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The Ethiopia-Eritrea Conflict

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Summary

Open conflict broke out between Ethiopia and Eritrea in May 1998 after disagreements over several areas along the common border worsened. The war occurred despite the earlier creation of a joint border commission to address complaints by both sides. An estimated 50,000-100,000 people were killed in the conflict and close to a million people have been displaced.

The real reason behind the outbreak of fighting is murky at best. Eritrean officials maintain that four of their officers were killed in cold blood by Ethiopian militia members, while Ethiopian officials insist that the clash occurred after Eritrean troops refused to leave their weapons behind when crossing the border into Ethiopia. Within weeks Eritrean forces overwhelmed the lightly defended border areas and captured areas previously administered by Ethiopia, including Badme and Zalambessa.

There have been lengthy and convoluted negotiations on the conflict with the help of mediators from the United States, United Nations, and the Organization of African Unity (OAU). The United States and the government of Rwanda led intensive peace negotiations in mid-1998, but failed to secure an agreement. In late 1998, the OAU presented an 11-point peace plan, calling for the withdrawal of Eritrean troops from Badme to positions held before the outbreak of fighting, and demilitarization of the borders. In late 1998, Ethiopia accepted the OAU peace plan, while Eritrea requested clarifications on some points. After Ethiopian forces ejected Eritrean troops from the disputed Badme area in February 1999, Eritrea accepted the OAU peace plan, known as the Framework Agreement.

The United States has been actively engaged in the peace process since the conflict erupted in 1998. U.S. efforts at peace negotiations included trips to the two countries by former National Security Adviser Anthony Lake as Special Envoy of President Clinton. But Lake's efforts and those of the OAU encountered a series of obstacles. In May 1999, the House Africa subcommittee held a hearing on the conflict and in October the House of Representatives passed H.Con.Res 46.

On May 12, 2000, just days after a United Nations Security Council delegation left the Horn of Africa region following a failed attempt to restart talks, Ethiopia launched a major offensive. Within two weeks, Ethiopian forces dislodged Eritrean troops from the disputed areas and penetrated deep inside undisputed Eritrean territory. In late May, Ethiopia declared victory and talks to end the war resumed in Algiers, Algeria.

On June 18, 2000, Ethiopia and Eritrea agreed to a peace package. The plan calls for cessation of hostilities; the deployment of a United Nations peacekeeping force; establishment of a joint Military Coordination Commission; and redeployment of Ethiopian troops to positions prior to May 6, 1998. The peace plan also establishes a "temporary security zone" 25 kilometers inside Eritrean territory, along the border areas with Ethiopia. Eritrean forces, according to the plan, shall remain outside the security zone.

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The Ethiopia-Eritrea Conflict

Overview

The conflict between Ethiopia and Eritrea has had a devastating impact on the economies of the two Horn of Africa countries. Both Ethiopia and Eritrea have spent hundreds of millions of dollars on weapons and war-related expenses. Donor countries and many longtime observers of the region say that money spent on war could better be used to save lives threatened by famine. The conflict has also cost the lives of tens of thousands combatants over the past two years. The International Institute for Strategic Studies, a London-based think-tank, says Ethiopia spent \$467 million on defense in 1999, compared to \$140 million prior to the conflict.¹ Hundreds of thousands of civilians have been displaced and economic activities in the conflict areas have come to a halt.

The war is a contributing factor to the ongoing humanitarian crisis brought on by prolonged drought affecting both countries (See CRS Issue Brief IB10056, *The Horn of Africa: War and Humanitarian Crisis*). Prime Minister Meles Zenawi of Ethiopia argues that there should be no linkage between the war and the humanitarian crisis and that the war has not significantly impacted the economy or investment. The government blames donor countries for not responding quickly to its appeal for food. But observers maintain that the government is in denial. Money, material, and personnel that could be used to assist people are now directed to the war front. Over 350,000 troops have been mobilized and deployed to the front line over the past two years.² If not for the conflict, these troops could be used to transport and deliver much-needed food and medicine.

Ethiopia at a Glance

Independence: Oldest independent country in Africa

Population: 59.6 million

Comparative Area: slightly less than twice the size of Texas

Religion: Muslim 45-50%, Ethiopian Orthodox 35%-40%, animist 12%

Official Language: Amharic

GDP: \$32.9 billion

GDP Per Capita: purchasing power parity—\$560 (1998)

Source: *CIA Factbook*, 1999.

¹ Vick, Karl. Fighting Famine Compete in Ethiopia. *The Washington Post*, April 21, 2000.

² Fisher, Ian. In a Land of Want an Expensive War. *The New York Times*. April 23, 2000.

The conflict, considered by many observers as a senseless war, began when the armies of Ethiopia and Eritrea clashed on their common border in May 1998. Despite generally close ties stemming from historical links and the personal relationship between Eritrean President Isaias Afwerki and Ethiopia's Meles Zenawi, relations between the two countries began to deteriorate after Eritrea launched its own currency in late 1997, and Ethiopia responded by insisting that all trade between the two be conducted in hard currency. Open conflict broke out on May 6, after disagreements over several points on the common border worsened, despite the earlier creation of a joint border commission to address complaints by both parties.

The reason behind the outbreak is murky. Eritrean officials maintain that four of their officers were killed by Ethiopian militia members after they went to talk to Ethiopians about harassment complaints by Eritrean residents. Ethiopian officials assert that the clash occurred after Eritrean troops refused to leave their weapons behind when crossing the border. Many observers of the region were caught by surprise when fighting erupted. These observers blame both sides for the escalation of the conflict. By late May, the fighting spread to other parts of the common border. By June 1998, after both sides launched air attacks on cities, the conflict ceased to be solely a border dispute: it became a "war of honor" and settling of scores, especially for the humiliated Ethiopian forces. Ethiopian authorities consistently argued that "aggression" must be reversed and not rewarded. Eritrean authorities contend Ethiopia's real intention is to recover its lost access to the sea.

Eritrea at a Glance

Independence: 1993 from Ethiopia

Population: 3.9 million

Comparative Area: slightly larger than Pennsylvania

Religions: almost equally divided between Muslim and Christian

Official Language: Arabic and Tigrigna

GDP: \$2.5 billion

GDP Per Capita: purchasing power parity—\$660 (1998)

Source: *CIA Factbook*, 1999

Eritrea: Background

In May 1991, after over two decades of war with successive Ethiopian governments, the Eritrean People's Liberation Front (EPLF) defeated Ethiopian forces and gained control of the coastal province of Eritrea. The EPLF established a provisional government in Eritrea and promised to formally declare independence after an internationally supervised referendum. In April 1993, Eritreans voted overwhelmingly for independence in a United Nations-sponsored referendum, and on May 28, 1993, Eritrea formally declared independence and became the 182nd member of the United Nations.

Both the Eritrean and Ethiopian governments have engaged in heavy propaganda, each accusing the other of forced expulsions, human rights abuses, and ethnic cleansing. In a report, Amnesty International (AI) charged that “in a clear breach of international law 54,000 Eritreans have been expelled from Ethiopia. They had their citizenship removed and were forcefully expelled under cruel and degrading conditions between June 1998 and February 1999.”³ The report also stated that “tens of thousands of Ethiopians lost their jobs in Eritrea, causing them to return destitute to Ethiopia. The Eritrean security forces did ill-treat some Ethiopians but there was no evidence of a systematic policy of deliberate expulsions or widespread ill-treatment.” Ethiopia had halted use of the port at Assab, Eritrea, where

many of the Ethiopians had been employed. Ethiopia justified the expulsions on security grounds and has responded to AI’s criticism in a detailed report in August 1999.⁴ Despite continued efforts and calls for a cease-fire by the OAU, the United States, and the United Nations, Ethiopia had rejected a cease-fire without explicit Eritrean commitment to withdraw from the disputed areas.

