艾滋病毒/艾滋病股继续为新来的军事人员和文职人员进行上岗培训，并对军事特遣队成员举办提高认识的培训。该股还提供自愿咨询和检测。该股与埃厄特派团的新闻办公室、人权办公室和一级医院协作，增加与当地民众的接触。

## 十四. 意见

30. 9 月 6 日和 7 日双方与厄立特里亚-埃塞俄比亚边界委员会在海牙举行的会谈未能化解两国在边界划分问题上的僵局。在这个问题上的持续僵持、双方之间的紧张关系以及边界地区沿线的军事集结，是令人严重关切的问题。

31. 双方必须找到共同点，使厄立特里亚-埃塞俄比亚边界委员会能够着手划分边界，除此以外别无选择。联合国依然坚定致力于全面和无条件执行厄立特里亚-埃塞俄比亚边界委员会在 2002 年 4 月 13 日宣布的最终和具有约束力的划界裁定。我敦促双方不再拖延地与委员会全面合作，以期在委员会 2002 年划界裁定的基

础上进行边界划分。在这方面，我敦促厄立特里亚和埃塞俄比亚在委员会设定的 2007 年 11 月时限之内，对委员会的工作给予合作和协助。就我而言，我将继续促使双方寻找彼此均可接受的方法来执行委员会 2002 年的最终和具有约束力的划界裁定。

32. 我还敦促厄立特里亚和埃塞俄比亚全面遵守双方分别于 2000 年 6 月 18 日和 12 月 12 日在阿尔及尔签署的《停止敌对行动协定》及《和平协定》。这两份协定仍然是两国之间和平解决边界冲突及建立长久和平的唯一基础。

33. 保护临时安全区的完整性同样至关重要。因此，我呼吁厄立特里亚从安全区撤出部队和军事装备，并解除对埃厄特派团的种种限制。边界地区持续不断的军事集结令人严重关切，而且已导致发生枪击事件，这些事件突出表明存在着发生更多错估形势的风险。我呼吁双方力行克制，将各自部队后撤，并减少在边界地区的军事活动。我还敦促双方恢复军事协调委员会的活动，该委员会为双方军事代表和平解决边界安全问题提供了难得的对话框架。

34. 归根结底，埃塞俄比亚和厄立特里亚对克服分歧及推进和平进程负有主要责任。我深深感谢一些会员国为谋求弥合双方之间的分歧所作的种种努力。然而，只有双方表现出解决争端所需的政治意愿和灵活性，这些努力才会取得成果。

35. 最后，我要感谢特派团所有文职和军事人员在日益危险而且压力日重的工作环境下坚持奉献，坚持不懈地艰苦工作。我还要感谢特派团的所有伙伴、非洲联盟、《阿尔及尔协定》见证人和埃厄特派团之友以及联合国国家工作队、各人道主义机构和其他国际组织及各会员国继续向和平进程提供支助。我还要特别感谢部队派遣国持续不断地支持这项重要的维持和平行动。

## 附件一

## 联合国埃塞俄比亚和厄立特里亚特派团：截至 2007 年 10 月 10 日各国派遣军事人员的情况

国家	军事观察员	士兵	参谋	共计	本国支助人员
阿尔及利亚	8	0	0	8	
奥地利	2	0	0	2	
孟加拉国	7	0	5	12	
玻利维亚	5	0	0	5	
波斯尼亚和黑塞哥维那	5	0	0	5	
巴西	7	0	0	7	
保加利亚	4	0	0	4	
中国	6	0	0	6	
克罗地亚	4	0	0	4	
捷克共和国	2	0	0	2	
丹麦	3	0	0	3	
芬兰	5	0	0	5	
法国	1	0	0	1	
冈比亚	2	0	1	3	
德国	2	0	0	2	
加纳	12	0	3	15	
希腊	2	0	0	2	
危地马拉	5	0	0	5	
印度	8	701	14	723	
伊朗伊斯兰共和国	3	0	0	3	
约旦	8	559	11	578	
肯尼亚	10	114	4	128	
吉尔吉斯斯坦	4	0	0	4	
马来西亚	7	0	3	10	
蒙古	4	0	0	4	
纳米比亚	4	0	1	5	



