

FACTS ON THE GROUND

War and Peace in the Horn of Africa, May-June 2000

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INTRODUCTION

May and June of 2000 have seen some of the bloodiest and most sustained fighting between Ethiopia and Eritrea since their border conflict first erupted into war almost exactly two years earlier. During May, Ethiopia pushed further into Eritrea than ever before, to the extent that it controlled substantial swathes of undisputed Eritrean land.

At time of writing (mid-June 2000), sporadic fighting was continuing. But with both parties agreeing to an OAU-sponsored peace agreement, the prospects of an end to the war have never looked better.

ORIGINS OF THE DISPUTE

The origins of the territorial dispute have been dealt with elsewhere (Peninou 1998; Fielding 1999; Plaut and Gilkes 1999). To summarise: disputes over trade and finance caused relations between the two neighbours to begin deteriorating soon after Eritrean independence from Ethiopia in 1993. Border disagreements had also come to light by 1998. Both sides agreed to meet to try to resolve the dispute. However, war broke out in May that year, after Ethiopian militiamen fired on Eritrean troops near Badme; and Eritrea ordered its tanks onto territory which Ethiopia believed was its own.

Eritrea went on to seize territory from Ethiopia around Badme in the west, Zalambessa in the centre of the border, and around Bure in the east. In February 1999, Ethiopia recaptured Badme – and pushed some 20km further into Eritrea – amid trench fighting that saw tens of thousands of lives lost.

LINES OF ARGUMENT

Since the start of the dispute, two clear lines of argument have emerged. The Ethiopian position can be summarised as follows: The Eritrean military moved onto Ethiopian land, and is therefore an aggressor. (The moment Eritrean military machinery appeared on Ethiopian-administered soil, Ethiopia started talking about an invasion.)

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The Eritrean argument runs like this: Ethiopia is making claims to land which is rightly Eritrean. Any advance by Eritrea troops during or after May 1998 is simply a matter of rectifying the situation. This argument thus short-circuits Ethiopian accusations of an Eritrean invasion by implying that Eritrean military movements since May 1998 have remained on Eritrean soil – even if some of this soil may have been under Ethiopian control before the war.

Eritrea's claims are historical – Ethiopia's claims are based on the actual boundaries of Ethiopian administration at the time of Eritrean independence.

In support of its arguments, Asmara invokes the treaties signed in the late 19th and early 20th century, between the Italian government and Ethiopia's King Menelik II, (see the 'Eri-Eth conflict – maps and treaties' section of the Dehai website). These treaties followed the battle of Adwa, in which Menelik's forces succeeded in halting Italian ambitions to seize all of Ethiopia.

In short, Eritrea's claims are historical – Ethiopia's claims are based on the actual boundaries of Ethiopian administration at the time of Eritrean independence.

The Badme area, and other border territories later invaded and occupied by the Eritrean military, had never in history been administered by any colonial or Eritrean government (Ethiopian Government Spokesperson's Website 12 November 1999).

THE WAR FOR INDEPENDENCE AND THE BORDER

That the exact course of the colonial boundary has become uncertain over the years is hardly surprising. With the Italians expelled from Eritrea during World War II, the United Nations placed the former colony into a federation with Ethiopia – an arrangement which was later ended by Haile Selassie’s government in Addis Ababa, which unilaterally changed Eritrea’s status to that of an Ethiopian province. Hence, after 1962, the colonial border was nothing more than a provincial boundary in a centralised state. Soon afterwards, armed movements sprang up in Eritrea, aimed at securing Eritrean independence. Tigrean nationalists also took up arms against the Amhara-dominated Ethiopian government.

By the late 1970s, the Eritrean People’s Liberation Front and the Tigrean People’s Liberation Front – now fighting against the military dictatorship known as the Dergue which had overthrown Haile Selassie in 1973 – had come to control large parts of their respective regions. In such circumstances, the question of the old border became even more academic.