Events in Ethiopia and Eritrea have undercut the “African Renaissance” pursued by the Clinton Administration and others, particularly during President Clinton’s trip to Africa in the spring of 1998. The leaders of both countries had been portrayed as leading examples of a “new generation of leaders” who were spearheading the renaissance. The National Islamic Front (NIF) government in Sudan has emerged as a beneficiary of this conflict. Sudan, until recently, had been in a state of war with and isolated by both Ethiopia and Eritrea. Both Eritrea and Ethiopia have now normalized relations with the NIF government. Ethiopia has resumed air service to Sudan, while Eritrea restored diplomatic relations.

Ethiopia: Background

The decades old civil war came to an end in Ethiopia when military dictator Mengistu Haile Mariam, after 17 years in power, was forced to flee into exile to Zimbabwe in early 1991. The ouster of the Mengistu regime by the Ethiopian People’s Revolutionary Democratic Front (EPRDF), an alliance of several political groups, and other opposition forces, paved the way for the establishment of a transitional government in July 1991.

Ethiopia’s four-year transition program came to an end with regional and national elections in May 1995. The ruling EPRDF won 95 percent of the votes in both regional and national elections. The elections were boycotted by most opposition groups in part because the government refused to renegotiate the constitution and form a care-taker government. Following the elections the ruling EPRDF appointed Meles Zenawi Prime Minister and Negasso Gidada, an alliance member, assumed the ceremonial position of President.

³ Amnesty International. *Ethiopia and Eritrea: Human Rights Issues in a Year of Conflict*, May 21, 1999.

⁴ The Federal Democratic Republic of Ethiopia: Response to Amnesty International’s Report of 21 May, 1999.

The Peace Process

There have been lengthy and convoluted negotiations on the conflict with the help of mediators. The United States and Rwandan governments led intensive peace negotiations, but failed to persuade Eritrean authorities to accept a proposed peace plan in mid-1998. Eritrean officials insist that they had not rejected the proposal, although President Isaias criticized the U.S. for believing in a “quick fix.” The conflict escalated in early June 1998 with fighting on three fronts and air strikes by both sides. President Clinton brokered a moratorium on air strikes in June 1998, and the conflict consisted mainly of occasional artillery exchanges until February 1999, when Ethiopia launched a major ground offensive. The agreement on the air moratorium was breached when Ethiopia used its planes to attack Eritrean positions. Ethiopian forces were able to eject Eritrean troops from the disputed Badme area in this campaign, after weeks of intense fighting.

The OAU Peace Proposal

In late 1998, the Organization of African Unity (OAU) presented an 11-point plan, calling for the withdrawal of Eritrean troops from Badme to positions held before May 6, 1998, and demilitarization of the borders. In late 1998, Ethiopia accepted the OAU plan, while Eritrea requested clarification on some points. After Ethiopian forces ejected Eritrean troops from the disputed Badme area, the government of Eritrea accepted the proposed OAU peace plan (Framework Agreement). Ethiopia, however, rejected Eritrea’s acceptance of the OAU plan, arguing that Eritrean forces must withdraw from all disputed areas first. Ethiopia argued that the OAU peace plan calls for Eritrean forces to withdraw from all disputed areas, while Eritrea maintained that the plan only demands the withdrawal of its forces from Badme.

The OAU peace plan was vague on this issue. The plan called for the withdrawal of Eritrean force from “Badme and its environs.” In its response to Eritrea’s clarification request, the OAU agreed with Eritrea’s interpretation of “Badme and the environs.” However, the OAU failed to respond to a letter sent by the government of Ethiopia in which Ethiopia argued that its understanding of “Badme and the environs” includes all areas occupied after May 6, 1998. Subsequently, both sides accepted the OAU Framework and clarifications offered by the mediators.

In July 1999, at the 35th OAU Summit in Algeria, both Ethiopia and Eritrea accepted the “Modalities for the Implementation of the OAU Framework Agreement.” The Modalities, a companion document to the Framework Agreement, call for a cessation of hostilities, withdrawal of Eritrean troops from areas controlled after May 6, 1998, and for Ethiopian withdrawal from territories taken after February 1999. The document also commits the parties to sign a formal ceasefire agreement and deployment of OAU and U.N. military observers. The Modalities, like the Framework Agreement, call for the restoration of civilian administration and state that “redeployment shall not, in any way, prejudice the final status of the territories concerned.”

U.S. Efforts

The United States has continued its efforts at peace negotiations with trips to the two countries by former National Security Adviser Anthony Lake. But Lake's efforts and those of the OAU have encountered a series of obstacles over the past year. In testimony before the House Africa Subcommittee in May 1999, Assistant Secretary of State for African Affairs, Susan Rice, stated that "the United States has significant interests in ending the war between Ethiopia and Eritrea as soon as possible. The current conflict threatens regional stability and threatens to reverse progress made by Ethiopia and Eritrea in economic and political development."

Some observers have criticized the Clinton Administration for not doing enough to take the lead in the peace process. They also criticized the Administration for not pushing an arms embargo early in the conflict.⁵ U.S. officials argue that the Administration has been actively engaged in efforts to broker peace from the beginning. They also stress that President Clinton brokered the air war moratorium between Ethiopia and Eritrea in June 1998 and has engaged both sides personally on a number of occasions.

In May 1999, the House Africa Subcommittee held a hearing on the Ethiopia Eritrea conflict. Members of Congress questioned the Assistant Secretary of State for Africa, Susan Rice, about the U.S. role in the peace process and encouraged the Administration to intensify its engagement in the process. In October 1999, the House of Representatives passed H.Con.Res 46. The resolution commended U.S. and OAU peace efforts and called on the United Nations Human Rights Commission to "investigate human rights abuses in connection with the forced detentions, deportations and displacements of populations caused by the conflict."

Obstacles to the Peace Process

In August 1999, the OAU with the assistance of the United States, came out with another document called "Technical Arrangements." Eritrea accepted the document, while Ethiopia rejected it, arguing it was inconsistent with the two documents: the Framework Agreement and the Modalities. Areas of claimed inconsistency include, the role of the Neutral Commission as stipulated in the Technical Arrangements; the omission of a reference in the Technical Arrangements to "colonial treaties and applicable law" for demarcation and delimitation process; the timing for the redeployment of Eritrean troops; the role and responsibilities of the civilian administration and militia to be restored after Eritrean withdrawal from areas occupied after May 1998; and the role of the United Nations in peacekeeping.

Eritrea had requested earlier that the parties sign the Framework Agreement and the Modalities ahead of the final document. Ethiopia argued that the signing of the agreements should be done after a final agreement was reached. The OAU mediators initially favored the signing of the two documents, although they later accepted Ethiopia's position. Eritrea agreed to wait until a final agreement was reached

⁵ Perlez, Jane. U.S. Did Little to Deter Buildup as Ethiopia and Eritrea Prepared for War. *The New York Times*, May 22, 2000.

provided that the final document “be considered as non-negotiable.”⁶ Ethiopia’s reluctance to accept the Technical Arrangements stalled the peace process for several months. U.S. and OAU mediators engaged Ethiopian authorities in a series of discussions to urge Ethiopia’s acceptance of the Technical Arrangements.

Faced with the prospect of a resumption of the war and unable to move the process forward, the mediators opened the Technical Arrangements for discussion with Ethiopia in violation of their own rule that the document “be considered as non-negotiable”. Opening up the Technical Arrangements for clarifications and amendments secured Ethiopia’s acceptance of the Technical Arrangements in principle. Eritrea, on the other hand felt that the mediators had violated their own guidelines by opening up the document and also had kept Eritrea in the dark about the negotiations with Ethiopia. In late April 2000, the parties met in Algiers for Proximity Talks to finalize a Consolidated Technical Arrangements proposal. The objective of the Proximity Talks was to merge the original Eritrean-endorsed Technical Arrangements and the amended version of the document reflected in a “non-paper” given to Ethiopia.

