

## **Resignation of Dinesh Mahtani-Another Irreparable Blow to the Somalia Eritrea Monitoring Group's Credibility & Integrity**

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H.E. Osman Saleh, Minister for Foreign Affairs of Eritrea, in his Statement at the 69<sup>th</sup> Session of the UN General Assembly said that, while the world had changed, the United Nations had remained “stuck in the past”. Restoring the relevance and credibility of the United Nations to meet the challenges of the 21<sup>st</sup> Century called fundamental restructuring the Organization. Eritrea’s perspective was informed by its history...

At the end of the colonization era, when all African nations were granted independence, Eritrea, then an Italian colony, was not. Instead, it was put under British Administration for 10 years, and then federated with Ethiopia. The Eritrean people had been denied the right to decolonization because of United States’ interests in the East Africa and Red Sea region. UN Resolution 390 was proposed by the US, whose hegemony over the UN at that time was almost total. It was the product of a mutuality of interest between the American and Ethiopian governments, not the expression of the interests and aspirations of the Eritrean people. John Foster Dulles, US Secretary of State, made US position clear when he stated the following:

**“...From the point of view of justice, the opinion of the Eritrean people must receive consideration. Nevertheless, the strategic interest of the US in the Red Sea Basin and world peace make it necessary that the country be linked with our ally Ethiopia...”**

On 11 September 1952, the Ethio-American conspiracy against the Eritrean people, resulted in the Federal Act and Ethiopia annexed Eritrea. The United Nations ignored the plight of the Eritrean people. Resolution 390A(v), was a violation of basic human rights of their rights under the UN Charter.

The Eritrean people were forced to embark on a 30-year armed struggle when their calls for justice landed on deaf ears. During the war for national liberation, the superpowers supplied arms to crush Eritrea's right to self-determination, and the United Nations once again looked the other way as atrocities were being committed against the people of Eritrea. During the last years of the struggle, the United States tried to scuttle prospects for a peaceful resolution, proved once again that it was not ready to accept an independent Eritrea. The victorious Eritrean People's Liberation Front (EPLF) entered Asmara, the capital of Eritrea, on 24 May 1991. Two years later, the Eritrean people voted in the Referendum and Eritrea joined the UN on 28 May 1993.

During the Eritrea Ethiopia border conflict in 1998-2000, US mediators appeased the minority regime in Ethiopia at every turn and were responsible for escalating a seemingly small border issue into a full blown war that cost the lives of over 120,000 Ethiopians who were used as cannon fodder and minesweepers in Ethiopia's aggressive war of expansion. The United States provided Ethiopia diplomatic, military, and political shield and support. Once again it is misconduct, political machinations by the powerful states, and political pressure that led to the violations of the rights of the Eritrean people.

The US brokered and its lawyers authored the Algiers Agreements signed by Eritrea and Ethiopia in December 2000,

bringing an end to the border war. An independent Eritrea Ethiopia Boundary Commission was established and it rendered its final and binding delimitation decision on 13 April 2002, and the EEBC awarded Badme, the casus bellie for the conflict to Eritrea. Ethiopia rejected the final and binding ruling and 12 years later, it continues to occupy Badme and other sovereign Eritrean territories. The United Nations at the behest of the United States and its allies, failed to uphold an internationally endorsed border decision delivered by the independent Eritrea Ethiopia Boundary Commission.

In 2009, once again at the behest of the United States, the US-Ethiopia engineered illegal, unfair and unjust sanctions resolutions were adopted against the State of Eritrea and its people. A reminder of yet another ugly mark in Eritrea's history with the UN System. All these hostile actions, of using the UN system to advance illicit agendas against the State of Eritrea have undermined the credibility and integrity, most importantly, the efficacy of the world body. Beyond states, individuals have also been engulfed in the ugly shenanigans against the State of Eritrea, careers have been compromised, and in some cases, brought to an abrupt end.



