

The conflict between Ethiopia and Eritrea: An Assessment and Potential Solutions

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This paper discusses the border dispute between Eritrea and Ethiopia, the decision of the Eritrea-Ethiopia Boundary Commission of the Permanent Court of Arbitration, and the difficulties that both parties are having implementing the decision. This conflict may qualify as an intractable conflict. Conflict “is a difference within a person, or between two or more people, that touches them in a significant way” (LeBaron and Pillay, 2006, p. 12). Conflict hurts the most “when their interdependence is so essential that they cannot do away with it despite the difficulties of remaining interdependent, such as for friends or lovers” (LeBaron & Pillay, 2006, p. 88). Such is the case between Ethiopia and Eritrea.

Intractable conflicts have endured for a long time and “have refused to yield to efforts” (Crocker, Hampson & Aall, 2005, p. 5). Intractable conflicts “denote conflicts that (1) continue over an extended period of time, (2) are characterized by ever-present tension and violence, and (3) are arenas for many futile attempts at management or resolution” (Bercovitch, 2005, p. 101). They also may be intractable “because they do not matter enough for concerted international reaction” (Crocker et al, 2005, p. 15), or because over “50 percent of all mediation efforts were unsuccessful” (Crocker et al, 2005, p. 116). An intractable conflict is also characterized by the repeated failure of one party to force upon the others a cessation of hostilities, by “the failure of parties to negotiate an ending after trying to do so, and (by) the failure of external intervention to stop or transform the intractable” conflict (Kriesberg, 2005, p. 73).

I. Brief Historical Introduction

a. The Treaty of Peace with the Allied Powers of 1947

In 1890, Italy formally established the Colony of Eritrea and ruled it as its colony until 1941, when the British defeated the Italians in Africa and took over the administration (Eritrea: Foreign Policy & Government Guide, 2007, p. 12). During the period of Italian control, Ethiopia and Italy concluded three boundary agreements that together, addressed the entire common boundary of the Colony of Eritrea and the Empire of Ethiopia. Following World War II, the Treaty of Peace with the Allied Powers of 1947, stipulated in its Article 23 that Italy renounced “all rights and title to the Italian possessions in Africa”, and agreed that “pending their final disposal, the said possessions shall continue under their present (British) administration” (Treaty of Peace with the Allied Powers of 1947, February 10, p. 2-3).

b. The UN General Assembly Resolution 390A(V)

In 1950, the United Nations General Assembly by its resolution 390A(V) recommended that “Eritrea shall constitute an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian Crown” (UN General Assembly Resolution 390A(V), 1952, p. 1-2) The UN also determined that Eritrea should be federated to Ethiopia, but maintaining certain amount of autonomy such as its own constitution and elected government (Connell, 1997a, p. 29). However, Emperor Haile Selassie’s government systematically violated the rights of Eritreans, banned political parties in 1955, trade unions in 1958, and went as far as dissolving the Eritrean parliament and annexing Eritrea to Ethiopia as its 14th province in 1962 (Eritrea: Foreign Policy & Government Guide, 2007, p. 14). Both Arabic and Tigrinya languages were eliminated from Eritrean education and replaced by Amharic, then Ethiopia’s official language (Eritrea: Foreign Policy & Government Guide, 2007, p. 17). Ethiopia’s heavy rule antagonized both Muslims and Christians in Eritrea. Muslims were squeezed out of public employment, and an entire generation of Eritrean Christian students embraced

nationalism and many joined the Eritrean People's Liberation Front in its fight for independence.