The Algiers Proximity Talks

The talks in Algiers ended after six days with no breakthrough. The Eritrean delegation insisted that the parties sign the Framework Agreement, the Modalities, and a ceasefire before proceeding to substantive talks on the Consolidated Technical Arrangements. The Ethiopian delegation rejected Eritrea’s demand and pressed for substantive talks without a ceasefire agreement. The mediators were unable to bridge the differences between the two parties. A United Nations Security Council delegation headed by the U.S. Ambassador to the United Nations, Richard Holbrooke, attempted to restart negotiations, but was unsuccessful. One day after the delegation left the region, Ethiopia launched a major offensive and made significant gains within days.⁷

On May 24, the OAU made a new proposal to end the fighting. President Abdelaziz Bouteflika of Algeria, current chairman of the OAU, appealed to both sides to end hostilities and resume Proximity Talks. The seven-point OAU proposal was largely based on the OAU Framework Agreement and the Modalities for Implementation. The proposal called for an immediate redeployment of Eritrean and Ethiopian forces to positions held prior to May 6, 1998. The OAU plan requested Eritrea to withdraw first and Ethiopia to follow. Eritrea accepted the proposal, while Ethiopia insisted it would fight and talk at the same time. On May 24, in the face of continued intense military pressure and in response to the a OAU proposal, Eritrean forces withdrew from the disputed area of Zalambessa. Ethiopia declared victory but insisted that Eritrean forces must also withdraw from other disputed areas in the eastern front. Several days later, the United States confirmed that Eritrea had withdrawn from all disputed territories and urged Ethiopia to halt its offensive. In late

⁶ Communique of the Office of the Current Chairman of the OAU on the Proximity Talks Between Ethiopia and Eritrea Held in Algiers.

⁷ Vick, Karl. Fighting Resumes Between Ethiopia and Eritrea. *The Washington Post*, May 13, 2000.

May, Prime Minister Meles Zenawi declared that Ethiopia had regained control over all of the disputed territories and that the war was over. Peace talks resumed shortly after in Algiers, but skirmishes between Ethiopia and Eritrea continued.

On June 18, 2000, Ethiopia and Eritrea agreed to a peace package after two-weeks of proximity talks in Algiers. The OAU-led peace proposal calls for cessation of hostilities, the deployment of United Nations peacekeeping force, the establishment of a Military Coordination Commission to expedite the functions of the peacekeeping force, and the redeployment of Ethiopian forces to positions held prior to the conflict. According to the peace agreement, Ethiopia is expected to redeploy its troops within two weeks after the deployment of the Peacekeeping Mission. Ethiopia's demand for a "security zone" has also been included in the peace package. According to the OAU peace plan "Eritrean forces shall remain at a distance of 25 kilometers (artillery range) from positions to which Ethiopian forces shall redeploy."⁸

The Military Situation: Overview

The armies of Ethiopia and Eritrea, once staunch allies, have been engaged in intermittent bloody conflict since the war first erupted in May 1998. There are no accurate figures of casualties, but many observers say that an estimated 50,000-100,000 were killed in the two-year old war. Most of the casualties are believed to be Ethiopians since Eritrean forces had been fighting from a well dug-in trenches. No one knows for sure how many have been wounded, but hundreds of thousands have been displaced as a result of the border war on both sides.

After the conflict began, both sides beefed up their forces. By early 2000, Ethiopia had an estimated 350,000 troops, while Eritrea is believed to have deployed around 250,000. Both Ethiopia and Eritrea purchased sophisticated weapon systems, including fighter planes from Russia, Ukraine and eastern Europe. The once feared Ethiopian Air Force, which had been dismantled after the ouster of the Mengistu regime in 1991 by the current government, became a major focus of the Ethiopian government military strategy. Pilots and senior military officers who had been jailed by the current Ethiopian government for alleged crimes committed during the Mengistu era were released from prison to rebuild Ethiopia's Air Force and improve its military operations.

Ethiopian forces were caught unprepared in May 1998 when Eritrea used tanks and heavy weapons, overwhelming Ethiopia's light defenses at the border. Within weeks, Eritrean forces were in control of areas previously administered by Ethiopia, including Badme and Zalambessa. Both Ethiopia and Eritrea had demobilized a significant portion of their forces after the ouster of the Mengistu government. Ethiopia's demobilization, by far surpassed that of Eritrea's both in proportion and number. After demobilization Eritrea's forces were estimated at around 60,000 with many more in reserve. Ethiopia's demobilization included hundreds of thousands of

⁸ Proposal of the OAU for an Agreement on Cessation of Hostilities Between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea.

former Mengistu soldiers, restructuring of the Air Force, retiring of the Ethiopian Navy, and demobilizing of its EPRDF forces.

The use of overwhelming force by Eritrea in the May 1998 attack surprised Ethiopian authorities, who were unprepared psychologically and militarily to contain the Eritrean advance. By June 1998, the conflict spread to an air war. In an effort to contain and punish Eritrea, Ethiopia bombed Asmara airport and other military targets, while Eritrea bombed Mekele, the capital of Ethiopia's Tigray region. The Eritrean air force bombed a school in Mekele killing dozens of children and other civilians. Eritrea initially claimed it had bombed a military installation, but later admitted that it had bombed the school by mistake. The bombing of the school was seen by Ethiopian authorities as a deliberate act by Eritrea to terrorize the civilian population. This belief led to a hardening of positions within Ethiopia and created a broad base support for the war efforts against Eritrea. And many in Ethiopia were erroneously led to believe that the bombing of Asmara was in retaliation for the attack on Mekele.

There were no significant military engagements between June 1998 and early 1999, when both sides began to heavily recruit and shop for arms. In February 1999, in the face of stalled peace talks, Ethiopia launched a major offensive in the Badme front. Within days, Ethiopia broke through Eritrean defenses and captured the disputed Badme area and penetrated inside Eritrea. The defeat led to an immediate acceptance of the OAU peace plan by Eritrea. The acceptance of the Framework Agreement did not lead to a major breakthrough in the peace process, however. Instead, Ethiopia buoyed by its success in Badme intensified its attack on the central front in Zalambessa and Tsorona. Eritrea reportedly inflicted huge casualties on Ethiopian forces in the battle of Tsorona, causing Ethiopia to halt its offensive.

The Strategic Thinking

Eritrean forces may have believed that as long as they fought a defensive war from their well dug-in trenches, Ethiopian forces would not succeed in driving them out of the disputed area. By all accounts, Eritrean forces were prepared militarily and psychologically. The defeat in Badme had been put behind them with the subsequent victories in Tsorona and Zalambessa. But the one thing Eritreans were not prepared for and could not prepare for was the level of determination by Ethiopia to win the war at any cost. As witnessed in the battle of Badme and Tsorona, Ethiopian authorities were evidently prepared to lose tens of thousands of soldiers to dislodge Eritrean forces from the disputed areas. The reported human wave attack resulted in victory for the once humiliated Ethiopian troops, albeit at a very high human cost. Ethiopia denies that it used human wave tactics.

Another apparent miscalculation on the Eritrean side was the belief that the other Ethiopian nationalities would not come to support the Tigrean-dominated government of Prime Minister Meles Zenawi. Ethiopians did rally behind the Meles government, albeit for varying reasons. Even opposition groups who are highly critical of Meles threw their support to the government and rallied behind the flag. With the notable exception of the Oromo Liberation Front (OLF) and other armed opposition groups, the Ethiopian diaspora provided much needed political, financial and diplomatic

support. Ethiopia tried to undermine the Eritrean government by providing support to Eritrean opposition groups, but this proved ineffective.