Today the latest headline is yet another sinister agenda involving the US and the UN Somalia Eritrea Monitoring Group. The story was broken by Inner City Press and its investigative reporter Matthew Russell Lee. In his 7 October article[\[1\]](#), he asks:

**“...What is the role of the people chosen and paid by the UN to monitor sanctions? In the case of the Somalia and Eritrea Monitoring Group there is a history of controversy, from former chair Matt Bryden to, exclusively reported**

here today, “finance expert” Dinesh Mahtani. This reporter has exclusively obtained and published what has been raised to the UN Security Council as a letter from Mahtani saying that former Eritrean official Ali Abdu “has great potential to play a stabilizing role in Eritrea with the country possibly headed to an uncertain period in its history.” Eritrea says: regime change, on UN letter-head. Is it appropriate for a sanctions expert?...”

A “regime change” agenda was exposed in a letter<sup>[2]</sup> written by Dinesh Mahtani, member of Somalia Eritrea Monitoring Group (SEMG).

### **The case against Eritrea- Void Ab Initio- Invalid from the Outset**

Today, we see many cases of wrongly convicted individuals being exonerated through DNA evidence. Wrong convictions have many causes. Some examples are eyewitness misidentification, junk science, false confessions, government misconduct, bad lawyers and snitches. In a court of law, the victim is usually compensated for the wrongful arrest and conviction. Some are set free when the evidence is considered to be too weak to convict. Unfortunately, the rule of law is almost nonexistent at the UN-as it is at the mercy of the powers to be. Time and again states and peoples have had to endure great suffering caused by wrongful resolutions adopted by the UN Security Council. Lives have been destroyed and nations brought to the brink of disaster. The illegal, unfair and unjust sanctions resolution adopted in 2009 against the State of Eritrea is an example.

In the post September 11 atmosphere, the US used its power and influence and used the “global war on terror”, as a pre-text to violate the sovereignty and territorial integrity of states.

Somalia was one of its victims and the US partnered with Ethiopia to launch a war of invasion and occupation that has devastated Somalia and created the greatest humanitarian disaster in that nation's history. Eritrea was targeted for punishment for not subscribing to Washington's policies for Somalia. Eritrea was labeled a "spoiler".

In 2009, the UN Security Council, despite repeated appeals by Eritreans, caved into American pressure to adopt a resolution that the United States and Ethiopia engineered.



The Wikileaks cables have since shed light on the underhanded shenanigans that took place and how Ethiopia had manipulated the African Union (AU) and the Intergovernmental Authority on Development (IGAD), who served as the "African Faces", for Susan Rice's agenda to get the "stand alone UN sanctions" against the State of Eritrea. The cables also expose an ugly record of arms twisting, lying and shameful diplomatic activity[3] by US Ambassadors in the region working in tandem with the mercenary regime in Ethiopia. The UN Monitoring Group on Somalia presented no verifiable evidence to support its accusations against the State of Eritrea and there were many who doubted the veracity of the accusations hurled against Eritrea. Here are a few examples:

- **"...Eighty percent of ammunition available at the Somali arms markets was supplied by TFG and Ethiopian troops ...". The monitoring committee received details of some 25 military flights by Ethiopia into Somalia and knew that Ethiopian troops had**

**brought military equipment into the country to arm ‘friendly clans,’ ...’Somalia is affected by a war economy, with great profits made by military commanders, who therefore have little incentive to change the status quo’. ... Kumalo said the Somalia sanctions committee backed the idea of independent investigations of Somalia’s TFG, the Ethiopian government and AMISOM...”**—Report on Statements made by South African Ambassador to the United Nations Dumisani Kumalo, 22 May 2008[\[4\]](#).