国家	军事观察员	士兵	参谋	共计	本国支助人员
尼泊尔	4	0	0	4	
尼日利亚	8	0	2	10	
挪威	3	0	0	3	
巴基斯坦	5	0	0	5	
巴拉圭	4	0	0	4	
秘鲁	4	0	0	4	
波兰	3	0	0	3	
罗马尼亚	5	0	0	5	
俄罗斯联邦	3	0	0	3	
南非	2	0	0	2	
西班牙	3	0	0	3	
斯里兰卡	4	0	0	4	
瑞典	2	0	0	2	
瑞士	1	0	0	1	
突尼斯	8	0	3	11	
乌克兰	3	0	0	3	
坦桑尼亚联合共和国	8	0	2	10	
美利坚合众国	2	0	0	2	
乌拉圭	5	33	4	42	
赞比亚	9	0	3	12	
<b>共计</b>	<b>216</b>	<b>1 407</b>	<b>56</b>	<b>1 679</b>	

## 附件二

## 厄立特里亚-埃塞俄比亚边界委员会第二十五次报告

1. This is the twenty-fifth report of the Eritrea-Ethiopia Boundary Commission, covering the period from 10 July to 26 September 2007. The previous report covered the period from 1 April to 9 July 2007.

2. In its previous report, the Commission noted that it had decided to convene a meeting with the Parties in September 2007 in order to ascertain what progress, if any, could be made towards the resumption of its demarcation activities, and noted the replies of the Parties of 25 and 27 June 2007 indicating that both Parties were willing to attend such a meeting.

3. On 10 July 2007, the President of the Commission wrote to the Parties inviting them to a meeting to be held in New York at the offices of the Secretary of the Commission, who is also the United Nations Cartographer.

4. In order to comply with United Nations Administrative Rules for holding meetings at United Nations Headquarters, the Commission requested logistical support from the Government of Norway, as a Member of the United Nations which both Parties had accepted as a long-standing neutral supporter of the Commission's work, to reserve rooms for it at United Nations Headquarters. The Government of Norway acceded to this request. The Commission was grateful for this assistance.

5. The President in his letter of invitation stated:

The purpose of the meeting will be to consider how pillars may be erected along the line set out in the Annex to the Commission's Statement of 27 November 2006 taking into account the need to overcome the problems referred to in paragraphs 10 and 11 of the Commission's Statement of 27 November 2006.

The Commission looks forward to this meeting with the representatives of the Parties. It hopes that they will come with sufficient authority to be able to agree upon the measures necessary to fulfil the purpose of the meeting, in particular that both Parties fully co-operate without conditions with the Commission, and take all necessary action to enable its demarcation teams to perform their functions.

Please confirm at your earliest convenience that your appropriately authorized representatives will attend the meeting.

6. Following a reminder from the Registrar of the Commission on 2 August 2007, Eritrea's representative replied on 9 August 2007 confirming Eritrea's participation and that Eritrea's representative would be "prepared and fully authorized to discuss the implementation of the 13 April 2002 Delimitation Award through demarcation". Counsel for Ethiopia also replied on 9 August 2007 indicating that Ethiopia was prepared to attend a meeting convened by the EEBC on 6 September 2007, but requesting that the meeting be convened in The Hague rather than at the premises of the United Nations in New York, in order to avoid creating the impression that the Commission was "an agency of the United Nations". Eritrea by letter of its representative dated 18 August 2007, opposed this request and expressed support for the Commission's "undoubted authority to hold meetings where it thinks best".

7. After considering the views of the Parties, the Commission decided to hold the meeting at its seat, which is at the Permanent Court of Arbitration in The Hague, and the Registrar informed the Parties of this decision by e-mail dated 18 August 2007.

8. At the meeting held on 6 and 7 September 2007 Eritrea was represented by His Excellency Mr. Mohammed Sulieman Ahmed, Ambassador of Eritrea to the Netherlands, Professor Lea Brilmayer, Co-Agent, and Ms. Lorraine Charlton. Ethiopia was represented by His Excellency Mr. Fisseha Yimer, Co-Agent, Ambassador and Permanent Representative to the United Nations in Geneva, Mr. B. Donovan Picard, Counsel, and Mr. Edward B. Rowe, Counsel. Representatives of UNMEE were present. The Commission was assisted by Mr. Vince Belgrave, Chief Surveyor, and Mr. Bill Robertson, Special Consultant.

#### The Agenda of the Meeting on 6 and 7 September 2007

9. An Agenda was circulated to the Parties on 27 August 2007 specifying the conditions required to be satisfied by each Party in order for the Commission to be enabled to resume its activities. Those conditions were:

##### For Eritrea

- to lift restrictions on UNMEE insofar as they affect the EEBC;
- to withdraw from the Temporary Security Zone (TSZ) insofar as the present position impinges on EEBC operations;
- to provide security assurances;
- to allow free access to pillar locations; and,

##### For Ethiopia

- to indicate its unqualified acceptance of the 2002 Delimitation Decision without requiring broader ranging negotiations between the Parties;
- to lift restrictions on movement of EEBC personnel;
- to provide security assurances;
- to meet payment arrears;
- to allow free access to pillar locations.