On May 12, 2000, just days after a United Nations Security Council delegation left the Horn of Africa region, Ethiopia launched a major offensive. Within days, Ethiopian forces dislodged Eritrean troops in the western front, penetrating deep inside Eritrea. In mid-May, Ethiopian forces captured the strategic town of Barentu in western Eritrea and continued to press further west. On May 23, Ethiopia launched yet another major offensive in the central front of Zalambessa. After two days of intense battle, Ethiopian forces defeated Eritrean forces and captured the disputed town of Zalambessa and made additional gains in other parts of Eritrea. On May 24, at midnight, the government of Eritrea accepted an OAU proposal to withdraw from all disputed areas and a cessation of hostilities. But Ethiopian forces continued with their offensive, arguing that the war would stop only after Ethiopia verified for itself that Eritrea had withdrawn from all areas it occupied after May 6, 1998, and after all of Ethiopia's military objectives are met.

The speed of the Ethiopian advance was due to a number of factors, including the timing and location of the attack, well-planned operations, and use of overwhelming force. The Ethiopian attack came just days ahead of scheduled national elections. Eritrean authorities did not anticipate that Ethiopia would launch a major offensive while in the midst of an election period and in the face of a major humanitarian crisis in which an estimated 8 million people are in need of humanitarian aid. Second, Ethiopian forces did not attack, as anticipated, along the highly fortified trenches of the central front. Instead, Ethiopia attacked the western front, where Addis already had succeeded in defeating Eritrean forces in February 1999. Ethiopian forces were later able to defeat Eritrean troops in the central front by using overwhelming force and a surprise element. Many analysts expected the next Ethiopian attack in Areza, a strategic town located northeast of Zalambessa. Ethiopian forces, however, bypassed Areza and attacked Zalambessa itself.

Another contributing factor to Ethiopia's success was that Eritrea never launched a counter offensive but instead fought a defensive war from its well dug-in trenches. Eritrean authorities and military planners did not see any political or military advantage in going on the offensive, which might have drawn Ethiopian troops away from the attack. Militarily, a counter offensive would have meant leaving strategic high ground along the borders. Politically, it would have meant invading undisputed Ethiopian territory, which could have proved costly in international public opinion. Moreover, Eritrean authorities may have expected an early negotiated settlement, whereas such a settlement for Ethiopia would have meant accepting peace without reversing the humiliation it had suffered in the early battles.

The military setbacks for Eritrea were in large part due to Eritrea's strategic conclusion that it could ill afford to confront a much larger force head on. Instead, Eritrean authorities focused on protecting their material and human assets. It was not uncommon to see Eritreans abandon valuable positions during the liberation struggle in the face of overwhelming Ethiopian forces, but the rapid Eritrean retreat in May raises a number of questions concerning the state of the Eritrean military. Some observers have questioned whether the new generation Eritrean fighters less

experienced and only marginally committed to fight, as compared to their predecessors, who won the long armed struggle against successive Ethiopian regimes?

Contributing Factors to the Conflict

Many longtime observers were baffled when the conflict between Ethiopia and Eritrea erupted in May 1998 and very few predicted that it would escalate so rapidly. But signs of tensions were beginning to emerge by mid-1990s, despite strong ties between the leaders of Ethiopia's ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) and Eritrea's ruling party, the People's Front for Democracy and Justice (PFDJ). Relations between the two have not always been warm. On a number of occasions in the late 1970s and 1980s, the Tigray People's Liberation Front (TPLF), the core group within the EPRDF and the Eritrean People's Liberation Front (EPLF), later renamed the PFDJ, clashed over political differences and their military strategies differed markedly. The older and much experienced EPLF was more nationalist in outlook and less ideological. The TPLF, however, touted the movement as staunchly Marxist and as a follower of the Albanian model of Communism.

The Liberation Movements

- ! **The Eritrean Liberation Front (ELF)** was founded in the 1960s to fight for Eritrean independence.
- ! **The Eritrean People's Liberation Front (EPLF)** splintered from the ELF in the 1970s and eventually defeated the ELF.
- ! **The Tigray People's Liberation Front (TPLF)** was founded in the early 1970s to fight for Tigrean self determination and later to oust the Mengistu regime.
- ! **The Ethiopian People's Revolutionary Democratic Front (EPRDF)** was founded in the late 1980s by the TPLF. The EPRDF consists of several ethnic-based groups, although the TPLF remains the dominant member of the alliance.

Differences over political and economic policies have repeatedly emerged between the TPLF and EPLF since the late 1970s. Relations between the TPLF and EPLF were broken off in 1985 and were not restored until 1988. The EPLF ended political and military cooperation, closed TPLF's radio in Eritrea, and denied access to humanitarian corridors through Eritrea at the height of the 1984-85 famine. Although the TPLF initially dealt with both EPLF and its rival, the Eritrean Liberation Front (ELF), it eventually allied itself with the EPLF in a successful military campaign to purge the ELF from Eritrea. TPLF's acceptance of Eritrea's independence was key in forging the relationship since other multi-ethnic groups had rejected Eritrea's right to self determination. While the EPLF was instrumental in training and arming the TPLF in the early years, TPLF's contributions to Eritrea's liberation war were

significant. TPLF forces fought alongside EPLF in Eritrea on a number of occasions in the 1970s and 1980s to fend off Derg's repeated large scale military campaigns.

TPLF officials have long resented the notion that they could not have won the war against Mengistu without the support of the EPLF. Indeed, EPLF mechanized forces did play key roles in the final battles against the Mengistu regime. But without the EPRDF in the lead, the EPLF would have found it difficult to operate in Ethiopia. Being seen or dismissed as an EPLF proxy had been a major source of irritation and concern to many in the TPLF leadership. Some extremist elements within the Ethiopian opposition groups have consistently promoted the notion that the TPLF is anti-Ethiopia and thus a foreign entity. In the view of some TPLF officials, the EPLF did very little to disabuse people of this perception. Thus, it was pivotal for TPLF to demonstrate to its critics by its aggressive war strategy that it was fully independent of and superior to the EPLF.

Close personal relations at the leadership level helped defuse tensions in the past. But one major political dispute continued to linger even after the movements patched up their differences in the late 1980s: the rights of nations and nationalities to self-determination. The TPLF maintained during the struggle against the Derg, the military junta that ousted Emperor Haile Selassie, that nations and nationalities in Ethiopia have the right to self-determination, including secession. TPLF officials also argued that Eritrea's nine nationalities have the right to self-determination, including independence, a position vehemently opposed by the EPLF. After the ouster of the Mengistu regime, the TPLF-dominated EPRDF did follow through in supporting Eritrean independence. The EPRDF argued then that if Ethiopia was to remain united, unity must not be forced on the nationalities. The Eritrean leadership, on the other hand, saw EPRDF's ethnic federalism as a dangerous experiment that could threaten political stability in Eritrea and the Horn of Africa region. Eritrean authorities are concerned that ethnic federalism could encourage secessionist sentiments among the various ethnic groupings in Eritrea and the region.

A currency dispute in late 1997 created tension between Ethiopia and Eritrea, though the two sides continued to have warm relations and the two leaders remained close, coordinating both domestic policy as well as regional issues. But underneath these warm relations, there were fundamental differences both on regional and internal political developments. Many in the ruling EPRDF were reluctant to see Ethiopia actively engaged in regional affairs, while the Eritrean leadership took a very activist role in regional issues. In Sudan, Eritrea took the lead in the isolation of the Islamist NIF government and broke off diplomatic relations in 1994, while Ethiopia, supportive of Eritrea and U.S. policy objectives, was a reluctant partner. Ethiopia maintained diplomatic relations even though the NIF government was implicated in the assassination attempt of President Hosni Mubarak in Ethiopia in 1995. In Congo, while Eritrea strongly supported the intervention of Rwanda in 1996-1997, Ethiopia, once again, was more reluctant.

The cultural characteristics of both Ethiopia and Eritrea are another contributing factor, many believe. Analysts often describe Ethiopians and Eritreans as intensely proud people with a strong stubborn streak. For both, observers maintain, national and cultural honor come before everything else. The Eritreans waged a 30-year war of liberation against successive and more powerful governments in Ethiopia with little

support from outside. The Ethiopians have also fought many wars against major powers, including the Italians, in defense of Ethiopian sovereignty and honor. The very stubborn culture that kept the peoples of Ethiopia and Eritrea free from colonization is now a major contributing factor to the conflict and a major obstacle to a negotiated settlement. For the leaders of Ethiopia, the principal objective of the war to “reverse aggression” and regain lost territories. According to the Eritrean leadership the war was about defending their “hard won” independence.