- **“...As for the support of Eritrea for the Islamist group al-Shabab, he said that there was much talk of such involvement, but there was no way for him to monitor that situation or to know the truth of such a claim. Asked about other foreign rebel fighters, he said the rebel leaders had extended a welcome to such fighters and there was wide information available on them...”**—Ahmedou Ould-Abdallah, UN Special Representative for Somalia, 29 May 2009
- **“...The statement from international community saying that Eritrea is involved in the anarchy in Somalia is absolutely baseless, and the international community is blaming Eritrea out of nowhere, and it is all what it has fabricated...”**—Jama Mohammed Qalib, 27 January 2010

In the massive propaganda noise created by the US and Ethiopia, the truth was sufficiently camouflaged and resolution 1907 was adopted on Christmas Eve, 23 December 2009. The United States was and remains the principal architect behind the punitive sanctions that the UN Security Council imposed against Eritrea in 2009 and 2011 respectively.



Not because there was ever any evidence presented to show Eritrea's violation of the arms embargo on Somalia, but because the SEMG and its handlers were able to weave a net of deception that included the manufacture of evidence, elaborate fake media reports (hired journalists) and the dissemination of outright lies. Ethiopia and the US, with the media in tow, created a very difficult, if not impossible situation. How does one go about producing evidence that will refute an imaginary crime? Disproving a negative is a logical impossibility, but since 2006, it has been the blunt reality of Eritrea, its people and its government

Eritrea, has been placed in the position of being presumed guilty and has been asked to disprove erroneous and unsubstantiated allegations made by Ethiopia and its handlers.



Eritrea was asked to prove that it did not support terrorism, that it did not arm groups-specifically Al Shabbab in Somalia, that it did not have Eritrean forces “fighting alongside the ICU” etc. etc. The US-engineered sanctions are a continuation of the 12 year long policy of appeasement and legal attrition of the EEBC's decisions, were transparent in their motives. They were orchestrated to give the regime in Ethiopia a win that it could not get in its US-backed bloody war of aggression and expansion, or through legal arbitration. The illegal, unfair and unjust sanctions should be seen in this context.

The people and government of Eritrea categorically rejected the illegal, unfair and unjust sanctions resolution, but have nevertheless complied fully with its provisions.

### **Fruit of a Poisonous Tree**

Since its inception, the UN Monitoring Group on Somalia and Eritrea (SEMG) has been subject to heavy criticism and the group has failed to substantiate its outrageous claims against the State of Eritrea. The fact is that it has not been able to come up with credible, verifiable evidence to support the outrageous allegations against Eritrea, is because there are none. So each time, the group has had to rely on manufactured evidence, faulty intelligence and hearsay to fulfill its mandate and produce its reports. Eritrea has dutifully cooperated with the Monitoring Group despite its strong opinions on the UN resolutions and has complied fully.

The SEMG admits that its only sources for its allegations are Ethiopian security authorities and alleged perpetrators detained by Ethiopian security. It is obvious that an Ethiopian government that is hostile to Eritrea and actively campaigning for additional sanctions has the desire and the means to tamper with, embellish, distort, even fabricate pieces of evidence. It is also clear that any testimony by detainees in the hands of a government that is well known for routinely resorting to torture cannot contradict the official Ethiopian government version as this would lead to severe consequences for the detainees

Serious allegations were made by the SEMG against the State of Eritrea and have yet to be explained or rescinded when they were found to be completely false. In addition to the millions of Somalis who have been directly affected by US policy for Somalia, the biggest casualty in this ugly saga has been-truth.



