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Minister of Foreign Affairs

MO/049/12

H.E. Mr. Ban Ki-moon
Secretary General of the United Nations
New York, N.Y.

Dear Mr. Secretary General,

This letter is a sequel to my letters to the UN Security Council of 6 September 2011; of 5 December 2011; and of 4 January this year, that convey the express requests of my Government for the establishment of an independent, impartial and credible Monitoring Group to replace the current body. The January 4 letter to the UN Security Council (copy attached) further underlines the need to clarify, in a comprehensive and non-ambiguous manner, the ground rules of its operations.

Excellency,

My Government has been compelled to table this rather unusual request for the following reasons:

1. As extensively demonstrated in our response to its Report of 18 July 2011, the Monitoring Group has displayed an unwarranted propensity to criminalize and delegitimize the Government of Eritrea and the People's Front for Justice and Democracy. I do not wish to waste Your Excellency's time by repeating in this letter the overwhelming evidences and instances in the Report that corroborate this unacceptable conduct. The fact is the members of the Monitoring Group have gone to extreme lengths to wage a crusade against the Government of Eritrea, the People's Front for Democracy and Justice (PFDJ), respectable and law-abiding members of the Eritrean community in the Diaspora as well as foreign friends of Eritrea including some Honorary Councils. As Your Excellency will agree with me, this mindset is not compatible with their mandate and cannot be shrugged off lightly.

2. The Monitoring Group has ventured, on several occasions, to probe on sensitive areas and issues that fall outside its mandate. In its November 2011 report, for instance, it announces that “it is in the process of deepening its knowledge of the Eritrean military intelligence services with a view to better understanding training and procurement activities that may represent violations of the arms embargo”. As we underlined in our letter of 4 January 2012 to the UN Security Council, this conduct clearly constitutes, albeit the flimsy caveat, an infringement of Eritrea’s sovereignty and is fraught with dangerous consequences to its national security for obvious reasons. This instance again accentuates the Monitoring Group’s lack of professionalism, poor judgment as well as disrespect of the sovereignty and institutions of the country.
3. There are credible indications which illustrate that the Monitoring Group has been taking its cue from, and working closely with, powers and countries that harbour hostile and bellicose agendas against Eritrea. Indeed, important members of the UN Security Council have underscored the need for the Monitoring Group to “... never be influenced by political considerations outside its mandate... to closely guard its independence and professionalism in the work it does to assist the Security Council with the implementation of those measures and ...to execute its responsibilities and mandate with professionalism, impartiality and objectivity. The Monitoring Group should never be influenced by political considerations outside its mandate. It is important for the Monitoring Group to closely guard its independence and professionalism in the work it does to assist the Security Council with the implementation of those measures. Equally, we call upon members of the Security Council to desist from any temptation to use the Monitoring Group for political ends”.
4. The Monitoring Group’s methodology of evidence collection and validation is another dimension of its work that provokes serious questions and which has corroded our confidence in its capacity to discharge its functions with integrity and impartiality. Almost in all instances, the Monitoring Group admits that it has relied on “foreign law enforcement agencies”; active Eritrean Government contacts”; “former government military or diplomatic officials. i.e. defectors”; and even “Eritrean individuals directly involved in people smuggling operations” for its information and presumptive conclusions. As we emphasized in our previous communications, we believe that the Monitoring Group’s ground rules of

information collection and verification should be robust and of such a standard to ensure that truth does not become a casualty of political manipulation which unfortunately has been the case so far with its various reports.

5. The Monitoring Group have almost routinely failed to rectify obvious errors that they had made in their premature official pronouncements and publications that indict Eritrea wrongly. As it may be recalled, the Monitoring Group had falsely asserted that Eritrea had deployed 2000 troops in 2006 when its mandate was then restricted to Somalia. In spite of Eritrea's repeated requests to the Monitoring Group to acknowledge the errors it had made, the Monitoring Group refused to set the record straight and take the appropriate remedial action. The pattern continues without meaningful correction to-date.
6. To-date, the Monitoring Group's Reports have never been conveyed to Eritrea formally and timely compromising its right and ability to respond to offenses of which it is accused of promptly and adequately. This may constitute a procedural flaw that cannot be attributed to the Monitoring Group alone. But we wish to take the occasion to seek remedial action.
7. We would also like to point out that a balanced composition of the Monitoring Group that draws its members from countries outside the narrow circle of those who have adversarial relationships with Eritrea will enhance its neutrality and credibility.

Let me conclude by expressing our profound hope that Your Excellency will address our requests adequately in the interests of justice and fairness.

Sincerely Yours



Osman Saleh
Minister

27 January 2012
Asmara