OAU Documents

OAU HIGH LEVEL DELEGATION PROPOSALS FOR A FRAMEWORK AGREEMENT FOR A PEACEFUL SETTLEMENT OF THE DISPUTE BETWEEN ERITREA AND ETHIOPIA

November 8th 1998

We, the Heads of State and Government, mandated by the 34th Ordinary Session of the Assembly of Heads of State and Government of the Organization of African Unity, held in Ouagadougou, Burkina Faso, from 8 to 10 June 1998, to contribute towards the search for a peaceful and lasting solution to the unfortunate conflict which erupted between the brotherly countries, the State of Eritrea and the Federal Democratic Republic of Ethiopia:

Deeply affected by the outbreak of the conflict between the two countries that are united by historic links of brotherhood and a common culture;

Saddened by this conflict which occurred at a time when the Federal Democratic Republic of Ethiopia and the State of Eritrea had launched a new era of relations built on a partnership and a common vision and ideals as regards the future of their peoples, the region and the whole continent; Noting, however, that differences had emerged between the two countries relating particularly to their common border, differences which the two countries endeavored to resolve peacefully;

Deploring the fact that, notwithstanding those efforts, an open conflict broke out between the two brotherly countries, with which our 34th summit was seized;

Paying tribute to the commendable efforts made by friendly countries aimed at finding a peaceful solution to the conflict;

Conscious of the fact that resorting to the use of force results in loss of human lives, the destruction of property and socio-economic infrastructures as well as creating a division between the peoples, all the things which the two brotherly countries and our continent cannot afford at a time when all efforts must be channeled towards the promotion of peace and development which we greatly owe to our peoples;

Encouraged by the commitment made by the two Parties to the OAU High-Level Delegation to settle the conflict peacefully and by their positive response to its appeal to continue to observe the moratorium on air strikes and to maintain the present situation of non-hostilities;

Having considered and endorsed the Report and Recommendation of the Committee of Ambassadors, as submitted by the Ministerial Committee to the parties on 1 August 1998 in Ouagadougou, Burkina Faso;

Having listened to the two Parties and made an in-depth analysis of their respective positions, taking into account their legitimate concerns and after having thought deeply about the ways and means likely to contribute to the peaceful settlement of the crisis in a fair and objective manner;

MAKE on behalf of Africa, its peoples and leaders, a solemn and brotherly appeal to the Leaders of the State of Eritrea and the Federal Democratic Republic of Ethiopia to do everything in their power to opt for a peaceful settlement of the dispute and find a just and lasting solution to the conflict;

SUBMIT, hereunder, for the consideration of the two Parties, the elements of a Framework Agreement based on the following principles:

! resolution of the present crisis and any other dispute between them through peaceful and legal means in accordance with the principles enshrined in the Charter of the Organization of African Unity;

! rejection of the use of force as a means of imposing solutions to disputes;

! respect for the borders existing at independence as stated in Resolution AHG/Res. 16(1) adopted by the OAU Summit in Cairo in 1964 and, in this regard, determine them on the basis of pertinent colonial Treaties and applicable international law, making use, to that end, of technical means to demarcate the borders and, in the case of the controversy, resort to the appropriate mechanism of arbitration.

We recommend that:

1. The two Parties commit themselves to an immediate cessation of hostilities;
2. In order to defuse tension and build confidence, the two Parties commit themselves to put an immediate end to any action and any form of expression likely to perpetrate or exacerbate the climate of hostility and tension between them thereby jeopardizing the efforts aimed at finding a peaceful solution to the conflict;

3. In order to create conditions conducive to a comprehensive and lasting settlement of the conflict though the delimitation and demarcation of the border, the armed forces presently in Badme Town and its environs, should be redeployed to the positions they held before 6 May 1998 as a mark of goodwill and consideration for our continental Organization, it being understood that this redeployment will not prejudice the final status of the area concerned, which will be determined at the end of the delimitation and demarcation of the border and, if need be, through an appropriate mechanism of arbitration;

4. This redeployment be supervised by a Group of Military observers which will be deployed by the OAU with the support of the United Nations. The Group of Military Observers will also assist the reinstated Civilian Administration in the maintenance of law and order during the interim period;

5.a) The redeployment be subsequently extended to all other contested areas along the common border within the framework of demilitarization of the entire common border and as a measure for defusing the tension and facilitating the delimitation and demarcation process. In effect, the demilitarization which will begin with the Mereb Setit segment, will then extend to the Bada area and the border as a whole;

b) The demilitarization process be supervised by the Group of Military Observers;

6.a) The two Parties Commit themselves to make use of the services of experts of the UN Cartographic Unit, in collaboration with OAU and other experts agreed upon by the two Parties, to carry out the delimitation and demarcation of the border between the two countries within a time-frame of 6 months which could be extended on the recommendation of the cartographic experts;

b) Once the entire border has been delimited and demarcated, the legitimate authority will immediately exercise full and sovereign jurisdiction over the territory which will have been recognized as belonging to them;

7. In order to determine the origins of the conflict, an investigation be carried out on the incidents of 6 May 1998 and on any other incident prior to that date which could have contributed to a misunderstanding between the two Parties regarding their common border, including the incidents of July-August 1997.

8.a) At the humanitarian level, the two Parties commit themselves to put an end to measures directed against the civilian population and refrain from any action which can cause further hardship and suffering to each other's nationals;

b) The two Parties also commit themselves to addressing the negative socio-economic impact of the crisis on the civilian population, particularly, those persons who had been deported;

c) In order to contribute to the establishment of a climate of confidence, the OAU, in collaboration with the United Nations, deploy a team of Human Rights Monitors in both countries;

9.a) In order to determine the modalities for the implementation of the Framework Agreement, a Follow-up Committee of the two Parties be established under the auspices of the OAU High-Level Delegation with the active participation and assistance of the United Nations;

b) The committee begin its work as soon as the Framework Agreement is signed;

10. The OAU and the UN working closely with the international community, particularly, the European Union, endeavor to mobilize resources for the resettlement of displaced persons and the demobilization of troops currently deployed along the common border of both countries;

11. The Organization of African Unity, in close cooperation with the United Nations, will be the guarantor for the scrupulous implementation of all the provisions of the Framework Agreement, in the shortest possible time. On the decision of the OAU Delegation of leaders that met in Ouagadougou, the above peace plan was later submitted to the OAU central body for conflict resolution.

Modalities for the Implementation of the OAU Framework Agreement

! The two Parties reaffirm their commitment to the principle of the non-use of force to settle disputes.

! The two Parties reaffirm their acceptance of the Framework Agreement and commit themselves to implement it in good faith.

! There shall be a return to positions held prior to 6 May 1998.

On the basis of these principles, the two Parties agree on the following modalities for the implementation of the Framework Agreement:

1. The Eritrean Government commits itself to redeploy its forces outside the territories they occupied after 6 May 1998.

2. The Ethiopian Government commits itself to redeploy, thereafter, its forces from positions taken after 6 February 1999 and which were not under Ethiopian administration before May 6, 1998.
3. The two Parties agree to put an end to all military activities and all forms of expression likely to sustain and exacerbate the climate of hostility and thus compromise the implementation of the Framework Agreement.
4. The redeployment of troops shall commence immediately after the cessation of hostilities. This redeployment shall not, in any way, prejudice the final status of the territories concerned, it being understood that this status will be determined at the end of the border delimitation and demarcation.
5. The modalities for the re-establishment of the civilian Administration and population in the concerned territories shall be worked out after the cessation of hostilities.
6. The two Parties accept the deployment of Military Observers by the OAU in cooperation with the United Nations. The Group of Military Observers will supervise the redeployment of troops as stipulated in the present modalities and carry out all other duties that are entrusted to it, in conformity with the relevant provisions of the Framework Agreement.
7. The two Parties commit themselves to sign a formal Ceasefire Agreement which provides for the detailed modalities for the implementation of the Framework Agreement.