The SEMG and its handlers must believe that the end justifies the means and no matter what the consequences, that “a political truth can sometimes be different.” The reputation and image of Eritrea, its people and government is the second casualty. The third casualty are lawmakers in the United States and Europe who have been deliberately misled by a handful of incompetent individuals, who are known for their anti-Eritrea bias, diplomats and members of the intelligence community, with the US Mission at the United Nations and the US State Department leading the assault. Here are few of the serious, and unsubstantiated allegations against Eritrea made by the SEMG[5]:

- **The Monitoring Group said that there were “2000 Eritrean forces” fighting alongside the Union of Islamic Courts in 2006-that turned out to be a lie fabricated by Ethiopia[6]**
- **The Monitoring Group said that Eritrea was the owner of a plane that made several trips to Mogadishu to deliver arms to insurgents there. That plane crashed in Uganda and it was owned by the United States[7].**
- **The Monitoring Group accused Eritrea of sending MANPADS to Somalia and produced pictures with “painted on” markers to make its case. The Ethiopians said that they were taken from Al Shabbab. The pictures were provided by US intelligence, but the MG has yet to explain how the MANPADS it claims were in Al Shabbab’s hands, remain in Eritrea’s possession today[8].**
- **The Monitoring Group accused Eritrea of attempting to bomb the African Union based on “evidence” provided to it by Ethiopia. It has yet to explain the many inconsistencies including why the Ethiopian**

**Gemechew Alana, an Oromo, was presented as an “Eritrean General” in its report to the Security Council.**

- **etc.**

On several occasions, through its Statements and Reports to the Sanction Committee, Eritrea “sufficiently exposed the inexcusable follies and failures of the Monitoring Group”. Eritrea said that the “Monitoring Group has glaringly failed to observe minimum standards of objectivity and political neutrality and to discharge its duties with the professionalism and political independence that its mandate requires”.



One such occasion came during the informal consultation with the Security Council Committee (751 / 1907). H.E. Araya Desta, Permanent Representative of the State of Eritrea to the United Nations, in his 18 April 2012 Statement raised some of the egregious acts of the SEMG:

- **“... In conducting its task, the Monitoring Group has not been limited to ascertaining, in an objectives and rigorous manner, the validity of the various accusations leveled against Eritrea and/or monitoring its compliance with the UNSC Resolutions 1907 and 2023. In numerous instances that we have amply**

illustrated in our Response of 17 October last year, the Monitoring Group has drifted from its mandate to wage a political crusade against the Government of Eritrea and to delegitimize and criminalize senior Government and PFDJ officials. We believe that this conduct is neither excusable nor acceptable...”

- “...The manner in which the Monitoring Group has been collecting its information has remained another serious issue of concern to Eritrea. As we pointed out in our Reply of 17 October 2011, the vitriol that the Monitoring Group routinely produces against Eritrea emanates, by its own admissions, from four principal sources:

i) Foreign law enforcement agencies; this begs the question on who these agencies are? Why are their testimonies accepted without checking the ulterior agendas that they may harbor? Do we have assurances that testimonies from intelligence agencies that have hostile agendas against Eritrea excluded or meticulously corroborated with accounts of other neutral and credible bodies

ii) The second category of sources of the Monitoring Group is “former Eritrean military or diplomatic officials”, again, what are the assurances that testimonies of elements who may be fugitive from the law or who may be fugitives from the law or who may be involved in subversive activities against the country are credible and not politically motivated fabrications?

iii) The third sources are “active Eritrean Government contacts”. This provokes other deeper questions. Is it lawful for the Monitoring Group to foster clandestine contacts with Eritrean officials? What are the financial or

**other inducements? And can testimonies of this type be considered valid?**

**iv) The fourth category of sources constitutes “Eritrean individuals directly involved in people smuggling operations”. This is too preposterous to merit explanation. But that is how the Monitoring asserted in its Report that “a senior Eritrean Army General and the current Minister of Transport to the Sudan are involved in human trafficking”.**

- “... In numerous instances, the Monitoring Group has shown a proclivity for wrongly making sweeping and damning assertions. But it shies from acknowledging its mistakes when it latter finds out that this was not the case in the first place. As it may be recalled, the MG had falsely asserted that Eritrea 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 MG refuses to set the record straight and take appropriate remedial action. The pattern continues without meaningful correction to-date...”**

Members of the Security Council have on more than one occasion also called on the SEMG to produce accurate and impartial reports.