c. Eritrea wins its Independence

The armed struggle lasted 30-years, until May 1991, when the Eritrean People's Liberation Front (EPLF) liberated Asmara, the nation's capital, and established the Provisional Government of Eritrea (PGE) (Connell, 1997b, p. 31). In an internationally supervised referendum in April 1993, 99.8 percent of the Eritreans voted for independence, which was officially declared on May 24, 1993 (CIA, 2007a, p. 2). It was the culmination of a lengthy war of secession. Dougherty (2003) qualified it as a positive story in many respects, and said that "the population's bravery and determination are worthy of respect if not admiration" (Dougherty, 2003, p. 276). On the other hand, Licklider (2005) reminded us that "wars of secession are more likely to become intractable than those involving changing the existing regime" (Licklider, 2005, p. 41)

d. Ethiopia tries to regain control of Eritrea's seaports

Landlocked Ethiopia, coveting Eritrea's two seaports, started an early campaign to annex its former colony, claiming that it had always been part of Ethiopian territory. Conflicts - Newman (2006) emphasized- are more likely to be caused by economic opportunities than by grievance (Newman, 2006, p. 138). Herbst (2004) blamed the international community for indirectly financing Ethiopia's invasion. He said that "the willingness of the international community to provide food relief to Ethiopia meant that the government of Addis Ababa could devote its resources to the war while the international community took on the responsibility of feeding the Ethiopians" (Herbst, 2004, p. 367).

A border clash in 1998 around the town of Badme escalated into a full war killing thousand of soldiers from both sides. The UN Security Council called for a cease-fire and imposed a one-year arms embargo on both countries, but sporadic fighting continued. In 2000, the two countries signed a peace agreement at the initiative of the Organization of African Unity,

calling for both parties to withdraw to the positions held before the 1998 war and establishing a boundary commission (Global Policy Forum, 2007, p. 2). Still, the UN Mission in Ethiopia and Eritrea (UNMEE) with 4,200 troops began patrolling along the security zone (Wallensteen & Sollenberg, 2001, p. 631).

In 2003, the Boundary Commission ruled that the town of Badme lies in Eritrean territory (Global Policy Forum, 2007, p. 3). Ethiopia rejected the Commission's ruling and filed an appeal which reaffirmed the previous decision (Global Policy Forum, 2007, p. 4). A state of "cold war" continues to our days, with both countries exchanging accusations and insults with each other.

II. The human and economic costs of the border dispute

a. Ethiopia

Ethiopian casualties in the conflict have been estimated at about 50,000 (Rice, 2006, p. 1), and its already weak economy has been greatly affected because most trade with the outside world was made through the Eritrean ports. In order to substitute for previous exports, Ethiopian companies have been forced to export their products to neighboring countries, mostly Kenya, which has been a great disruption of the Ethiopian economy and at a great cost (Rice, 2006, p. 2).

b. Eritrea

Eritrea sustained great economic damages as a consequence of the war with Ethiopia, in addition to thousands of its soldiers killed. The May 2000 Ethiopian invasion into northern Eritrea caused about \$ 600 million in property damage, destroying 55,000 homes and \$ 225 million in livestock (CIA, 2007a, p. 6). In addition, more than a million Eritreans were displaced by the war, although nearly all have been resettled (US Department of State, 2007, p. 4). The war also affected the nation's economy in other ways. Eritrea's 2006 budget, estimated at \$ 485 million, used about \$ 185 million for defense (US Secretary of State, 2007,

p. 2). The country continues to depend on remittances from Eritreans living abroad, which together with other private transfers contribute about one third of the country's GNP (US Department of State, 2007, p. 4). The Eritrean Diaspora is taxed 2% of their income by the Eritrean government, and plays an active role in the internal politics of the country, sometime as spoilers, as many other Diasporas (Shain & Aryasinha, 2006, p. 105)

Although the losses of the conflict are difficult to quantify, the border war “substantially damaged the economic growth and development of Ethiopia and Eritrea and has led to humanitarian suffering on both sides of the border. Tens of thousands of lives have been lost and thousands more have been maimed” (UN Report of the US Assistant Secretary for African Affairs, 1999, p. 1-2). Economic damages and problems are very disturbing to the peace process. Jaroslav (2005) cited ample literature supporting the premise that “a high level of economic development is a key determinant of peace, because the satisfaction of economic needs tends to dampen political tensions” (Jaroslav, 2005, p. 552). The persistence of the conflict, obviously, strengthens the authoritarian rule on both sides of the divide and puts a break on the necessary democratization, facilitating intractability. In this case, as in Sudan, “the continuing conflict has served as a reason for postponing democratization” (Morrison & de Waal, 2005, p. 171).