10. The Agenda also indicated that if sufficient progress were to be made on the above points, the Meeting would proceed to consideration of the schedule of work to be undertaken with regard to demarcation on the ground. The proposed schedule was annexed to the Agenda.

#### The Commission's Meeting with the Parties of 6 and 7 September 2007

11. The President of the Commission opened the meeting with a statement setting out the purpose of the meeting and recalling the Commission's Statement of 27 November 2006. The President recalled the list of locations identified by the Commission for boundary pillars using coordinates accurate to within one metre, which took into account the observations of the Parties. The President stated that "If the Commission had been able to go on the ground in the way originally planned, this is where the pillars would have been fixed, subject to the processes outlined in the Demarcation Directions. We hope that this indication of the adjusted line would enable

the Parties to take a more positive approach to demarcation on the ground as they would see what [we] had in mind.”<sup>1</sup>

12. The President also recalled the terms of paragraph 22 of the Commission’s Statement of 27 November 2006, which gave the Parties twelve months to consider their positions and seek to reach agreement on the emplacement of pillars. The President noted that less than three months now remained for the Parties to take such action and that, if the parties did not agree to conclude the demarcation themselves or allow the Commission to do so by the end of November, the boundary would automatically stand as demarcated, along the line specified in the Annex to the Statement of 27 November 2006, and the Commission’s mandate would thus be fulfilled.

13. The President stated,

By the end of today, or if our meeting should continue by the end of tomorrow, the Commission would like to know whether the Parties have difficulty with the November 2006 line, or with the fact that it is not marked on the ground. In other words, is the concern with the substance of the line or with the procedure? If the former, that is the substance of the line, what are the difficulties? If the latter, why not agree to let the Commission place the pillars at the indicated locations.<sup>2</sup>

The President also emphasized that there was no room for delaying tactics by either of the Parties.

14. The President acknowledged the letters received that day from the Co-Agent for Eritrea and from the President of Eritrea, both dated 5 September 2007, which “contain significant indications of willingness to see the process of demarcation resumed”, and invited Professor Brilmayer to make submissions based on the positions set out in her letter. Copies of the above-mentioned letters are annexed to this report.

### Eritrea’s Position

15. Professor Brilmayer’s letter of 5 September 2007 responded to each of the agenda items in turn.

- On lifting restrictions on UNMEE insofar as they affect the EEBC:

Eritrea recognizes UNMEE’S essential and positive contribution to the process of demarcating the 13 April 2002 delimitation line, and pledges to assist UNMEE accordingly. I have been instructed to assure the Commission that as the planned demarcation process gets under way, the Government of Eritrea is committed to supporting UNMEE’s operations as they bear on the demarcation, as provided in the Algiers Agreements.

- On withdrawal from the TSZ insofar as the present position impinges on EEBC operations:

The Government of Eritrea’s position is that as soon as all of the arrangements for demarcation are in place, Eritrea will remove any Eritrean forces that might meet this description.

- On providing security assurances:

<sup>1</sup> Transcript, 6 September, p. 4.

<sup>2</sup> Transcript, 6 September, p. 6.

Eritrea has previously provided security assurances in response to Commission instructions, and intends that these assurances should remain in effect unless the Commission determines that they are somehow insufficient or no longer relevant.

- On allowing free access to pillar locations:

Eritrea has on no occasion interfered with any Commission attempt to access pillar locations, and pledges that in the future it will continue this policy.

16. Professor Brilmayer's letter of 5 September 2007 stated, further, that "the undertakings described above are predicated on the assumption that Ethiopia will fully meet its legal obligations."

17. In his letter of 5 September 2007 President Isaias Afwerki of Eritrea summarized Eritrea's position as follows:

Eritrea has consistently held the position that any talks between the Parties, secret or otherwise, on any matter regarding the demarcation of the boundary outside the framework of the EEBC, do not have any legal basis, nor are they helpful. It has not and will not countenance any alternative or parallel mechanism. The only forum for any discussion on the demarcation of the boundary is the EEBC.

In regard to the normalization of relations between Eritrea and Ethiopia and any discussion of such normalization, Eritrea's repeatedly stated position also remains consistent. Eritrea is prepared to consider normalizing its relations with Ethiopia and engage in any necessary discussions pertaining to normalization as soon as the demarcation of the boundary is completed and when a conducive environment for normalization is established. It must indeed be clear that dialogue on normalization would not be acceptable as a precondition for demarcation.