Technical Arrangements for the Implementation of the OAU Framework Agreement and its Modalities

- ! Recalling that the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia, hereinafter referred to as the Parties, have accepted the OAU Framework Agreement and the Modalities for its implementation;
 - ! Underlining that the OAU Framework Agreement and the Modalities have been endorsed by the 35th Ordinary Session of the Assembly of Heads of State and Government, held in Algiers, Algeria, from 12 to 14 July, 1999, as well as strongly supported by the United Nations Security Council and accepted as they are by the Parties;
 - ! Having carefully examined the views submitted by the Parties;
 - ! Recalling the acceptance by the Parties that any interpretation of the OAU Framework Agreement and the Modalities is the sole responsibility of the OAU and its Current Chairman;
 - ! Noting that the present Technical Arrangements have been elaborated on the basis of the letter and spirit of the principles contained in the OAU Framework Agreement and the Modalities, in particular the respect for the borders existing at independence, as stated in Resolution AHG/Res. 16(I) adopted by the OAU Summit in Cairo in 1964, the resolution of disputes through peaceful and legal means, in accordance with the principles enshrined in the Charters of the Organization of African Unity and the United Nations, and the non use of force to settle disputes;
 - ! Further recalling that the present Technical Arrangements are the result of collective work of the OAU, the United Nations, the United States and other interested partners;
 - ! Stressing that the ultimate goal of the process is to find a peaceful and lasting solution to the conflict:
- 1 - The Parties agree on the principles and other provisions contained in the Framework Agreement and the Modalities and accept the Technical Arrangements (which includes its four Annexes) as binding. In that regard, the Parties agree to use the Framework Agreement, the Modalities and the Technical Arrangements as the sole basis for resolving the dispute.
The Parties will initiate separate requests to the Secretaries General of the United Nations and the OAU as necessary for assistance to implement the Framework Agreement, the Modalities and the Technical Arrangements.
- 2 - In order to facilitate the process of implementing the Framework Agreement, the Modalities and the Technical Arrangements, including the work of the Commission which will be charged with determining the redeployment positions (referred to as the Neutral Commission in paragraph 3) and the establishment of a peacekeeping mission, the Parties agree to put an end to all military activities and all forms of expression likely to sustain and exacerbate the climate of hostility.
In particular, the Parties agree to the following:
- a** - cessation of all armed air and land attacks;
 - b** - cessation of any other action that may impede the implementation of the Framework Agreement, the Modalities and the Technical Arrangements;
 - c** - guarantee of the free movement of the peacekeeping mission and its supplies as required through and between the territories of the Parties,

d - respect and protection of the members of the peacekeeping mission, its installations and equipment;

e - respect for international humanitarian law.

3 - In order to facilitate the process of redeployment of Eritrean forces as referred to in paragraph 1 of the Modalities and, thereafter, of Ethiopian forces as referred to in paragraph 2 of the Modalities, and to facilitate the full implementation of paragraph 5 of those Modalities, with a view to returning to positions held prior to 6 May 1998, a Neutral Commission shall be established by the Current Chairman of the OAU, in consultation with the Secretaries General of the United Nations and the OAU. Utilizing whatever information it deems relevant and in consultation with the Parties, the Neutral Commission will determine what those positions were.

The Parties agree to cooperate fully with the Neutral Commission.

The Neutral Commission will endeavor to complete its work and submit its report to the Current Chairman of the OAU in three weeks.

The determination of the Neutral Commission is binding on the Parties.

The determination of the Neutral Commission shall not prejudice the final status of the territories concerned, it being understood that this status will be determined at the end of the delimitation and demarcation process.

4 - In order to monitor and assist with the implementation of the Framework Agreement, the Modalities and the Technical Arrangements, and verify compliance with the implementation of the Technical Arrangements, it is understood that a peacekeeping mission will be established under the authority of the United Nations Security Council and led by a Special Representative of the UN Secretary-General. The Special Representative of the UN Secretary-General will liaise and work closely with the representative of the OAU Secretary-General. The deployment of the UN peacekeeping mission will be preceded by the deployment by the OAU, with the support of the United Nations, of liaison officers/observers. These liaison officers/observers will subsequently become members of the UN peacekeeping mission. The Parties will be consulted, as appropriate, throughout the establishment process.

5 - In line with article 9 (a) of the Framework Agreement and in order to facilitate the implementation of the Framework Agreement, Modalities and Technical Arrangements, a Follow-up Commission (for political aspects) and a Military Coordination Commission (for military aspects) will be established by and under the authority of the Special Representative of the UN Secretary General.

The Parties will each appoint a senior representative to the Follow-up Commission. The Special Representative of the UN Secretary General will appoint a UN senior representative as Chairman. Decisions will be made by the Chairman of the Follow-up Commission in consultation with the Parties.

The Parties will each appoint a senior military representative to the Military Coordination Commission. The Special Representative of the UN Secretary-General will appoint a UN senior military representative as Chairman. Decisions will be made by the Chairman of the Military Coordination Commission in consultation with the Parties.

In fulfilling their mandate, the Follow-up Commission and the Military Coordination Commission will coordinate and resolve issues pertaining to the implementation of the Framework Agreement, Modalities and Technical Arrangements.

6 - Upon the signing of the Framework Agreement, the Modalities and the Technical Arrangements, both Parties will conduct demining with activities with a view to creating the conditions necessary for the redeployment of the peacekeeping mission, the return of civilian administration and the return of population as well as the delimitation and demarcation of their common border (see Annex I).

The Peacekeeping mission, in conjunction with the United Nations Mine Action Service, will assist the Parties' demining efforts by providing technical advice and coordination.

The Parties shall, as necessary, seek additional demining assistance from the peacekeeping mission.

7 - The Parties will submit detailed redeployment plans to the peacekeeping mission within 5 days of receipt of the determination of the Neutral Commission (see paragraph 3 above and Annex II).

8 - The process of redeployment and restoration of civilian administration will then begin, it being understood that this process shall not prejudice the final status of the territories concerned, which will be determined at the end of the delimitation and demarcation process.

Following approval of the redeployment plans of the Parties by the peacekeeping mission, the sequence will be as follows:

a - Eritrea re-deploys its troops within 2 weeks. This redeployment is verified by the peacekeeping mission;

b - upon verification of Eritrea redeployment by peacekeeping mission, the peacekeeping mission observes and assists the restoration by Ethiopia of the civilian administration, including police and local militia, within 7 days, to enable the restored civilian administration to prepare for the return of the population;

c - as soon as paragraphs 8a and 8b above are completed, Ethiopia re-deploys its troops within 2 weeks. This redeployment is verified by the peacekeeping mission;

d - upon verification of Ethiopian redeployment by the peacekeeping mission, the peacekeeping mission observes and assists the restoration by Eritrea of the civilian administration, including police and local militia, within 7 days, to enable the restored civilian administration to prepare for the return of the population.

9 - In order to enhance the security of local populations in and returning to areas where civilian administration is restored:

a - the parties commit themselves to:

a.1 full cooperation with the peacekeeping mission;

a.2 close cooperation between the restored civilian administrations and the international civilian component of the peacekeeping mission, which will observe compliance by the restored civilian administrations:

a.2.1 - with prohibitions on displacement and deportation of civilian populations;

a.2.2 - with facilitation of human rights monitoring;

a.2.3 - with prohibitions of display of weapons by militia in populated areas where civilian administration is restored;

b - the peacekeeping mission will:

b.1 - observe and assist if requested and as appropriate, police in areas where civilian administration is restored;

b.2 - establish, as necessary local liaison and grievance resolution mechanism, ensuring access by the local population to those mechanisms.