The South African Deputy Permanent Representative, Ambassador Doctor Mashabane, called on the group:

**“...to execute its responsibilities and mandate ... with professionalism, impartiality and objectivity. The Monitoring Group should never be influenced by political considerations outside of its mandate.” Adding, he said, “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.” He also urged the members of the Security Council “to desist from any temptation to use the Monitoring Group for political ends...”**

The Russian Permanent Representative, Ambassador Vitaly Churkin, was equally troubled by unfounded allegations against Eritrea which led to Resolution 2023 (2011). He said:

**“...The text of the resolution contains a range of provisions that lack adequate foundation... In that respect we refer in particular to the ‘planned terrorist attack’ in Addis Ababa during the African Union summit there. The Russian Federation is categorically against terrorism in all its forms and manifestations. However, in this case, the Security Council was not presented with convincing proof of Eritrea’s involvement in that incident. We have not seen the results of any investigation of that incident, if indeed there was one” (emphasis added)...**”

Loius Charboneou of Reuters reported the following in 2013 after the SEMG produced another questionable report on Eritrea:

**“...According to a letter the Russian delegation sent to Ambassador Kim Sook, chairman of the Somalia/Eritrea sanctions committee, Russia “objects to the publication of the (Eritrea) report due to the biased and groundless conclusions and recommendations contained in it.”....Italian Ambassador Cesare Maria Ragaglini also wrote to Kim complaining about the report because of “misleading information and undocumented implications of violations of the arms embargo...”**

In the last 4 years, the SEMG reports have been withheld and not published because it contained erroneous allegations against the State of Eritrea and other member states,, but have been leaked to the press, think tanks and other US agencies, sullyng Eritrea's reputation and further undermining the confidence of the Eritrean people in the UN System. The individuals on the SEMG panel have been removed, but their tainted reports remain on the record.

### **No Voir-Dire-Members of the SEMG appointed by UN Secretary General**

In a court of law “Voi Dire” is used to determine if the any juror is biased and /or cannot deal with the issues fairly, or if there is cause not to allow the juror to serve (knowledge of the facts, acquaintanceship with parties, witnesses or attorneys, occupation which might lead to bias, previous experiences, such as having been sued in a similar case etc. etc. adverse influence on a single juror compromises the impartiality of the entire jury panel, and in most cases, the judge will dismiss the case as the defendant will not be able to get a fair and impartial trial. At the UN, there is no such vetting, and from a cursory look at the personalities that make up the SEMG, it looks like it was individuals that could advance the pre-agreed upon agendas of the anti-Eritrea quarters, that were appointed to serve on the panel. Let us take a look at the members of the SEMG who have either resigned or were fired for misconduct since the SEMG's inception.

In a letter[\[9\]](#) dated 1 July 2010 from the Secretary-General addressed to the President of the Security Council, Un Secretary General Ban Ki Moon announced the appointment of experts to serve on the SEMG. He appointed Mr. Ghassan Schbley of the United States of America, to serve as the finance expert and Mr. Matt Bryden of Canada, a regional



expert, to serve as Coordinator of the Monitoring Group on Somalia and Eritrea. In a July 2012 report, Inner City Press [\[10\]](#) reported of their departure:

**“...The UN has received detailed complaints about its experts, Matt Bryden on Eritrea... Bryden, a UN document this month confirms, is no longer on the committee. Nor is the UN’s “expert” in Eritrea finances, Ghassan Schbley of the United States... a Permanent Representative came out and told Inner City Press the problem with Bryden is speaking on his own for a “collective product.” Others point at the report and wonder if it’s really in the SEMG’s mandate to analyze the Eritrean Air Force, down to the last spark plug, see report at Page 16. One wag asked, “A no fly zone via sanctions?”...”**

Two of the experts were gone and were replaced by others, however, the SEMG Report-a collective product- was not dismissed.

