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Commentary

The Case for Lifting the Sanctions on Eritrea

1. The Sanctions on Eritrea

The United Nations Security Council (UNSC) imposed sanctions on Eritrea on 23 December 2009 [[Resolution 1907 \(2009\)](#)] on account of (1) the Eritrean government's refusal to acknowledge and engage to address the border dispute with Djibouti and (2) allegations of the government's support to Somalia's *Harakat al-Shabaab al-Mujahideen*.

The sanctions provided for (1) an arms embargo on Eritrea as well as (2) travel ban and (3) asset freeze on targeted individuals. Beyond the imposition of an arms embargo on the country, the list of about a dozen selected individuals ([link](#)) on the travel ban and asset freeze contains no name of a known Eritrean government official.

The targeted individuals are listed in an earlier resolution, [Resolution 1844 \(2008\)](#), which imposes sanctions on individuals or entities designated as engaging in or providing support to acts that threaten peace, security and stability in Somalia. None of the targeted individuals is identified as Eritrean. Thus, the UN sanctions on Eritrea essentially comprise an arms embargo.

Another resolution, [Resolution 2023 \(2011\)](#), demands that "Eritrea cease all direct or indirect efforts to destabilize States, including through financial, military, intelligence and non-military assistance, such as the provision of training centres, camps and other similar facilities for armed groups, passports, living expenses, or travel facilitation." The resolution also expressed concern on the use of the "Diaspora Tax" for "extortion, threats of violence, fraud and other illicit means to collect taxes outside of Eritrea from its nationals or other individuals of Eritrean descent." It also calls for transparency to demonstrate that Eritrean mining proceeds were not being used to violate previous resolutions [1844 (2008) and 1907 (2009)].

Nine years after imposing sanctions on Eritrea, the UNSC adopted [Resolution 2385](#) in November 2017. Despite acknowledging the Somalia and Eritrea Monitoring Group's (SEMG) lack of conclusive evidence, the resolution still 'reaffirmed the arms embargo imposed on Eritrea' based on concerns expressed in previous resolutions.

2. General Background

It is essential to bear in mind that the governments of Eritrea and Ethiopia have, ever since the outbreak of their still unfinished boundary conflict, acted in accordance with the adage that *the enemy of an enemy is a friend* and supported each other's domestic and foreign opponents. This stance has operated to complicate the geopolitics of the Horn of Africa. In the civil strife and internecine conflict afflicting Somalia, in particular, both regimes have, at different moments in the crisis, wooed and supported a varying mix of rival factions in the context of constantly shifting, coalescing and splintering internal groupings and external alliances.

Undoubtedly, the spill over effect of the unresolved conflict and resultant rivalry between Ethiopia and Eritrea have stoked the regional conflict matrix, in general, and played out to the detriment of a probable intra-Somali reconciliation, in particular. The resolution of the frozen Ethio-Eritrean conflict would remove the regional spill over effect and its removal would most likely contribute to the reestablishment of central authority in Somalia as well as to regional peace, security and stability in the Horn of Africa.

3. The Road to Sanctions

It is quite probable that the Government of Eritrea could have prevented the imposition of the UN sanctions through adherence to domestic rule of law and proactive diplomatic engagement. President Isaias Afewerki's repressive response to the legitimate criticism of his increasingly autocratic style of leadership, government by impulse and mismanagement of the affairs of state violated domestic rule of law, inflicted systemic damage on the Eritrean body politic and contributed to the gradual isolation of the country at the regional and international levels ([Andebrhan Welde Giorgis, 2014: 280-283](#)). At the regional level, the Eritrean Government suspended its own membership in the Inter-Governmental Authority on Development (IGAD) and the African Union (AU) as an act of protest. The suspension of membership achieved merely the closure of the main channels for dialogue and forums from which to defend Eritrea's national interest, thereby facilitating its slide to self-isolation.

Furthermore, the increasingly hapless government of Eritrea had, to its discredit, failed to effectively refute the allegations of support for terrorist groups or positively respond to the overtures of the US, the EU and friendly European governments to reengage. Otherwise, the pursuit of a "policy of responsive governance at home and prudent engagement abroad" could have staved off the regime's total isolation and prevented the adoption of Resolution 1907(2009) and "the dire implications of its arms ban for the country's national defence capability in a volatile and conflict-ridden region" ([Andebrhan Welde Giorgis, 2014: 283](#)).