10 - In order to determine the origins of the conflict, an investigation will be carried out of the incidents of 6 May 1998 and of any other incident prior to that date which could have contributed to a misunderstanding between the Parties regarding their common border, including the incidents of July/August 1997.

The investigation will be carried out by an independent, impartial body appointed in accordance with appended (Annex IV) time-line by the Current Chairman of the OAU, in consultation with the Secretaries General of the United Nations and the OAU.

The independent body will endeavor to submit its report to the Current Chairman of the OAU within 3 to 6 months.

The Parties agree to cooperate fully with the independent body and accept its determination.

11 - The Parties agree that the delimitation work on the ground will commence segment by segment, beginning with areas of redeployment, moving to other contested areas and, finally, to the remaining common border.

Upon the acceptance by the parties of the delimitation of each segment, the binding demarcation of that segment will be carried out. Such signed acceptance shall be given to the UN Cartographic Unit within one week, unless arbitration is requested by either Party (see paragraph 13 below).

The delimitation and demarcation process will be done on the basis of pertinent colonial treaties and applicable international law.

12 - The Parties agree to demilitarize in those areas as may be required by the peacekeeping mission in order to defuse tension and facilitate the delimitation and demarcation process (see Annex III).

13 - Delimitation and demarcation will be conducted by the UN Cartographic Unit, supported by other Experts the Unit may employ.

In line with article 6(a) of the Framework Agreement, delimitation/demarcation will be carried out expeditiously and completed within 6 months, unless extended by the Special Representative of the UN Secretary-General at the request of Cartographic Experts.

Should the need arise for arbitration over delimitation, a Boundary Commission shall be established by the United Nations Secretary-General in consultation with the OAU Current Chairman. The Commission shall decide such issues as expeditiously as possible and on the basis of pertinent colonial treaties and applicable international law.

The Parties agree to accept the outcome of the arbitration as binding.

14 - Consistent with paragraph 8(a), 8(b) and 10 of the Framework Agreement, the Parties commit themselves to addressing all humanitarian concerns, resulting from the conflict, particularly the issues of those persons who have been deported or displaced, as well as the socio-economic consequences of the dispute.

For their part, and in accordance with the pertinent provisions of the Framework Agreement, the OAU and the United Nations, working closely with the International Community, will endeavor to mobilize resources to assist in addressing such concerns.

The Parties agree to refer any specific claim of such issues to an appropriate mechanism of arbitration for binding resolution, should efforts at negotiated settlement or mediation not succeed. If the Parties are unable to agree on the appropriate mechanism of arbitration within a period of three months starting from the signing, the UN Secretary-General, in consultation with the OAU Secretary-General, will determine the appropriate mechanism of arbitration.

15 - As the demarcation process is completed in each segment, the legitimate authority will assume full and sovereign jurisdiction over that part of territory which will have been recognized as being within its boundary.

16 - The Parties agree to sign and implement in good faith the OAU Framework Agreement for the settlement of the dispute, the Modalities for the Implementation of the Framework Agreement and the Technical Arrangements for the Implementation of the Framework Agreement and its Modalities (including its Annexes listed below*).

17 - The OAU and the United Nations will be the guarantors for the scrupulous implementation of all the provisions of the OAU Framework Agreement, the Modalities for the Implementation of the Framework Agreement and the Technical Arrangements for the Implementation of the Framework Agreement and its Modalities.

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Annex I to the Technical Arrangements for the Implementation of the OAU Framework Agreement and its Modalities (Demining activities)

Annex II to the Technical Arrangements for the Implementation of the OAU Framework Agreement and its Modalities (Redeployment plans)

Annex III to the Technical Arrangements for the Implementation of the OAU Framework Agreement and its Modalities (Local demilitarization plans)

Annex IV to the Technical Arrangements for the Implementation of the OAU Framework Agreement and its Modalities (Implementation planning timeline)

OAU Press Release

COMMUNIQUE OF THE OAU ON THE CONFLICT BETWEEN ETHIOPIA AND ERITREA

At the initiative of H.E. Mr. Abdelaziz BOUTEFLIKA, President of the People's Democratic Republic of Algeria and Current Chairman of the Organization of African Unity (OAU), an OAU delegation led by Mr. Ahmed OUYAHIA, Personal Envoy of the Current Chairman, visited Addis Ababa and Asmara from 21 to 24 May 2000.

This mission falls within the purview of the intensive efforts made by the Current Chairman and particularly since the adjournment of the Algiers Proximity Talks and the resumption of hostilities between Ethiopia and Eritrea, efforts aimed at putting an immediate end to the fighting and bringing back quickly the two Parties to the negotiating table for the finalization of consolidated Technical Arrangements and consequently the implementation of the Framework Agreement and the Modalities for the peaceful and definitive resolution of the border dispute between the two Parties.

In Addis Ababa, the OAU Delegation was received by H.E. Mr. Meles Zenawi, Prime Minister of Ethiopia. In Asmara, and in the absence of the Head of State from the Capital, the Delegation held talks with a delegation of Senior officials led by Mr. WONDETENSAE, Minister for Foreign Affairs and including the Director of the Cabinet and other Senior Advisors of the Head of State. Furthermore, and throughout the mission, the Personal envoy held close consultation with Dr. Salim Ahmed Salim, OAU Secretary General.

To each of the two Parties, the Personal envoy reiterated the appeal of the Current Chairman for an immediate cessation of the fighting and the speedy resumption of the Proximity Talks. The Personal Envoy stressed that this appeal was also repeated by the International Community and particularly by the United Nations Security Council.

Eritrea stated its readiness to respond immediately and favorably to the two-point appeal of the Current Chairman of the OAU, namely the immediate cessation of the fighting and the resumption of Proximity Talks.

On its part, Ethiopia which stated that it was ready for an immediate resumption of the Proximity Talks, considered, however, that the fighting could not stop before the restoration of the territorial status quo prevailing at 6 May 1998.

At the same time and beyond this fundamental divergence between the two parties, the Delegation noted that:

- 1) Ethiopia stated solemnly that it had no territorial ambitions in Eritrea;
- 2) Each of the two Parties stated that it was still committed to the Framework Agreement and the Modalities which they had accepted and which had been unanimously endorsed by the 35th Ordinary Session of the Assembly of Heads of State and Government held in Algiers;
- 3) Each of the two Parties restated its commitment to the redeployment of its troops to the line of 6 May 1998 and, that, in conformity with the Modalities, which they had mutually accepted.
- 4) Finally, each of the two Parties committed itself to resolve the territorial dispute on the basis of the relevant colonial Treaties and the applicable International Law, through delimitation and demarcation with the assistance of the Cartographic Unit of the United Nations and, if necessary, through arbitration.

In the face of this situation, the OAU strongly deplores that its appeal for an immediate end of the fighting has not yet been heeded, while the necessary elements for a peaceful, fair and definitive resolution of this conflict and particularly the border dispute, have already been defined by the Organization, accepted by the two Parties and endorsed by the International community as a whole.

At the same time, the OAU expresses its deep concern about the thousands of deaths already caused by the resumption of fighting on 12 May 2000, a terrible situation to which should be added the suffering and displacement of hundreds of thousands innocent civilian victims of this fratricidal conflict. In addition, the continuation of this armed conflict is likely to undermine the stability and security of the entire sub-region.

This is why the OAU reiterated its urgent appeal for an immediate end to the fighting and the resumption of peace negotiations.

Furthermore, and with the aim of initiating the de-escalation of this conflict and arrive at its cessation:

Firstly, the OAU requests Ethiopia and Eritrea to immediately implement the redeployment of their respective forces to the positions they controlled prior to 6 May 1998, in conformity with paragraphs 1 and 2 of the Modalities without prejudging the final status of the territories concerned, which will be determined at the end of the delimitation and demarcation process.