18. Professor Brilmayer submitted that her letter was an attempt to address the Commission's questions "as carefully, precisely and responsibly as possible".<sup>3</sup> She stated a general agreement with what she understood as the Commission's point of view "that this is a meeting at which we ought to set up a practical, workable process and one that will allow us to work through the details as we go along."<sup>4</sup> Professor Brilmayer also emphasized "the difficulty of ensuring reciprocity", stating that "Eritrea is convinced that we cannot simply take reciprocity for granted" and that "our suggestions about what we can bring to the process are importantly dependent on progress made from Ethiopia."<sup>5</sup>

19. Eritrea explained its commitment to mean that, as soon as all arrangements for demarcation were in place, it would remove any Eritrean forces that might fit the description of impinging on EEBC operations, possibly including the total departure of Eritrean forces from the TSZ if EEBC operations were so to require.<sup>6</sup> Ethiopia's response was that it would accept nothing less than "fully unconditional withdrawal of

<sup>3</sup> Transcript, 6 September, p. 7.

<sup>4</sup> Transcript, 6 September, p. 8.

<sup>5</sup> Transcript, 6 September, p. 8.

<sup>6</sup> Transcript, 6 September, p. 17.

the forces of Eritrea now in the TSZ — occupying the TSZ — in clear violation of the cessation of the hostilities agreement.”<sup>7</sup>

20. A Commissioner invited comments from both Parties based on the following summary of Eritrea’s position:

As the planned demarcation process gets under way, the Government of Eritrea is committed to supporting UNMEE’s operations as they bear on the demarcation as provided in the Algiers Agreement, it being understood by Ethiopia that those operations require the restoration of UNMEE’s freedom of operations to what it was three years ago and by Eritrea that this is not excluded if those operations so require ... What we are left with are three questions of fact. First, what UNMEE operations do bear on the demarcation? Secondly, what Eritrean forces in the TSZ do impinge upon EEBC operations? Those two questions give rise to a third: and how are those questions of fact to be determined?”<sup>8</sup>

Professor Brilmayer’s response was that “Ethiopia says that it is unqualified in its acceptance of the delimitation decision and what that means is that they are prepared to discuss demarcation. That really is not the kind of reciprocity that Eritrea feels like it needs”.<sup>9</sup>

### Ethiopia’s Position

21. Mr. Picard, Counsel for Ethiopia, made a series of observations which did not respond directly to the Agenda, and some of which related to matters outside the scope of the Commission’s mandate.

22. Mr. Picard expressed Ethiopia’s “disappointment” at the Commission’s Agenda for failing to “reflect the reality on the ground” or to “reflect the treaty obligations of the Parties”.<sup>10</sup> He stated that “implementation cannot take place in the face of Eritrea’s grave violations and clear and continued aggression and threats of force. These have nullified the minimum security conditions necessary for the resumption of demarcation. These actions on the ground have made demarcation practically physically impossible.”<sup>11</sup> Mr. Picard stated further:

[Ethiopia] rejects as a practical matter the notion set forth in the agenda and in Professor Brilmayer’s letter to the Commission which we received this morning: the notion that all Eritrea must do is to declare that it is ready to lift restrictions on UNMEE “insofar as they affect the Commission” and “to withdraw from the TSZ insofar as the present position impinges on Commission operations”. The notion that this would allow demarcation to go forward is simply not in touch with reality.<sup>12</sup>

23. Ethiopia’s substantive response to the conditions set out by the Commission in its Agenda was as follows:

<sup>7</sup> Transcript, 6 September, p. 18.

<sup>8</sup> Transcript, 6 September, pp. 23–24.

<sup>9</sup> Transcript, 6 September, p. 28.

<sup>10</sup> Transcript, 6 September, p. 9.

<sup>11</sup> Transcript, 6 September, p. 12.

<sup>12</sup> Transcript, 6 September, pp. 12–13.