Today, we hear about Dinesh Mahtani’s resignation, but he is not the only tainted member of the SEMG that has gone-Matt Bryden, Ghassan Schbley, Cornelis Steenken, Emmanuel Deisser, Aurélien Llorca, Jan Hendrik Van Zyl are former members of the Somalia Eritrea Monitoring Group who have either resigned, or were fired since its formation in 2010.

The jaded Eritrean people have seen the many “Letters from the UN Secretary General to the UN Security Council” and the appointments he has made. Obviously, they all hand-picked “experts” tasked with the impossible-to find credible evidence to incriminate Eritrea. It should not surprise anyone as they have been tasked with doing the impossible-to implicate Eritrea in wrongdoing without getting their hands dirty in the

process. How can they implicate Eritrea with fabrications, innuendos and hearsay without compromising their own integrities and credibility in the process?

If this case against Eritrea were to be presented in a court of law, it would have been thrown out as there was no evidence to support the allegations, the evidence was manufactured, the prosecutors engaged in egregious misconduct that has compromised justice, mischaracterized evidence, used false or misleading evidence, introduced inadmissible or inappropriate evidence, and the jury has been tainted.

If this case against Eritrea was presented in a court of law, the members of the UN Security Council's Sanctions Committee and the SEMG panel would have been voir-dired to determine whether it could still render an impartial verdict based strictly on the evidence. But at the UN, they are subjected to unfettered access and influence, and most importantly, political pressure from the power wielding members, such as the United States.

If this was a court of law, and the SEMG did not have the full immunity from lawsuits for the untruths it has propagated and the many defamations and character assassinations contained in its reports, it would have been held for libel and sentenced.

No matter how many "experts" the UN Secretary General appoints to the Somalia Eritrea Monitoring Group- Eritrea will never get a fair hearing. A tainted prosecutor, tainted evidence and a tainted jury can never bring justice...

The political agendas of the SEMG and its role in advancing illicit political agendas are becoming clearer with each report. The UN Security Council must remove the entire SEMG team as they have been tainted and cannot possibly produce an impartial, objective, neutral and credible report on Eritrea, or

Somali for that matter. After almost 5 years, instead of firing and forcing the resignation of these “experts”, the UN Security Council ought to throw out the politically motivated case against the State of Eritrea and its people, and spare the UN system any further embarrassment.

It is high time for the UN Security Council to Annul the Illegal, Unfair and Unjust US-Ethiopia engineered sanction resolutions 1907 and 2023...

The rule of law must prevail over then law of the jungle!

[1] <https://www.beaconreader.com/matthew-russell-lee/exclusive-somalia-eritrea-monitor-mahtani-used-un-letterhead-to-ask-states-for-favor-of-re> Accessed 12 October 2014

[2] <http://www.innercitypress.com/smeg1mahtaniicp.pdf> accessed 12 October 2014

[3] <http://africabusiness.com/wp-content/uploads/2012/11/US-Ethiopia-Engineered-Sanctions-November-2012.pdf> Accessed 12 October 2014

[4] <http://reliefweb.int/report/somalia/arms-reach-somali-warlords-despite-un-sanctions> Accessed 14 October 2014

[5] [http://www.eritrean-smart.org/content/eritrea-unsubstantiated-allegations-led-us-engineered-sanctions](http://www.eritrean-smart.org/content/eritrea-<u>unsubstantiated-allegations-led-us-engineered-sanctions</u>)

Accessed 12 October 2014

[6] <http://wikileaks.org/cable/2006/11/06ADDISABABA2910.html> Accessed 12 October 2014

[7]

<https://wikileaks.org/cable/2009/03/09KAMPALA254.html>

Accessed 12 October 2014

[8] <https://wikileaks.org/cable/2009/08/09STATE81957.html>

Accessed 12 October 2014

[9]

[http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/357](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/357)

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[10]

<http://www.innereitypress.com/unbryden1hege082112.html>

Accessed 12 October 2012