Though often divided by ideology and strategy, the EPLF and TPLF saw the value of cooperation in working towards their common objective of expelling the Dergue. In 1988, the two movements declared they had overcome their differences – but the question of resolving the ambiguities that remained over the control of territory was pushed aside:

During the decades of annexation and war, the boundary – never particularly clearly defined – had drifted off its original (colonial) course.

It was at this time that the Tigrayans suggested that the two movements should demarcate their mutual border. The Eritreans did not accept this, since they believed there were few real differences and that these could be worked out once victory had been achieved. It was to prove a crucial mistake (Gilkes and Plaut, 1998).

After the TPLF had advanced to Addis Ababa and begun, with its allies from other parts of Ethiopia, the process of establishing a government there, Eritrea gained its *de facto* independence in 1991, and formally achieved statehood in 1993. It did so without a formal demarcation of its southern border. It has since become clear that during the decades of annexation and war, the boundary – never particularly clearly defined – had drifted off its original (colonial) course.

TREATIES AND MAPS

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The Eritrean insistence that the 100-year-old treaties be the basis of demarcation reflects an Eritrean belief that it is Ethiopia which has benefited the more from what might be called “*border creep*.” This argument is backed up by Ethiopia’s reluctance to endorse the colonial boundary as the eventual determinant of the border.

Ethiopia has always been notably shy about producing a map detailing its territorial claims. The Dehai website – which generally reflects Eritrean government positions – has challenged Ethiopia to state its territorial claims clearly. A wry feature of the website is a clock ticking off the days, hours, minutes and seconds since Eritrea made its own claims known.

The Eritrean argument – again, set out in detail on the Dehai website – makes much of a map issued by the Tigray National Regional Administration, which clearly extends the limits of Ethiopian control beyond what is shown on virtually every other published map. Dehai puts two and two together, shades the area in which the Tigray map differs from other maps – and declares that this is the area claimed by Ethiopia.

In fact, the Ethiopian claim is much harder to pin down.

One Tigrean official the author spoke to said that the large-scale Tigrean map simply shows details of the border which would be indistinct on a smaller map. This argument is very thin indeed. Nothing could be more distinctive than the ‘spike’

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PEACE AND WAR

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formed by the straight line of the border around Badme, and it can be made out as such even on a relatively small-scale political map of Africa.

Government Spokeswoman Selome Tadesse said that Ethiopia wanted the colonial treaties to be considered alongside other factors when it came to demarcating the border (conversation with the author, October 1999).

It was this widely differing interpretation of the limits of sovereignty which not only sparked the war in the first place – but also gave rise to the long, tense stand-off, punctuated by bloody episodes of combat, which has characterised the last two years.

Both sides broadly accepted a peace plan put forward by the OAU in the second half of 1998, but Ethiopia expressed reservations over certain technical aspects of the implementation of the plan. The nub of Ethiopia's argument was that it would not sit down for talks with Eritrea as long as Eritrean troops remained on territory which Ethiopia believed to be its own. Addis Ababa continually accused Asmara of using military force to "*create facts on the ground*" which would be prejudicial to an eventual settlement of the border dispute, (see, for example, Ethiopian Government Spokesperson's website, 16 November, 1988). A succession of diplomatic delegations, first from the OAU, then from the European Union, and finally from the UN Security Council itself failed to convince Addis Ababa to change its position. Threats of an aid embargo brought the curt response from Ethiopia that it would not "*exchange bread for sovereignty.*"

The UN peace mission, under the weighty leadership of the American UN Ambassador Richard Holbrooke, apparently realised that the Ethiopians were not going to budge – and tried to persuade Eritrea to withdraw its troops so as to bring the Ethiopians to the table. Eritrea proved intractable – and Ethiopia sent in its troops, apparently with the intention of creating its own facts on the ground.

Belatedly, the UN imposed an arms embargo on both states – a largely symbolic gesture, since both countries had stockpiled enough weapons to sustain themselves through months of war. This gave rise to the peculiar spectacle of both Ethiopia and Eritrea condemning the embargo, both on the grounds that the embargo represented equal punishment for the aggressor (which each side believed the other to be) and the victim (which each side believed itself to be).