III. Terms of the Peace Agreement

On December 12, 2000, the parties signed a peace agreement under the sponsorship of the Organization of African Unity. Article 4. 1 of the Agreement stated that “the parties agree that a neutral Boundary Commission composed of five members shall be established with a mandate to delimit and demarcate the border based on pertinent colonial treaties (1900, 1902, 1908) and applicable international law” (Agreement, 2000, p. 18). Article 4.15 of the same agreement explicitly stated that “the delimitation and demarcation determinations of the Commission shall be final and binding” (Agreement, 2000, p. 19).

IV. The determination of the Boundary Commission of the Permanent Court of Arbitration

The Boundary Commission was formed and both parties submitted their claims and counterclaims, providing more than 250 different maps to prove their respective cases. The Commission on its own also did historical research.

The Court ruled that a large segment of the Western border should be awarded to Eritrea (near the Yirga Triangle), while other areas in the Central and Eastern Sector and the border town of Tserona were also awarded to Eritrea. In addition, the border towns Zalambessa and Alitena, in the Central sector, and the Bure Danakil Depression, were awarded to Ethiopia. The controversial Badme village, where the conflict started and escalated into a full-blown war, was awarded to Eritrea (Eritrea-Ethiopia Boundary Commission, 2002, Chapter VIII).

Initially, the Ethiopian government claimed victory (even though it had lost the disputed village of Badme), but later rejected it as “unjust and illegal,” and filed a 21-page memorandum demanding that the boundary commission correct its ruling by awarding Ethiopia the towns found within the Eritrean (Global Policy Forum, 2006, p. 8). However, on November 25, 2004, “957 days after the EEBC ruling, Ethiopia’s parliament voted to accept in principle the ruling of the independent boundary commission that ceded territory along the 600 mile border to Eritrea” (Splinter, 2007, p. 12). This, however, has not been enough because it has been perceived as just a diplomatic gesture to please the international community rather than reflecting the real intentions of the Ethiopian government.

V. Implementation Difficulties

Eritrea hosted a UN peacekeeping operation that is monitoring a 25 km-wide 900 km-long Temporary Security Zone on the border with Ethiopia (CIA, 2007b, p. 2). Relations between the two countries deteriorated in 2003 after the boundary commission found that the town of Badme was in Eritrean territory. Ethiopia’s rejected the Commission’s ruling and Eritrea

refused to negotiate a new settlement with Lloyd Axworthy, the UN Special Envoy for Ethiopia-Eritrea (Eritrea: Foreign Policy, 2006, p. 2). To each other's eyes, the opposing party was spoiling the peace process, but, in reality, both of them were acting as spoilers. Spoiling behavior towards a peace process "represents a form of rejection of some aspect of that process by some groups and their constituencies" (Newman & Richmond, 2006, p. 10). Spoiling is demonstrated when "one side acts contrary to the other side's perceived goal of the peace process" (Khutsishvili, 2006, p. 293).

In October 5, 2005, Eritrea banned UN helicopters from flying close to the security zone, and any motor vehicle patrolling at night, greatly reducing UNMEE's ability to oversee the disputed border. Then the following day, on October 6, 2005, Eritrea, claiming frustration at the UN's lack of progress in having Ethiopia to comply with the "final and binding" boundary commission ruling, expelled the North American, European, and Russian peacekeepers from the UNMEE's Eritrean border, most of which were then reassigned to the Ethiopian side (Global Security, 2005, p. 1). This experience is similar to what has happened in other conflicts such as Colombia, because it "served to drive home the fact that when parties to the conflict lack the will, interested third parties cannot leverage a peace process" (Arnson & Whitfield, 2005, p. 232).