Ethiopia cannot accept what appears to be indications by the Commission that Eritrea would not be required to withdraw fully from the TSZ.<sup>13</sup>

According to the Co-Agent for Ethiopia, it was for the purposes of demarcation that the Parties agreed to withdraw from the TSZ, which was a fundamental condition of the Cessation of Hostilities Agreement, compliance with which was additionally an obligation under Article 1 of the Algiers Agreement. For this reason, no discussion could take place on the demarcation issue “as long as full compliance with the Cessation of Hostilities Agreement on TSZ and UNMEE is [not] restored; not insofar as, not as long as it does not affect the work of EEBC. That is totally unacceptable to us.”<sup>14</sup>

24. A Commissioner asked of Ethiopia: “if Eritrea were to withdraw all of its forces from the TSZ, would the Government of Ethiopia be in a position to commit itself unconditionally to cooperate in the process of demarcation?”<sup>15</sup> The Co-Agent for Ethiopia responded that “assuming Eritrea withdraws fully troops and equipment from the TSZ ... then we will be back and we will engage in the discussion of demarcation. Now we are saying that we will not engage in the discussion on demarcation because the situation on the ground has changed. We are not going back now, but, if the situation changes, then we will sit down and discuss the issue of demarcation, which is the second part of your mandate.”<sup>16</sup>

25. A Commissioner then referred to the five conditions specified in the Agenda and asked if Ethiopia, supposing Eritrea were willing to move out of the whole of the TSZ, were willing to comply with those conditions and implement all of them.<sup>17</sup> Mr. Picard responded that “once this serious problem of return of the temporary security zone to its proper state, as required by the Algiers Agreements, and once UNMEE is allowed to fulfil its obligations by no longer being hindered in its operations throughout the zone, once those problems are dealt with, the other points that the Commission has raised are certainly not going to provide a problem”<sup>18</sup> and “The problem really is Eritrea’s violations of the Algiers Agreements are so fundamental and so material and so direct a threat to Ethiopia that this conduct simply has to change in fundamental ways before there will be any confidence that we can have productive discussions on demarcation.”<sup>19</sup>

26. In response to a question by a Commissioner, Mr. Picard confirmed that in effect Ethiopia was requiring three conditions to be met, namely the concept of demarcation originally adopted by the Commission; ceasing of activities alleged to be conducted by or on behalf of Eritrea in other parts of Ethiopia; and activities alleged to be conducted by or on behalf of Eritrea against Ethiopia in Somalia. Ambassador Yimer objected to the demanding of “some concession” from Ethiopia in return for Eritrean compliance

<sup>13</sup> Transcript, 6 September, p. 13.

<sup>14</sup> Transcript, 6 September, p. 17.

<sup>15</sup> Transcript, 6 September, p. 19.

<sup>16</sup> Transcript, 6 September, pp. 19–20.

<sup>17</sup> Transcript, 6 September, p. 20.

<sup>18</sup> Transcript, 6 September, p. 20.

<sup>19</sup> Transcript, 6 September, p. 21.



with existing obligations, and stated that Ethiopia's demand was for the *status quo ante* to be restored.<sup>20</sup>

27. As to the summary of the position of Eritrea set out above in paragraph 20, Ambassador Yimer responded that "The Government position is that before we enter into any discussion of anything regarding demarcation, anything, before anything is under way on demarcation, the situation on the ground has to change."<sup>21</sup>

28. Regarding the other question by a Commissioner, that, "If the Eritrean Government were prepared to commit itself to total withdrawal from the TSZ and restoration of the *status quo ante* of UNMEE, would your Government be in a position to commit itself to accept the demarcation of the border pursuant to the coordinates set out in the November 2006 Statement of the Commission?",<sup>22</sup> Ambassador Yimer replied:

once this is done, the *status quo ante* of UNMEE is restored, the Ethiopian Government is prepared to sit down and discuss with you a demarcation process, which is the second phase of your mandate ... We will embark upon the discussion of the demarcation process, because it has stopped now.<sup>23</sup>

29. Asked further by a Commissioner whether Ethiopia was prepared to apply the Delimitation Decision through demarcation without broader negotiations and without discussion, the Ambassador stated: "I am not saying we would not engage in a discussion and there will not be any demarcation. There will be and we have to sit down and discuss and be prepared to discuss demarcation without any condition to be engaged with you ... but there is a very serious situation which has to be removed now."<sup>24</sup> The Commission observes that, even if all of Ethiopia's conditions were met by Eritrea, Ethiopia would not commit itself to anything more than discussion on demarcation.

#### Conclusion of the Meeting of 7 September 2007

30. In closing the meeting, the President reminded the Parties that the effect of the Commission's Statement of 27 November 2006 is that the demarcation by coordinates identifying with precision the locations where pillars should be in place will become effective at the end of November unless in the interval the Parties act so as to produce a new situation.<sup>25</sup> The President reminded the Parties that the line prescribed by joining the coordinates specified in the annex to the Statement of November 2006 had been drawn taking into consideration the observations of the Parties, and differs only to a limited extent from the line in the Delimitation Decision of April 2002.<sup>26</sup> The President stated:

<sup>20</sup> Transcript, 6 September, p. 22.

<sup>21</sup> Transcript, 6 September, p. 25.