Within a week, Ethiopia had taken the town of Barentu, which gave it effective control over a large portion of western Eritrea (see News Section for map).

There was widespread speculation that the Ethiopians were heading for the port of Assab – a sensible enough assumption on the grounds that Ethiopia's geopolitical position would be far stronger had it not lost its ports with Eritrean independence. However, a characteristic of this war has been the subjugation of pragmatism to national pride (why else would two of the world's most impoverished nations spend, according to some estimates, US\$1m a day on the conflict?) Ethiopia's efforts have been concentrated on retaining the land which has been under its administration since Eritrean independence, rather than pushing towards the sea – though sustained fighting within Eritrean territory even after Ethiopia agreed to sign the peace accord has fuelled Eritrean suspicions about Ethiopia's ambitions.

Others speculated that Ethiopian troops would move on Asmara, perhaps with the intention of annexing Eritrea and maybe later restoring its independence under a government less hostile to Ethiopian interests than the present administration of President Isaias Afwerki. Indeed Ethiopian government statements frequently talk of the "*rogue regime*" in Asmara and Ethiopian newspapers have run articles about Isaias with headlines such as "*The proverbial king of Asmara goes bananas.*"



Ethiopian soldiers on the Zalambessa Front

Ethiopian troops were certainly moving in that direction during in the first fortnight of the invasion – and the Eritrean army drew back towards Asmara for defensive purposes. Some news reports remarked, breathlessly, that the Ethiopians had come within 100km of the Eritrean capital – disregarding the fact that Eritrea is so small and Asmara so close to the border that Ethiopian troops could get within 100km of Asmara without leaving their home soil. It is nevertheless true that in the first two weeks of the war, Ethiopia had seized far more territory than it had ever claimed as its own. Ethiopian troops swept into Eritrea from the west – despite already having won back all the disputed territory along that particular battle front during the battle of Badme in February 1998.

But Ethiopia's seizure of western Eritrea appears to have been motivated overwhelmingly by strategic considerations. Addis Ababa sought to justify the capture of Barentu and surrounding areas as follows:

While exercising its right of self-defense and liberating some of its sovereign territories, the Ethiopian forces have also captured other areas because of their strategic importance. As always, however, Ethiopia's only objective is to regain its sovereign lands, which were invaded and occupied by the rogue Eritrean regime in May and June of 1998 (Ethiopian Government Spokesperson's website, 18 May 2000).

Though any such statement made in the midst of war deserves to be treated with scepticism, the subsequent Ethiopian withdrawal from most of the occupied section of western Eritrea – notably from Barentu – lends some credibility to the Ethiopian position.

One account of the invasion involves foot soldiers and several thousand weapon-carrying donkeys. They took advantage of a rugged mountain route which the Eritreans had assumed to be impenetrable, and left unguarded. Whatever the details of the advance, the Eritreans were clearly surprised, which made it easier for the

Ethiopians to move in their heavy artillery through more conventional routes, and advance rapidly. Ethiopian Col. Demessie Bulti's account of events concurs with most of the independent reports which emerged at the time of the invasion:

By now the surprise elements are clear to all of us. On the operational level, the Eritrean commanders and leaders expected the obvious to happen, that is, the offensive would concentrate on the Central Front, or the Egela-Zalambessa Front. Therefore, they concentrated 60 percent of their best forces on this Front; maybe the same amount of their mechanized armaments were there too. But the Ethiopia (sic) commanders chose the Western Front, where there was less concentration of Eritrean forces as well as weak divisions (Ethiopian Government Spokesperson's Website).

Having asserted control over western Eritrea, Ethiopia turned its attention to the central portion of the front line, around Zalambessa. Again, there was an element of surprise in the attack. There had been predictions that the Ethiopian forces already inside Eritrea would head east towards Zalambessa – but in fact, Ethiopia sent fresh soldiers in from the south, crossing the central portion of the front. After a fierce two-day battle the Eritreans agreed to pull back.

Eritrea has decided, for the sake of peace, to accept the OAU's appeal for de-escalation (Eritrean Ministry of Foreign Affairs, 24 May 2000).