Secondly, and to this end, the OAU requests Eritrea to announce immediately its decision to carry out this redeployment in conformity with Paragraph 1 of the Modalities and to implement it immediately.

Thirdly, and in the same spirit, the OAU requests Ethiopia to announce immediately after Eritrea, its decision to redeploy its forces according to Paragraph 2 of the Modalities, it being understood that

this redeployment must concern all the positions taken since 6 February 1999 and which was not under Ethiopian control before 6 May 1998.

Fourthly, the OAU takes note of the statement made by Ethiopia according to which it has no claim on the territory of Eritrea and requests it to reaffirm it publicly and officially.

Fifthly, the OAU takes note of the commitment of Ethiopia and Eritrea to implement the Framework Agreement and the Modalities, which they had mutually accepted, and particularly to resolve their border dispute in conformity with the two afore-mentioned documents.

Sixthly, the OAU takes note of the readiness of the two Parties to finalize quickly the consolidated Technical Arrangements, then proceed to the signature of the Framework Agreement, Modalities and consolidated Technical Arrangements, to establish a formal cessation of hostilities and implement faithfully all the three documents constituting the peaceful and definitive settlement plan for the resolution of the conflict.

Seventhly, on behalf of the Current Chairman of the OAU, the Personal Envoy invites the two Parties to send their delegations to Algiers for the resumption of the Proximity Talks, immediately after the publication of the statements of each Party as stated in Paragraphs "secondly" and "thirdly" above.

The OAU hopes that this appeal will be heeded by each of the two Parties and that wisdom will prevail in the interest of the two brotherly and neighboring peoples. It also hopes that the International Community will support this effort aimed at stopping the fighting in this bloody conflict and opening the way for the full implementation of the Peace Plan proposed by the OAU, accepted by the two Parties and supported by the entire International community.

Algiers and Addis Ababa, 24 May 2000

Proposal of the OAU for an Agreement on Cessation of Hostilities Between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea

The Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea,

Having taken part in the Proximity Talks called by the Organization of African Unity in Algiers from 29 May to 10 June 2000, under the Chairmanship of Algeria the Current Chair of the OAU and with the participation of its partners namely the United States and the European Union,

Committing themselves to the following principles:

¶ Resolution of the present crisis and any other dispute between them through peaceful and legal means in accordance with the principles enshrined in the charters of the OAU and the United Nations;

¶ Rejection of the use of force as a means of imposing solutions to disputes;

¶ Respect for the borders existing at independence as stated in resolution AHG/Res 16(1) adopted by the OAU Summit in Cairo in 1964 and, in this regard, determine them on the basis of pertinent colonial treaties and applicable international law, making use, to that end, of technical means to demarcate the borders and, in case of controversy, resort to the appropriate mechanism of arbitration;

Reaffirming their acceptance of the OAU <<Framework Agreement>> and <<the Modalities for its Implementation>> which have been endorsed by the 35th ordinary session of the Assembly of Heads of State and Government, held in Algiers, Algeria from 12 to 14 July 1999,

Taking into account the latest developments in this crisis,

Commit themselves to the following:

1 - Immediate cessation of hostilities starting from the signature of this document. In particular the two Parties agree to the following:

1-1 cessation of all armed air and land attacks;
1-2 guarantee of the free movement and access of the Peacekeeping Mission and its supplies as required through the territories of the Parties;
1-3 respect and protection of the members of the Peacekeeping Mission, its installations and equipment.

2 - A Peacekeeping Mission shall be deployed by the United Nations under the auspices of the OAU.

3 - The mandate of the Peacekeeping Mission shall be:

3-1 monitor the cessation of hostilities;
3-2 monitor the redeployment of Ethiopian troops;
3-3 ensure the observance of the security commitments agreed by the two Parties in this document, in particular those provided for in paragraph 14;
3-4 monitor the temporary security zone provided for in paragraph 12 of this document.

4 - The size and the composition of the Peacekeeping Mission shall be adapted to the mission assigned to it and shall be determined by the Secretaries General of the United Nations and the OAU with the acceptance of the two Parties.

5 - The Peacekeeping Mission shall terminate when the delimitation-demarkation process of the border has been completed.

6 - A Military Coordination Commission shall be established by the OAU and the United Nations with agreement of the two Parties in order to facilitate the functions of the Peacekeeping Mission. It shall be composed of representatives of the two Parties and chaired by the leader of the Peacekeeping Mission.

7 - The mandate of the Military Coordination Commission shall be to coordinate and resolve issues relating to the implementation of the mandate of the Peacekeeping Mission as defined in the present document. The Commission shall deal with military issues arising during the implementation period.

8 - Upon the signing of the present document, both Parties shall conduct demining activities as soon as possible with a view to creating the conditions necessary for the deployment of the Peacekeeping Mission, the return of civilian administration and the return of population as well as the delimitation and demarcation of their common border. The Peacekeeping Mission, in conjunction with the United Nations Mine Action Service, will assist the Parties' demining efforts by providing technical advice and coordination. The Parties shall, as necessary, seek additional demining assistance from the Peacekeeping Mission.

9 - Ethiopia shall submit redeployment plans for its troops from positions taken after 6 February 1999, and which were not under Ethiopian administration before 6 May 1998, to the Peacekeeping Mission. This redeployment shall be completed within two weeks after the deployment of the

Peacekeeping Mission and verified by it.

10 - In accordance with the principle established in paragraph 3 of the Framework Agreement, it is understood that the redeployment of Ethiopian forces will not prejudice the final status of the contested areas, which will be determined at the end of the delimitation and demarcation of the border and, if need be, through an appropriate mechanism of arbitration.

11 - Upon verification of Ethiopian redeployment by the Peacekeeping Mission, Eritrean civilian administration, including police and local militia, will be restored to prepare for the return of the population.

12 - In order to contribute to the reduction of tension and to the establishment of a climate of calm and confidence, as well as to create conditions conducive to a comprehensive and lasting settlement of the conflict through the delimitation and demarcation of the border, the Eritrean forces shall remain at a distance of 25 km (artillery range) from positions to which Ethiopian forces shall redeploy in accordance with paragraph 9 of this document. This zone of separation shall be referred to in this document as the "temporary security zone."

13 - The Eritrean forces at positions defined in paragraph 12 of this document, as well as Ethiopian forces at positions defined in paragraph 9 of this document, shall be monitored by the Peacekeeping Mission.

14 - Ethiopia commits itself not to move its troops beyond the positions it administered before 6 May 1998. Eritrea commits itself not to move its troops beyond the positions defined in paragraph 12 above. The OAU and the United Nations commit themselves to guarantee the respect for this commitment of the two Parties until the determination of the common border on the basis of pertinent colonial treaties and applicable international law, through delimitation/demarcation and in case of controversy, through the appropriate mechanism of arbitration. This guarantee shall be comprised of:

- a) measures to be taken by the international community should one or both of the Parties violate this commitment, including appropriate measures to be taken under Chapter VII of the United Nations Charter by the UN Security Council;
- b) actions by the Peacekeeping Mission to monitor key and sensitive areas of the temporary security zone through liaison officers at the division and regimental levels with Ethiopian and Eritrean units deployed at key points along the temporary security zone on their respective sides; regular patrols; reconnaissance missions; and challenge inspections throughout the temporary security zone coordinated through the Military Coordination Commission with the participation of liaison officers of the Parties as decided by the Chairman of the Military Coordination Commission;
- c) deployment to and continuous monitoring by military units of the Peacekeeping Mission at posts in key and sensitive positions within the temporary security zone in order to monitor the implementation of the commitments made by both Parties in paragraphs 9 and 12 of this document;
- d) periodic technical verification of the temporary security zone to help determine compliance with this document.

15 - Upon the signature of the present document, the two Parties shall initiate separate requests to the Secretaries General of the OAU and the United Nations, as necessary, for assistance to implement this document.

Map of Eritrea and Northern Ethiopia