<sup>22</sup> Transcript, 6 September, p. 25.

<sup>23</sup> Transcript, 6 September, p. 26.

<sup>24</sup> Transcript, 6 September, p. 26.

<sup>25</sup> Transcript, 7 September, p. 3.

<sup>26</sup> Transcript, 7 September, p. 4.

Needless to say we greatly regret that we could not take our work through to its full conclusion, but at least we leave you with a line that is operable. It is up to you to work out how to implement it. It is up to you to consider such devices as open boundaries so that some of what you identify as manifest absurdities because a line cuts a village or a road several times can be overcome by allowing the boundary to be open and nationals to pass freely from one side to the other or even to cultivate their fields on the other side.<sup>27</sup>

31. The Commission expressed its appreciation of the work done by UNMEE during the period when it was able to provide assistance and of the work of the United Nations Cartographic Section and the Permanent Court of Arbitration.<sup>28</sup>

#### Next Steps

32. Following the exchange of views at the meeting with the Parties of 6 and 7 September 2007, if the positions of the Parties have not changed by the end of November 2007, the boundary will automatically stand as demarcated by the boundary points listed in the Annex to the Statement of 27 November 2006. The Commission will then remain in existence only for the purpose of administrative matters connected with the termination of its mandate.

#### Financial Arrears

33. Ethiopia continues to be in default on payment of its share of the Commission's expenses.

34. At the meeting on 7 September 2007 Eritrea raised the issue of Ethiopia's payment of its financial arrears as expressly required by the Algiers Agreement.<sup>29</sup> The President recalled that on 16 March 2006, the Registrar of the Tribunal requested payment of a deposit and this was followed up with an email to the Co-Agents of the Parties on 31 March confirming that the Commission had received the deposit from Eritrea. On 18 May 2006 the Registrar required the immediate payment of the Ethiopian deposit. On 21 May 2006, there was a letter from Counsel for Ethiopia to the President indicating that the Government of Ethiopia had approved payment of the deposit. No payment was made. In November 2006 there was a conversation between the Registrar and Mr. Rowe in this connection and between 16 and 27 April 2007 there was a conversation between the Registrar and Mr. Picard at the premises of the Permanent Court of Arbitration.<sup>30</sup> Mr. Picard responded that he had not received any further instructions on this matter.<sup>31</sup>

35. The Registrar of the Commission clarified that, if the Commission received Ethiopia's \$250,000 deposit in March 2006, it would still have had to require from each Party an additional \$750,000 to meet the obligations of the Commission already incurred. As at 7 September 2007, the Commission had not asked for further deposits from Eritrea, because it had never received the Ethiopian deposit.<sup>32</sup> The President

<sup>27</sup> Transcript, 7 September, p. 4.

<sup>28</sup> Transcript, 7 September, p. 5.

<sup>29</sup> Prof. Brilmayer, Transcript, 7 September, p. 5.

<sup>30</sup> Transcript, 7 September, pp. 5-6.

<sup>31</sup> Transcript, 7 September, p. 6.

<sup>32</sup> Transcript, 7 September, p. 6.

recalled that the Commission had been obliged to turn to the United Nations Trust Fund, which had disbursed approximately \$500,000.<sup>33</sup> Thus it was drawn to the attention of the Parties that Ethiopia is still in arrears and both sides will have to be asked to make a further contribution towards the expenditure already incurred but not covered.<sup>34</sup>

(*Signed*) Sir Elihu **Lauterpacht**

President of the Eritrea-Ethiopia Boundary Commission

28 September 2007

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<sup>33</sup> Transcript, 7 September, p. 6.

<sup>34</sup> Transcript, 7 September, p. 7.

## Attachment I

President Sir Elihu Lauterpacht  
Eritrea Ethiopia Boundary Commission  
Permanent Court of Arbitration  
The Hague, the Netherlands

5 September 2007

Dear President Lauterpacht:

I am writing in regard to the Agenda you circulated in advance of the 6 September 2007 meeting of the Boundary Commission in The Hague. Your Agenda sets out a series of points on which the Commission requests the parties to clarify their commitments for the record. Eritrea's positions on the four points addressed to it are as follows.

First, the Commission has asked whether Eritrea is prepared to facilitate UNMEE's activities in so far as they affect the operations of the EEBC. Eritrea recognizes UNMEE's essential and positive contribution to the process of demarcating the 13 April 2002 delimitation line, and pledges to assist UNMEE accordingly. I have been instructed to assure the Commission that as the planned demarcation process gets underway the Government of Eritrea is committed to supporting UNMEE's operations as they bear on the demarcation, as provided in the Algiers Agreements.

