



**Permanent Mission of the State of Eritrea to the African Union and  
UN Economic Commission for Africa**

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Date: 05/12/11

Ref.: ERPMAU/174/11

Your Excellency,

I found out in the Communiqué of the 302<sup>nd</sup> meeting of the AUPSC held on 2<sup>nd</sup> of December 2011 that the AUPSC has endorsed the Communiqué of the 19<sup>th</sup> Extraordinary Session of IGAD Assembly in its totality. It was my understanding as the title clearly states that the PSC was meeting to discuss and adopt **“the second phase of the implementation of the mandate of the AU Mission in Somalia (AMISOM)”**.

However, I am surprised and shocked how the Permanent Representatives to the PSC whom I highly respect and are always vigilant and meticulous failed to see **paragraphs 22 and 23 of the IGAD’s 25 November 2011 Communiqué** that was presented to them for endorsement. **These two paragraphs violate the Protocol Establishing the PSC** and are not in any way related to the subject matter that was discussed and adopted by the PSC on 2<sup>nd</sup> December 2011.

- **Paragraph 22** is a bilateral issue between Djibouti and Eritrea which is being handled by the Emir of Qatar in accordance to the Agreement signed by the Presidents of Eritrea and Djibouti on 6 June 2010.
- **Paragraph 23** that says that “Eritrea is continuing the supply of ammunitions to the extremist group particularly Al Shabab whose intention has always been to destabilize the Region,” is a baseless allegation that should be investigated and verified before it was endorsed by the PSC.

Both paragraphs are inserted in the IGAD Communiqué by Ethiopia, in the absence of Eritrea. The Member States of the PSC must take note of the fact that by abusing its privilege of Chairing IGAD and its host country status, in spite of Eritrea’s reactivation of its membership, Ethiopia has blocked Eritrea’s participation in all IGAD organized and sponsored meetings. Ethiopia’s belligerent act violates IGAD’s rules and procedures and the Vienna Convention on Diplomatic Relations. The objective of this deplorable act by Ethiopia is meant to take advantage of Eritrea’s absence so that it can disseminate baseless accusations and sneak in damaging resolutions against Eritrea. (Please see the attached note verbale Eritrea sent to AU Commission concerning Eritrea’s membership in IGAD.)

Having sensed that Ethiopia might also sneak in or railroad **paragraphs 22 and 23 of the IGAD Communiqué into the PSC Communiqué**, and in the spirit of maintaining the integrity of our continental organization, I met with the competent international civil servants of the Peace and Security Department, Mr. ElGhassim Wane, Director of Peace and Security and Mr. Rodney Kiwa, Political Analyst in the Peace and Security Department, on 29<sup>th</sup> November and 1<sup>st</sup> December 2011 respectively. In these meetings, I sensitized both AU officials to be vigilant of Ethiopia's manoeuvre.

Excellency, the endorsement of **paragraphs 22 and 23 of the IGAD Communiqué by the PSC** unambiguously violates its own Protocol and procedure. **Article 8 paragraph 10 (a) and (b) of the Protocol Establishing the Council reads as follows:**

**“The Peace and Security Council may decide to hold open meetings.  
In this regard:**

- a. “any Member State which is not a Member of the Peace and Security Council, if it is party to a conflict or a situation under consideration by the Peace and Security Council, shall be invited to present its case as appropriate and shall participate, without the right to vote, in the discussion;”
- b. “any Member State which is not a Member of the Peace and Security Council may be invited to participate, without the right to vote, in the discussion of any question brought before the Peace and Security Council whenever that Member State considers that its interests are especially affected;”

It is, therefore, proper and legitimate according to the PSC Protocol that when it dealt with **paragraphs 22 and 23** of the IGAD Communiqué, **the PSC should and must have invited Eritrea, whose interest is affected, to participate in the deliberation to present its case and to defend itself.**

As a full fledged member of the African Union, Eritrea has the right to be heard. Eritrea should be allowed and must be given a chance to respond to the baseless allegation. All Member States of the AU, big or small, are sovereign and equal. Any accusation and allegation that is levelled against Eritrea or any other Member of the Union, whoever the source is, must be verified beyond reasonable doubt. The dictum that ‘one is innocent until proven guilty’ must be respected by everybody, including by the PSC.

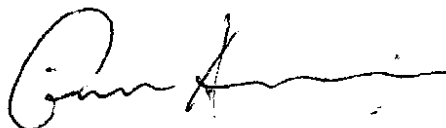
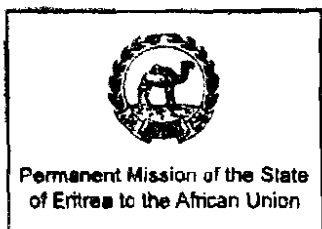
Excellency, the **PSC Protocol** must be respected and the organization's integrity must be maintained. The **PSC** should not allow any country or REC to sneak in or railroad any decision or resolution without serious deliberations. The PSC should not and cannot rubber stamp any resolution or decision whether it comes from IGAD or the other African RECs or different international organizations, without adequate deliberations and discussions. The relevant documents must also be distributed timely to all Member States in all AU working languages.

**Since what transpired at the 2<sup>nd</sup> December 2011 PSC meeting is a violation of Article 8 paragraph 10 (a) and (b) of the Protocol establishing the Council,**

Eritrea, therefore, humbly requests the PSC to revisit its endorsement of IGAD's 25<sup>th</sup> November 2011 Communiqué. Since **paragraphs 22 and 23** are procedurally illegal, factually baseless, and unrelated to the subject matter that was under discussion, I appeal to Your Excellency for the PSC to publicly declare that it is not bound by these two paragraphs and has only endorsed the paragraphs that are related to "**the second phase of the implementation of the mandate of the AU Mission in Somalia (AMISOM)**".

I also appeal to Your Excellency to invite Eritrea to participate in your deliberation whenever matters affecting or concerning my country are raised or discussed in the PSC meetings.

Accept, Excellency, the assurances of my highest consideration.



Girma Asmerom  
(Ambassador)

Permanent Representative of the State of Eritrea to the  
African Union and UN Economic Commission for  
Africa and National Focal Point to IGAD

**To: Permanent Representatives of the  
Member States of the Africa Union  
Peace and Security Council**

cc: - H.E. Dr. Jean Ping,  
Chairperson, African Union Commission

- H.E. Ambassador Ramtane Lamamra, ✓  
Commissioner for Peace and Security  
African Union Commission