With the tacit support of the US and the assent of fellow Permanent Members of the UNSC, Ethiopia escaped censure for its obstruction of the work of the Ethiopia-Eritrea Boundary Commission (EEBC) to carry out the physical demarcation of the boundary and rejection of virtual demarcation, in defiance of the *final and binding* terms of the Algiers Agreements. Capitalising on Eritrea's internal weakness, diplomatic ineptitude and external isolation, it set out to further isolate Eritrea. Ethiopia used Eritrea's suspension of membership to enlist IGAD's unanimous support for a resolution calling on the UNSC to impose sanctions on Eritrea. Similar events transpired with the AU in Sirte, despite frantic last-minute efforts by the Eritrean delegation. Ultimately, the process culminated in New York where the UNSC, in a very rare act, heeded an AU call and imposed sanctions on Eritrea.

Be that as it may, the UN allegations of the government of Eritrea's military and financial support to Al-Shabaab have lacked corroborative evidence and remain essentially unsubstantiated. The author's private discussions with leading members of the UN Panel immediately following the report reveal that much of the implicating information came from Ethiopian intelligence, evidently a hostile and, therefore, suspect source. Subsequent SEMG reports have cast doubt on the accuracy and credibility of the accusations.

Suffice it to mention that there has been no proof or evidence to corroborate the key allegation that Eritrea had deployed ‘about 2,000 troops’ in Somalia in support of Somali insurgents, including Al-Shabaab. Ethiopia initiated and pushed for the imposition of the UN sanctions on Eritrea, and continues to vehemently oppose their lifting, in pursuit of its own foreign policy agenda. It was at the behest of Ethiopia that IGAD and the AU adopted the call for UN sanctions on Eritrea and the UNSC similarly adopted the resolution. The unanimity of the decisions, or the lack of a *single* vote opposing the call for sanctions among the IGAD and AU member states as well as the sanctions resolution at the UNSC, demonstrated the Eritrean government’s success in achieving total self-isolation at the sub-regional, regional and international levels.

Let us consider the first reason for imposing the UN sanctions on Eritrea. Following a border standoff that involved armed confrontation, Djibouti accused Eritrea of occupying its territory. Eritrea rejected the charges and denied the existence of any problem on the Eritrea-Djibouti borderlands. In reality, there was a problem. Even though Eritrea did not occupy any Djiboutian territory, it had militarised what had long been a demilitarised area under colonial agreement (1900 Rome Treaty). Quite strangely and inexplicably, Eritrea persisted in its denial and refused to heed repeated calls and resolutions of the UNSC to engage and resolve the conflict with Djibouti. Eritrea’s persistent denial and refusal to engage in defiance of UNSC resolutions became one of two reasons used by the UNSC to impose sanctions on Eritrea.

Meanwhile, Eritrea reversed course later on and admitted the occurrence of militarised confrontation along the common border and accepted Qatari mediation of the conflict. However, Eritrea’s admission and engagement came rather too late to avert the imposition of sanctions. Above all, continued active membership in IGAD would have allowed Eritrea to participate in the deliberations of the IGAD Assembly and prevent the unanimous adoption of its call for sanctions, since the decisions of the IGAD Assembly of Heads of State and Government are “reached by consensus” in accordance with Article 9 (4) of the Agreement Establishing the Inter-Governmental Authority on Development.

Nevertheless, the IGAD and AU calls for sanctions against Eritrea betray inconsistency, lack even-handedness and dent the credibility of the respective organisations. Neither IGAD nor the AU (which along with the UN is a guarantor of the Algiers Agreements), has called on the UNSC to impose sanctions on Ethiopia for its continued occupation of sovereign Eritrean territory, obstruction of the physical demarcation of the boundary and rejection of its virtual demarcation in violation of its treaty obligations under international law. The UN’s singular and selective sanctions on Eritrea thus represent the application of double standards that undermine the very authority and credibility of the international organisation.

The second reason for imposing the UN sanctions on Eritrea was alleged support of Al-Shabaab. Following four consecutive mandates, the SEMG has not found conclusive evidence that Eritrea supports Al-Shabaab. In submitting its report of the performance of its mandate to investigate the allegations, SMEG states that:

“Despite receiving some corroborating information from another regional Member State and regional administrations in Somalia, the Group has not been able to substantiate the allegations. As such, the Group has, for its fourth consecutive mandate, not found conclusive evidence of support provided by Eritrea to Al-Shabaab” -[Report by SEMG](#) transmitted to UNSC on 6 November 2017.