Your second request is for Eritrea's assurances that it will remove any Eritrean military presence in the TSZ "in so far as the present position impinges on EEBC operations". The Government of Eritrea's position is that as soon as all of the arrangements for demarcation are in place, Eritrea will remove any Eritrean forces that might meet this description.

Third, the Commission asks for Eritrea's security assurances. Eritrea has previously provided security assurances in response to Commission instructions,

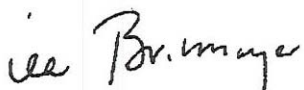
and intends that these assurances should remain in effect unless the Commission determines that they are somehow insufficient or no longer relevant.

Finally, Eritrea is requested to guarantee that it will allow free access to all pillar locations. Eritrea has on no occasion interfered with any Commission attempt to access pillar locations, and pledges that in the future it will continue this policy.

In light of the problems that have been experienced over the last five years due to Ethiopia's failure to comply with Commission decisions and instructions, it is unfortunately necessary for Eritrea to inform the Commission that the undertakings described above are predicated on the assumption that Ethiopia will fully meet its legal obligations.

As the Agenda requests, I plan to reiterate Eritrea's positions on these matters for the record after your opening remarks at the forthcoming meeting.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lea Brilmayer". The signature is written in a cursive, flowing style.

Lea Brilmayer  
Legal Advisor to the Office of the President

Asmara, 5 September 2007

Sir Elihu Lauterpacht  
President, the Eritrea-Ethiopia Boundary Commission  
Permanent Court of Arbitration,  
The Hague, Netherlands

Dear Mr. President,

Allow me to express my best wishes for the good health of your person.

I am writing this letter to put on record our profound apprehension about plans apparently underway to prevent the forthcoming EEBC meeting from addressing the critical issue on its agenda. Let me emphasize at the outset that I have no desire to compound your heavy burden. Nonetheless, remarks made in a press conference given by a US Assistant Secretary of State, Ms. Jendayi Frazier, on August 17 last month constitute political interference intended to induce negative bearings on the legal process. We have thus no option but to report our views candidly and unequivocally. Let me proceed to quote the relevant parts of her statement:

On the Eritrea-Ethiopia boundary issue, we are pleased that both countries have agreed to meet again under the auspices of the EEBC, under the Boundary Commission. And they are working very closely with Norway. And we would expect the UN role also in this next meeting. So we think that the process perhaps will move forward on there, but both countries, Ethiopia and Eritrea, have violated their own responsibilities to solving the Boundary Commission, the boundary dispute. And it continues to be a source of tension that is undermining not only the two countries, but, again, the region as a whole....



What the Eritrean Government said was that they did not want me to go to the border. My plan was to go to the border through Asmara and then to Ethiopia.... I said, the only purpose of coming is to go to the border. And so I went through Ethiopia instead of Eritrea. We are asked to come in by Kofi Annan before sanctions would be placed on Eritrea and Ethiopia, to try to mediate between them, to try to make, get forward motion on the Boundary Commission. We did get forward motion because we brought Ethiopia back to the table. Ethiopia had refused to go to the Commission before. We brought them back to the table. We got Meles to say he would accept the delimitation decision without conditions. But we lost Eritrea Eritrea then walked away from the Boundary Commission. Now they are coming back together. Those sanctions which were being considered were put on hold to give time for a diplomatic effort. Our diplomatic effort stalled when we suggested that there be technology, satellite technology, to look at how decisions on the demarcation of the border would affect the local communities. Because we felt that it was extremely important for Ethiopia and Eritrea to discuss how they were going to manage the impact on communities on the border, because some territory that was previously Eritrea would go to Ethiopia, some territory that was previously Ethiopia would go to Eritrea. So you had to address those local issues. Some farms would be split from their wells

Mr. President,

You will recall the strong reservations and protests we have made in the past against attempts to interfere with the EEBC's legal proceedings. Such political interference threatens to distract the forthcoming meeting from its legitimate agenda. We are therefore compelled to put on record our views.