On October 17, 2005, the UNMEE decided to reduce the number of posts in the temporary security zone. The UNMEE's press release mentioned that "the continuing occupation of small posts in isolated places has become untenable and operationally unviable. Out of a total of 40 posts that it has so far maintained, UNMEE decided to vacate 18 of them and one Team Site of military observers" (UNMEE Press Release, 2005, p. 1).

a. UN Security Council Resolution 1640

After receiving reports of troop concentrations along the border, the UN Security Council adopted Resolution 1640 on November 23, 2005, calling on both nations to remove their troops from the Temporary Security Zone which divides the two countries. Resolution 1640

also called on Eritrea to immediately reverse its decision to ban helicopter flights of the UN Mission in Ethiopia and Eritrea and demanded that Ethiopia comply with the boundary commission of 2000. If both sides failed to comply, the Council indicated, it will consider the possibility of economic sanctions under Article 41 of the UN Charter (UN Security Council Resolution 1640, 2005, p. 1-2).

b. UN Security Council Resolution 1670

On April 13, 2006, the Security Council adopted resolution 1670 and extended the UNMEE until May 15, 2006 (Foreign Policy in Focus: Eritrea, 2006, p. 2). The resolution reiterated its previous demands outlined in resolution 1640 – mainly that Eritrea lift the restrictions imposed on UNMEE operations and that Ethiopia accept the final and binding decision of the Eritrea-Ethiopia Boundary Commission. If both parties fail to demonstrate “full compliance” by this deadline, “the Security Council will consider transforming the peacekeeping operation into an observer mission or withdrawing it altogether”. The inclusion of a deadline for compliance seems to indicate that the Security Council is really frustrated with the failure to implement peace agreement.

c. UN Security Council Resolution 1681

When the deadline came with no progress, the Security Council issued Resolution 1681 on May 31, 2006, extending the mandate of the UN Mission for another four months, asking once again that both parties implement the delimitation decision of the Boundary Commission. However, on July 30, 2008, the Security Council terminated the mandate of UNMEE with effect from the following day as a response to the crippling restrictions imposed by Eritrea on the peacekeeping operation, such as cutting off its fuel supply which made impossible to continue the operation of its mandated tasks.

VI. Concluding Comments and Potential Solutions

Eritrea fears that Ethiopia could ignore the decision of the Boundary Commission, the UN forces patrolling the border, and occupy the small nation by force. A simple look at the map of Eritrea indicates how this could be accomplished if Ethiopia were to push from all points along its border with Eritrea toward the sea. Please see Figure No. 1 below. The narrow Eritrean nation could be swallowed by the larger Ethiopian army, and the United States and the international community may not react as vigorously as they did in Kuwait. Twenty years ago, Woodward claimed that African countries counted as relatively unimportant in international politics, and the situation is not better today (Woodward, 1987, p. 112).

Eritrea claims that the close relations of Ethiopia with the United States have allowed Ethiopia to ignore the commission's ruling (Global Policy Forum, 2007, p. 1). As in the Palestinian-Israel conflict and other conflicts around the world, "most Americans do not care deeply enough about this issue to propel it to the top of presidential priorities" (Telhami, 2005, p. 371) In addition, "over the years, the United States and other third-parties have been biased toward one side in a number of conflicts" (Crocker et. al, 2005, p. 380).