Despite SEMG’s report of no ‘conclusive evidence’ and the UNSC’s recognition “that during the course of its current and three previous mandates the SEMG has not found conclusive evidence that Eritrea supports Al-Shabaab (Art. 17)”, the UNSC adopted Resolution 2385 on 14 November 2017. This resolution was passed with 11 votes in favour, none against and 4 abstentions with the meeting coverage highlighting that:

“Following the vote, Council members who had abstained voiced their regret that proposals for changing the text to reflect the lack of evidence of support by Eritrea to Al-Shabaab had not been accepted. They also noted the complex security situation of the region in regard to the many non-State groups, stressing that sanctions were a means to an end and must be temporary when imposed. They must also change with developments on the ground.”

Similarly, “supporters of the text also welcomed the fact that no evidence had been found that Eritrea supported Al-Shabaab and that there had been some engagement between Eritrea and the international community. At the same time, representatives voiced regret that the country had not allowed the Monitoring Group to enter and fulfil its mandate.” -[UNSC Meeting Coverage](#).

The majority of statements by UNSC Member States have reiterated the call to the Government of Eritrea to allow the SEMG to visit the country so it can fully discharge its mandate. It is generally the case that once imposed for whatever reason, sanctions are extremely difficult to remove. The government’s stubborn refusal to allow SEMG to visit Eritrea and its imprudent non-cooperation with a recent initiative of a non-permanent member of the UNSC seeking to lift the sanctions makes the task of removal even harder. This stance casts serious doubt as to whether the government even wants the sanctions removed.

4. Lift the Sanctions on Eritrea

It is imperative for proponents of rule of law and advocates of democratic governance in Eritrea to make a distinction between the State of Eritrea (ሃገረ ኤርትራ) and the Government of Eritrea (መንግስት ኤርትራ) and remain loyal to the State of Eritrea and firmly defend its sovereignty and territorial integrity while opposing the authoritarian government and exposing its regressive and repressive practices. It is necessary to oppose the sanctions and support their immediate lifting. Why?

In the first place, the UN sanctions on Eritrea should not have been imposed at all. They were definitely imposed for the wrong reasons. Considerations of justice and fairness, the principles enshrined in the UN Charter and International Customary Law render the UN sanctions against Eritrea singular, unjustified and unwarranted based on the circumstances that led to their imposition.

Second, the UN and the powers that be have failed to apply comparable measures on Ethiopia. For nearly 18 years and counting, Ethiopia has continued to blatantly violate the sovereignty

and territorial integrity of Eritrea in defiance of its treaty obligations under international law; and the lack of recourse smacks of double standards and discrimination ([link](#)). After all, justice demands that the same or similar standards be applied to the same or similar situations.

Third, the arms embargo that the UN sanctions impose on Eritrea poses a real threat to national security. Located at the nexus of the Horn of Africa and the Arabian Peninsula, Eritrea is surrounded by active conflicts fuelling an illicit and abundant arms trade ([link](#)). The arms ban merely makes the procurement of military equipment costlier, puts the Eritrean Defence Forces (EDF) at a considerable disadvantage and jeopardises Eritrea's ability to defend itself in the highly volatile, turbulent and conflict-riven regions.

Fourth, the impact of the arms embargo disrupts the prevailing delicate military balance of forces in the Horn of Africa, encourages the belligerence of hostile powers and further destabilises an already crisis-ridden and unstable region.

Fifth, the UN sanctions provide the Eritrean regime with a convenient scapegoat to blame for the consequences of its incompetence and mismanagement. Benefiting from misinformation and lack of public awareness, the Eritrean regime sells the chronic shortages of basic necessities, essential goods and services, and the lack of capital and foreign direct investment (FDI) as the consequences of UN sanctions (in reality an arms embargo) and other hostile foreign intervention. It portrays the UN sanctions as a threat to Eritrea's prosperity and justify the regime's repetitive narrative of a distorted conception of 'self-reliance' to extort Eritreans to make evermore sacrifices and uses them as a pretext to justify its repressive domestic policy choices, such as indefinite active national service ([link](#)).

Finally, studies show that sanctions regimes, even when justifiably imposed and fully complied with by the powers that be, rarely if ever, achieve their targeted objectives. It has been repeatedly proven that international sanctions are ineffective in achieving their stated purpose, often counter-productive, and harmful to the affected populations.