1. Assistant Secretary of State Frazier's comments (which are phrased as though she has the authority to dictate the meeting's agenda) refer to a United Nations role without providing specifics. She mentions a role for Norway as well. The responsibilities of the United Nations under the Algiers Agreement are evident, but it is difficult to understand what legal role Norway might have.
2. She asserts that both countries have violated their responsibilities. Such apportionment of blame equally between the two parties, so as to accuse Eritrea, is not new. It is baseless and remains unacceptable.
3. In as far as her visit to the border is concerned, her illegal entrance into occupied Eritrean areas through Ethiopia effectively condones the invasion of the territories of a UN member State. It was both unlawful and ill-advised, and Eritrea objected to it at the time. Her support for alterations to the EEBC Award are indicative of the underlying motivations and purpose of her visit.
4. Ms. Frazier claims that she brought Ethiopia back to the table and induced it to accept the delimitation decision without conditions. Her claims raise many questions and (if true) serve only to reinforce our apprehension on the ultimate object of illegal interference. Moreover, her assertion "[b]ut we lost Eritrea... Eritrea then walked away from the Boundary Commission" is simply untrue.
5. Ms. Frazier alludes to "satellite technology" and to communities that will be affected by the Award. The allegation that "some farms will be split from their wells" is simply another variant of the "dialogue" argument invoked earlier in an attempt to dilute and nullify the Commission's final and binding Award. It has no legal or moral basis and we reject it, as has the Commission.

Mr. President,

What I have highlighted above constitutes only a small part of what was asserted at the press conference. But the effort underway to derail the 6 September meeting and to preclude indefinitely a resolution of the matter goes beyond mere advocacy for adjustments. I would have wished that this were not true.

The pretexts are, as usual, packaged benignly. Some of the ones typically invoked include:

- “Dialogue between the parties”: As we have repeatedly explained, we are unwilling to become entangled in what are essentially efforts to undermine the Commission’s legal decisions and to embroil ourselves in barren and endless wrangling.
- Preoccupation that villages, churches and mosques might be divided: This earlier version of the argument has now been repackaged as “farms being split from their wells”. Apart from its factual inaccuracies and legal irrelevance, this misplaced concern ignores the suffering of tens of thousands of our citizens who have languished in makeshift camps for years. The churches and mosques that were desecrated during the invasion, and the numerous villages that were razed to the ground, are still fresh in our memories.
- Communities that (supposedly) will be divided: This argument is at variance with the reality of borders and boundaries all over the world.
- “Normalization of relations” is possible only once the boundary has been demarcated. Indeed, it has only been delayed by the efforts in question to disrupt demarcation indefinitely.
- In regard to UNMEE: At a time when Ethiopia has breached the Commission’s instructions on the “evacuation of its troops and the dismantling of illegal settlement” and rejected the Award, the measure we took to safeguard our sovereign rights, alleviate the humanitarian



suffering of our people and stem the deterioration of our lands have been exaggerated and blown out of proportion and misconstrued – even though it may have entailed minor inconveniences to UNMEE – as a deliberate act of obstruction of demarcation and a violation of the binding Award. This apparent misrepresentation is not justifiable.

- Smear campaigns and allegations on terrorism that are underway through the falsification and fabrication of facts are, likewise, designed to create obstacles to the implementation of the EEBC's Award.

The underlying object of these efforts is not to promote the implementation of the EEBC Award or to expedite demarcation. The overriding objective is to render the EEBC proceedings fruitless and ineffective.

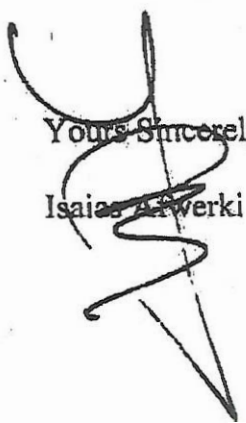
In this vein, we were approached just recently to consider a “proposal” for a “secret meeting” between the parties around the fringes of the UN General Assembly meeting later this month. We were further told, quite bluntly, that the current EEBC meeting will be “inconsequential”. In this connection, we have already reiterated our stance clearly and firmly. And that is:

Eritrea has consistently held the position that any talks between the parties, secret or otherwise, on any matter regarding the demarcation of the boundary outside the framework of the EEBC, do not have any legal basis, nor are they helpful. It has not and will not countenance any alternative or parallel mechanism. The only forum for any discussion on the demarcation of the boundary is the EEBC.

In regard to the normalization of relations between Eritrea and Ethiopia and any discussion of such normalization, Eritrea's repeatedly stated position also remains consistent. Eritrea is prepared to consider normalizing its relations with Ethiopia and engage in any necessary discussions pertaining to normalization as soon as the demarcation of the boundary is completed and when a conducive environment for normalization is established. It must indeed be clear

that dialogue on normalization would not be acceptable as a precondition for demarcation.

In conclusion, Eritrea's consistent position has been that this process should be managed as a legal one, consistently with international law. Eritrea comes to this meeting with legal answers to the questions proposed by your Agenda, which are outlined in a letter submitted today by our legal counsel.



Yours Sincerely,

Isaias Afwerki