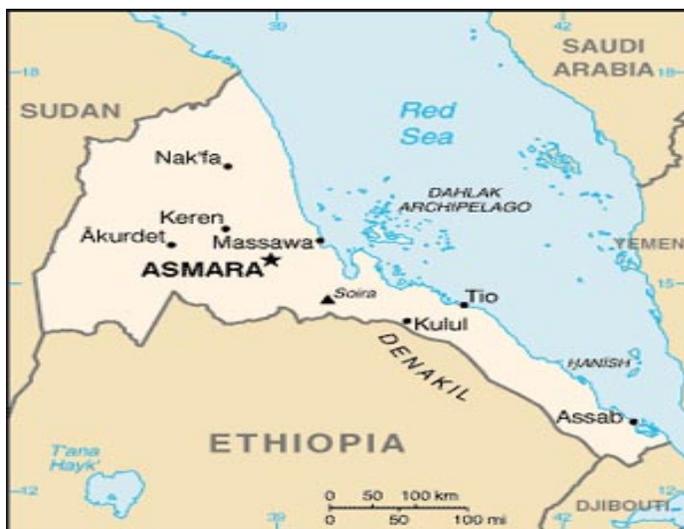


Fig. 1 – Map of Ethiopia
Source: US State Department website

The media has speculated that Ethiopia may want to invade Eritrea before the November 2008 elections in the US, which could deprive Ethiopia of its present support in the White House. Although always appearing to look neutral, the Bush administration seems to favor Ethiopia, which it considers an ally in its war against terrorism (Chicago Tribune, 2007, p. B-2), while it has accused Eritrea of harboring terrorists. The reason is the presence of Sheikh Hassan Dahir Aweys, an exiled Somali Islamic leader, whom the US suspects of having links to Al Qaeda, at a recent Somalian opposition conference in Asmara (US Department of State, 2007, p. 3). Also, On July 27, 2007, the Associated Press reported “that Eritrea had been supplying weapons to Somali insurgent group Shabab who is allegedly tied to Al Qaeda” (Associated Press, 2007, p. 1). As Kriesberg already observed, the US war on terrorism also affects the intractability of local conflicts around the world (Kriesberg, 2005, p. 81).

The implementation of the peace process has faced mounting resistance by both parties, displeasing the UN Security Council. On November 5, 2007, the United Nations established that “these neighbors must resolve their border line tensions by the end of November 2007” (Reuters, 2007, p. 1). So far, this has not happened. However, as British Prime Minister Tony Blair told the US Congress on July 18, 2003 “Peace processes are always frustrating, always agonizing, and occasionally seem hopeless... but for all that, having a peace process is better than not having one” (Saikia, 2006, p. 316).

In July 2015, President Barack Obama made an official visit to Ethiopia and even addressed a meeting of the African Union, whose headquarters are located in the Ethiopian capital. While the American President referred to the Ethiopian-Eritrean conflict, he stopped short from asking the Ethiopians to abandon its control over the city of Badme, which constitutes the essential issue claimed by Eritrea before normal negotiations can be held between the two nations (Ogbaharya, 2015, 1).. However, the death of Prime Minister Meles Zenawi in 2012 could make it easier for the new Ethiopian government to abide by the determination of the Boundary Commission with less political repercussions. The new

Ethiopian government is now giving preferential treatment to Eritrean refugees crossing the border into Ethiopia. There are now over 100,000 Eritrean refugees living and studying in Ethiopia, with the Ethiopian government granting over 1,200 scholarships to Eritrean students (Aljazeera, 2013, 2). However, still there are problems. The new Ethiopian Prime Minister Hailemariam Desalegn in his address to the Ethiopian Parliament on July 8, 2015 mentioned that Ethiopia would have no choice but retaliate against Eritrea for what he called “Eritrea’s destabilizing campaign” (Aljazeera, 2015, 1). On the other side of the border, the government of Eritrea continues with its one-man rule, suspension of both the Parliament and the Constitution and universal and indefinite military conscription, all justified by the threat posed by Eritrea.

For the peace to endure in the border conflict, the international community will need to guarantee the integral sovereignty of Eritrea and calm down its real or imagined insecurity. However, before this happens Eritrea needs to disassociate itself from even the perceived idea that it has anything to do with terrorism, because the United States and the West is not likely to commit its power to defend what they consider a terrorist state. Ethiopia and Eritrea need each other and it is this interdependency where hope for peace grows bigger. Of course, democratic changes in Ethiopia (or in Eritrea) could also pave the way for the resolution of this intractable conflict.

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