Ethiopia, typically, credited the Eritreans with no such noble motives:

They were thrashed, they were kicked out, they were destroyed (Ethiopian spokeswoman Selome Tadesse, interview with BBC, 25 May 2000).

Shortly afterwards, Eritrea also agreed to withdraw from territories on the eastern front which it said were indisputably its own:

President Isaias nonetheless formally informed the OAU Current Chairman that “*Eritrea commits itself to re-deploy its troops from Bada and Burrie in order to deny Ethiopia any pretext.*” Eritrea's redeployment from these areas is being done “*on the basis of the OAU Framework Agreement and the Modalities of Implementation, which state that re-deployment does not pre-judge the status of the territories concerned, which will be determined at the end of the delimitation and demarcation period, and if need be, arbitration*” (Eritrean Ministry of Foreign Affairs 26 May).

END GAME

When the peace agreement was made public on 12 June, it appeared that Ethiopia had got what it wanted

Peace talks began once again in Algiers under the chairmanship of Algerian President Abdelaziz Bouteflika, in his capacity as president of the Organisation of African Unity. Fighting nevertheless continued as Ethiopian troops withdrew from western Eritrea, and remained comfortably within Eritrean territory in the east, near Assab. Negotiators shuttled between Ethiopian Foreign Minister Seyoum Mesfin and Eritrean Foreign Minister, who for more than a fortnight refused to meet face to face. During the first week of the talks, Ethiopia put a demand on the table which had no equivalent in the original 1998 peace plan, and which seemed to require a major concession from Eritrea: the provision of a neutral peacekeeping force, entirely on Eritrean territory, pending a final demarcation of the disputed border.

When the peace agreement was made public on 12 June, it appeared that Ethiopia had got what it wanted. The plan calls on Ethiopia to withdraw to positions it occupied before the start of the war two years ago. But Eritrea has to withdraw so as to leave a 25-km buffer zone between its troops and the Ethiopians – and this buffer zone will be filled by the peacekeepers. In other words, the peacekeepers will occupy a zone 25 km wide, almost all of it on undisputed Eritrean territory.

At the same time, disputed pieces of territory – such as Badme – which were under Ethiopian administration before May 1998 will continue to be patrolled by Ethiopian troops. Again, Eritrea insisted it was making a temporary withdrawal in the interests of lasting peace. But Ethiopia had effectively created its own “*facts on the ground*”, imposing its own conditions for the eventual delineation of the border. The agreement points out that this interim deployment of forces is not to be prejudicial to the eventual settlement – but the presence of its own troops in places like Badme will give Ethiopia at least a psychological advantage as the next stage of the talks begins.

The OAU proposal also offers some hints – albeit ambiguous ones – about how the border will be arbitrated. The document restates the OAU's position on borders as follows:

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.

Ethiopia's case has, from the start, been based on the limits of its own administration after 1993 – Eritrea's case has drawn its authority from a reading of the treaties

For most African countries, ‘independence’ means independence from the former colonial power. Generally speaking, if two neighbouring African states were to declare a territorial dispute, the OAU would look to the colonial treaties to determine where the border ran in colonial times – and therefore where the border ran at the time of independence.

Eritrea never became independent from its former colonial power, Italy. The Italians were expelled during World War II – after that war, Eritrea was handed over to Ethiopia. By the time of independence from Ethiopia, the border had shifted from what was described in the colonial treaties – this is what has given rise to the territorial dispute which sparked the war.

If the mediators abide by the OAU principle of “*respect for the borders existing at independence*”, they may feel obliged to take into account the boundaries of Ethiopian administration at the time of Eritrean independence – which extend beyond the boundaries laid out, however ambiguously, in the colonial treaty. However, the OAU principle also emphasises that the appropriate treaties must be taken into account.

As we have seen, Ethiopia's case has, from the start, been based on the limits of its own administration after 1993 – Eritrea's case has drawn its authority from a reading of the treaties. The outcome of the demarcation process is likely to depend heavily on the relative importance which the mediators attach to these two often contradictory sources.

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